

**** WORKSHOP AGENDA ****

December 18, 2023

7:30 P.M.

Work Session of the Mayor and Council of the Borough of Englishtown, 15 Main Street, Englishtown, New Jersey 07726.

1. **Meeting Called to Order and Roll Call**
2. **Discussion Items**
3. **Adjournment**

**** AGENDA ****

Regular Meeting of the Mayor and Council of the Borough of Englishtown, 15 Main Street, Englishtown, New Jersey 07726.

1. **Meeting Called to Order and Roll Call**
2. **Statement of Compliance with Sunshine Law**
3. **Moment of Silence and Salute to the Flag**
4. **Approval of Minutes**
August 23, 2023 Executive & Public Session
September 13, 2023 Special Meeting
September 27, 2023 Executive & Public Session
October 25, 2023 Executive & Public Session
November 20, 2023 Executive & Public Session
5. **Councilmember Committee Reports**

Councilmember Krawiec- Public Buildings & Grounds

Councilmember W. Lewis- Public Safety

Councilmember Robilotti- Administration, Finance, Personnel and Technology

Councilmember Francisco- Code Enforcement, Public Health, Welfare & Public Events

Councilmember Mann- Public Utilities

Council member M. Lewis- Legislative, Insurance and Licenses

6. Correspondence

7. Open Public Portion Limited to Agenda Items Only

Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are implied or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.

8. New Business:

A. Resolution 2023-150

Authorizing the 2024 Holiday Schedule for Borough Employees

B. Resolution 2023-151

Authorizing and Adopting Amendments to the Employee Handbook

C. Resolution 2023-152

Authorizing Shared Service Agreement with Freehold Township for Licensed Operational Services for Englishtown Water-Sewer Utilities

D. Resolution 2023-153

Authorizing Appointment of Jeffrey Elsasser as Qualified Purchasing Agent for the Borough

E. Resolution 2023-154

Memorializing Police Chief Peter Cooke's 2023 Salary Increase

F. Resolution 2023-155

Authorizing the Renewal of Contract with Realty Data Systems for 2024 Property Data Collection and Verification Program

G. Resolution 2023-156

Authorizing Appropriation Transfer

H. Resolution 2023-157

Authorization to Pay Borough Bills

9. Tax Collector's Report – November 2023

10. Public Portion- Non-Agenda Items

Limited to Five (5) Minutes per citizen to be determined at Borough Council's discretion. Any and all situations regarding Borough Personnel, when names are

implies or mentioned, are to be brought to the full attention of the Council through an appointment and subsequent disclosure through the Personnel Committee.

- 11. Executive Session- Attorney Client Privilege Matter
Employee Contract Negotiations**
- 12. Adjournment**

COUNCIL REORGANIZATION MEETING JANUARY 3, 2024 @ 6:30 P.M.

BOROUGH OF ENGLISHTOWN

**** MINUTES ****

December 18, 2023

7:30 P.M

**WORK SESSION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN
15 Main Street, Englishtown, New Jersey 07726.**

Meeting Called to Order and Roll Call:

The meeting was called to order by Mayor Reynolds at 7:30 P.M.

Roll Call Present: C/Francisco, C/Krawiec, C/M.Lewis, C/W.Lewis, C/Mann, C/Robilotti
and Mayor Reynolds

Absent: None

Also Present: Borough Attorney Jonathan Cohen, Police Chief Cooke, CFO Jeffrey
Elsasser, Municipal Clerk Kerry Killeen

Adjournment:

There being no discussion items a motion to adjourn the workshop was offered by C/Robilotti, seconded by C/Mann, with all present Council members in favor of adjournment. Time of adjournment was 7:30 P.M.

**REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLISHTOWN
15 Main Street, Englishtown, New Jersey 07726.**

Meeting Called to Order and Roll Call:

The meeting was called to order by Mayor Reynolds at 7:30 P.M.

