

**Borough of Englishtown**  
**\*\*REGULAR MEETING\*\***

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

**August 8, 2024**  
6:00 PM Executive Session    Public Session to Follow

**ANNOUNCEMENT OF MEETING (OPEN PUBLIC MEETINGS ACT NOTICE)**

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was sent to the Asbury Park Press, and posted on the bulletin board in Borough Hall and filed in the Borough Clerk's Office on March 24, 2024.

Executive Session:    Attorney Client Privilege Matter  
   Personnel

Regular Meeting:

1. Meeting Called to Order and Roll Call
2. Statement of Compliance with Sunshine Law
3. Salute to the Flag
4. Open Public Portion Limited to Agenda Items Only  
Limited to three (3) 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.
5. New Business
  - Ordinance 2024-14                      FIRST READING AND INTRODUCTION  
AN ORDINANCE OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF ENGLISHTOWN AMENDING CHAPTER 460  
ENTITLED "PARKS"
  - Ordinance 2024-15                      FIRST READING AND INTRODUCTION  
AN ORDINANCE OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF ENGLISHTOWN ESTBLISHING RECREATION FEES  
AND DEDICATION OF RECREATION FEES IN THE BOROUGH  
AND AMENDING PART II, "GENERAL LEGISLATION", OF THE

CODE OF THE BOROUGH OF ENGLISHTOWN BY REPEALING  
EXISTING CHAPTER 350-5 ENTITLED, "FESTIVAL AND EVENT  
FEES" IN ITS ENTIRETY AND ADDING THERETO A NEW  
CHAPTER 350-5 "FESTIVAL AND EVENT FEES"

6. Public Portion- Non-Agenda Items  
Limited to three (3) 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.
7. Adjournment

**\*\* NEXT COUNCIL MEETING AUGUST 