Roll Call Present: C/Francisco, C/Krawiec, C/M.Lewis, C/W.Lewis, C/Mann,
C/Robilotti and Mayor Reynolds

Absent: None

Also Present: Borough Attorney Jonathan Cohen, Police Chief Cooke, CFO Jeffrey
Elsasser, Municipal Clerk Kerry Killeen

Statement of Compliance with Sunshine Law

Mayor Reynolds announced that pursuant to N.J.S.A. 10 4-6 notification of this meeting has been (1) Published in the Asbury Park Press and the News Transcript the Official Newspapers of the Borough, (2) Posted to the Public at Borough Hall, (3) Copy has been filed with the Municipal Clerk, (4) Copy of this agenda and the Sunshine Statement has been filed with the Mayor and Council. The meeting was deemed in compliance with the Open Public Meetings Act.

Moment of Silence and Salute to the Flag - Led by Mayor Reynolds.

Approval of Minutes

August 23, 2023 Council Meeting- Executive and Public Session
 September 13, 2023 Special Council Meeting
 September 27, 2023 Council Meeting- Executive and Public Session
 October 25, 2023 Council Meeting- Executive and Public Session
 November 20, 2023 Council Meeting- Executive and Public Session

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		x			
Krawiec		x			
M. Lewis		x			
W. Lewis		x			
Mann	x	x			
Robilotti	x	x			
Mayor Reynolds	tie vote only				

Councilmember Committee Reports:

Councilman Krawiec- Public Buildings and Grounds-

- The Public Works Department is preparing for snow plowing season, and they are looking into solutions to the manpower issues the department is facing. C/Mann inquired if it would be possible to hire temporary employees, Mr. Cohen stated it is common practice for Public Works departments to hire seasonal employees.

Councilman Lewis- Public Safety, Code Enforcement, Public Health, Welfare –

- The grill lights and mirror lights still need to be removed from the decommissioned Police vehicles so that they can be auctioned.
- Police Chief Cooke read the police activity report for November 2023. He also added that Franklin Auto Body was shut down by the NJ Division of Taxation, and that the Division of Taxation can assist with getting cars stored there back to their owners.

Councilwoman Robilotti – Administration, Finance, Personnel and Technology –

- No report

Councilman Francisco – Public Events –

- The recreation committee is hosting the Borough’s Christmas event at the Englishtown Fire House on December 23rd. Santa will ride around the Borough on the firetruck between 9 AM and 12 PM, and then photos with Santa will take place at the Fire House from 1 PM to 4 PM.

Councilman Mann – Public Utilities –

- No report

Councilwoman Lewis – Legislative, Insurance and Licenses –

- With the changing of Council seats happening in the next couple of weeks C/M. Lewis asked that outgoing Councilmembers complete any outstanding projects and pass over any documentation they may have to the incoming Councilmembers.

Open Public Portion Limited to Agenda Items Only:

Motion was made to open the Public Portion by C/Mann, seconded by C/Francisco. All in favor. Brenden Sharkey- Mr. Sharkey inquired about the water well utility project, and what is the standard practice for the approval of minutes.

There were no further public comments made. Motion was made to close public comment by C/Mann, seconded by C/Francisco. All in favor.

Mayor Reynolds read the tax collectors report aloud.

NEW BUSINESS:

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2023-150**

**AUTHORIZING 2024 HOLIDAY SCHEDULE
FOR BOROUGH EMPLOYEES**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that the following shall be paid holidays for the Borough of Englishtown employees for the 2024 calendar year:

January 1 st	Monday	New Year’s Day
January 15 th	Monday	Martin Luther King Day
February 19 th	Monday	President’s Day
March 29 th	Friday	Good Friday
May 27 th	Monday	Memorial Day
July 4 th	Thursday	Independence Day
July 5 th	Friday	Day after Independence Day (Floating)
September 2 nd	Monday	Labor Day

October 14 th	Monday	Columbus Day
November 11 th	Monday	Veteran’s Day
November 28 th	Thursday	Thanksgiving Day
November 29 th	Friday	Day after Thanksgiving
December 24 th	Tuesday	Christmas Eve
December 25 th	Wednesday	Christmas Day
December 31 st	Tuesday	New Year’s Eve

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Francisco		x			
Krawiec		x			
M. Lewis		x			
W. Lewis		x			
Mann	x	x			
Robilotti		x			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-151**

**AUTHORIZING ADOPTION OF AMENDMENTS TO THE BOROUGH’S EMPLOYEE
 HANDBOOK**

WHEREAS, the Borough of Englishtown has determined that certain amendments and updates to the Employee Handbook are required to incorporate changes in State and Federal law and based on recommendations from the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the adoption of a revised Employee Handbook will protect the interests and rights of both the Borough and its employees; and

WHEREAS, the Borough has made certain amendments and updates to the current Employee Handbook to conform with the requirements set forth above; and

WHEREAS, the Employee Handbook, revised December 15, 2023, will be distributed to all Borough employees, as applicable; and

WHEREAS, the Borough employees will acknowledge receipt of the revised Employee Handbook.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown that the aforesaid Employee Handbook, revised December 15, 2023, be and is hereby accepted and adopted;

BE IT FURTHER RESOLVED that copies of the revised Employee Handbook shall be distributed to all employees, as applicable;

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco	x	x			
Krawiec		x			
M. Lewis		x			
W. Lewis		x			
Mann		x			
Robilotti	x	x			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2023-152**

RESOLUTION OF AUTHORIZATION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FREEHOLD FOR LICENSED OPERATIONAL SERVICES FOR THE ENGLISHTOWN WATER-SEWER UTILITIES

WHEREAS, the “Uniform Shared Services and Consolidation Act” N.J.S.A. 40A:65-1 through 40A:65-35 (the “Act”), authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Englishtown has identified an area where working together through shared services will result in positive outcomes for both municipalities; and

WHEREAS, the Borough of Englishtown now wishes to enter into a Shared Services Agreement (“Agreement”) for Licensed Operational Services for the Englishtown Water-Sewer Utilities with Freehold Township to provide such service for a term beginning January 1, 2024 and ending December 31, 2024; and

WHEREAS, Freehold Township has agreed to provide the Borough of Englishtown with the services of its Licensed Operational Services for the Englishtown Water-Sewer Utilities pursuant to the terms and conditions set forth in a Shared Services Agreement between the Parties.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown in the County of Monmouth, State of New Jersey that it hereby authorizes and directs the Mayor to execute a Shared Services Agreement for Licensed Operational Services for Englishtown Water-Sewer Utilities for one year (1) at a cost of \$2,834.00 per month.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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Francisco			x			
Krawiec		x	x			
M. Lewis			x			
W. Lewis			x			
Mann	x		x			
Robilotti			x			
Mayor Reynolds	tie vote only					

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-153**

**A RESOLUTION OF THE BOROUGH OF ENGLISHTOWN, MONMOUTH COUNTY,
 NEW JERSEY APPOINTING A QUALIFIED PURCHASING AGENT (QPA) AND
 INCREASING THE BID AND QUOTE THRESHOLDS ACCORDINGLY**

WHEREAS, P.L.2009,c.166 amended Local Public Contracts Law by creating and formalizing the Qualified Purchasing Agent (QPA) program to permit contracting agencies with a QPA to take advantage of the higher bid threshold; and

WHEREAS, The Borough of Englishtown desires to appoint a Qualified Purchasing Agent (QPA) in accordance with N.J.S.A.40A:11-9(b) and further wishes to take advantage of the higher bid and quote thresholds in accordance with N.J.S.A.40A:11-3 and N.J.S.A.40A:11-6.1(a); and

WHEREAS, Jeffrey C. Elsasser possesses the designation of Qualified Purchasing Agent (QPA) as issued by the Director of Local Government Services: and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, that Jeffrey C. Elsasser is appointed as the Borough’s Qualified Purchasing Agent (QPA) and is hereby authorized to exercise the duties of a QPA.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, that the Borough’s bid threshold will be increased from \$ 17,500 to \$44,000 and that the quote threshold will be 15% of the higher bid threshold, in accordance with N.J.S.A.40A:11-3 and N.J.S.A.40A:11-6.1(a) respectively.

BE IT FURTHER RESOLVED that a certified copy of this resolution and a copy of Jeffrey C. Elsasser’s QPA certification be forwarded to the Director of the Division of Local Government Services.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Francisco	x	x			
Krawiec		x			
M. Lewis		x			

W. Lewis			x			
Mann		x	x			
Robilotti			x			
Mayor Reynolds	tie vote only					

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-154**

RESOLUTION TO MEMORIALIZE POLICE CHIEF’S 2023 SALARY INCREASE

WHEREAS, Police Chief Peter Cooke had been working without a contract January 1, 2021, and continues to work without a contract;

WHEREAS, the Council at its November 30, 2022 public meeting authorized the Police Committee to negotiate a contract with the Police Chief by which Cooke would receive an increase of six percent over his 2022 base salary effective January 1, 2023;

WHEREAS, notwithstanding the fact that a contract was never finalized between the Borough and Cooke, the Borough adjusted the Chief’s annual compensation for 2023 to \$128,548.82 effective January 1, 2023;

BE IT RESOLVED that the Borough’s records should reflect that the Police Chief’s salary is and shall continue to be \$128,548.82 until it is modified by contract or a separate action of this body. Nothing in this Resolution shall be construed to provide to the Police Chief any salary or benefits apart memorializing the \$128,548.82 base salary which he has earned since January 1, 2023.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Borough Auditor, Borough CFO, and Chief Peter Cooke.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Francisco			x		
Krawiec			x		
M. Lewis			x		
W. Lewis		x	x		
Mann	x		x		
Robilotti			x		
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-155**

RESOLUTION AUTHORIZING THE PROJECT EXTENSION FOR PROPERTY DATA COLLECTION AND VERIFICATION PROGRAM

WHEREAS, the Borough of Englishtown, with an address of 15 Main Street, Englishtown NJ 07726 (the “Borough”) and Realty Data Systems LLC, with an address of 2 Majestic Avenue – Suite 2, Lincroft NJ 07738 (“RDS” and together with the Borough, the “Parties”) entered into a Contract for Real Property Data Collection and Verification Services, dated September 25, 2019 (the “Contract”); and

WHEREAS, the Contract required RDS to perform inspections of 100% of all real property situated within the boundaries of the Borough (the “Properties”) by December 31, 2023; and

WHEREAS, RDS has completed the required inspections specified above; and

WHEREAS, RDS implemented the Remote Virtual (“RV”) interior inspection process in the Borough in 2021, and the RV process has been incorporated into both N.J.S.A 54:4-23b and the rules and guidelines approved by the Monmouth County Board of Taxation; and

WHEREAS, the Parties wish to complete inspections of the Properties for the Borough’s current inspection cycle (2024-2028) at the direction of the Township’s Tax Assessor;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown, in the County of Monmouth as follows the Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for the property data collection and verification program with Realty Data Systems.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Francisco		x			
Krawiec		x			
M. Lewis		x			
W. Lewis		x			
Mann	x	x			
Robilotti		x			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-156**

RESOLUTION AUTHORIZING APPROPRIATION TRANSFER

WHEREAS, N.J.S.A. 40A: 4-58 provides that during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective

sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that transfers be approved as follows:

Current Fund:

From:

Police SW \$45,000.00

To:

Insurance OE \$45,000.00 **Reason**
 Salary Increases

Water Fund:

From:

Other Expense \$10,000.00

To:

Note Interest \$10,000.00 **Reason**
 Accrued Int on Notes

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		x			
Krawiec	x	x			
M. Lewis		x			
W. Lewis		x			
Mann	x	x			
Robilotti		x			
Mayor Reynolds	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2023-157**

**RESOLUTION OF THE BOROUGH OF ENGLISHTOWN
 COUNTY OF MONMOUTH, STATE OF NEW JERSEY
 AUTHORIZING THE PAYMENT OF BOROUGH BILLS**

WHEREAS, the Mayor and Council have carefully examined all vouchers presented to the Borough for the payment of claims; and

WHEREAS, after due consideration of the said vouchers, the Mayor and Council have approved payment of same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, as follows:

1. The said approved vouchers amounting to the sum of \$577,114.56 are hereby authorized to be paid on December 18, 2023.
2. The Borough Clerk is hereby directed to list on the page in the Minutes Book following the minutes of this meeting all of the said vouchers hereby authorized to be paid.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		x			
Krawiec		x			
M. Lewis		x			
W. Lewis	x	x			
Mann		x			
Robilotti		x			
Mayor Reynolds	tie vote only				

Public Portion:

Motion was made to open the Public Portion by C/M. Lewis, seconded by C/Francisco. All in favor.

Brenden Sharkey- Mr. Sharkey inquired about the contract awarded to Colliers for the work on the water well replacement project, and if a bid was required.

There were no further public comments made. Motion was made to close public comment by C/Francisco, seconded by C/Mann. All in favor.

Executive Session (Litigation/Personnel):

RESOLUTION OF THE BOROUGH OF ENGLISHTOWN MAYOR AND COUNCIL FOR A CLOSED OR EXECUTIVE SESSION PURSUANT TO N.J.S.A. 10:4-13.

WHEREAS, N.J.S.A. 10:4-12B provides that a public body may exclude the public from that portion of a meeting at which the body discusses contract negotiations;

1. Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;

3. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records or personal material including health records, legal defense, insurance, etc.
4. Any collective bargaining agreement or terms and conditions related thereto;
5. Any matter involving the purchase, lease or acquisition of real property with public funds;
6. Any tactics and techniques utilized in protecting the public safety and property;
7. Any pending or anticipated litigation or contract negotiation wherein the public body is, or may become a party. Any matters, falling within the attorney-client privilege, to the extent that confidentiality is required.
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion or disciplining of any specific prospective public officer or employee or current officer or employee, employed or appointed by the public body.
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or suspension or loss of a license or permit.

WHEREAS, N.J.S.A. 10:4-13 provides that a public body may not exclude the public from any meeting to discuss any matters described in N.J.S.A. 10:4-12 until the public body has adopted a resolution at a meeting to which the public shall be admitted, stating the general nature of the subject to be discussed and stating as precisely as possible, the time and when the circumstances under which the discussion conducted in a closed session of the public body can be disclosed to the public.

WHEREAS, the Mayor and Council of the Borough of Englishtown believe that a closed session pursuant to Section 4 of N.J.S.A. 10:4-12b is required to discuss personnel matters.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the public be excluded from this portion of the public meeting convened this 28th day of June, 2023, pursuant to Section 4 of the Open Public Meetings Act.

BE IT FURTHER RESOLVED, that the subject matter of this executive session will be made public when it is no longer required that the subject matter discussed be kept privileged.

Enter into Executive Session: Time: 8:15 P.M.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Francisco		x	x		
Krawiec			x		
M. Lewis			x		
W. Lewis	x		x		
Mann			x		
Robilotti			x		

Mayor Reynolds	tie vote only				
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Council returned from Executive Session at 8:58 P.M.

Adjournment:

There being no further business a motion to adjourn was offered by C/Mann seconded by C/W. Lewis. All in favor. The time being 9:01 P.M.

February 28, 2024
Date Approved

Kerry Killeen, R.M.C.
Municipal Clerk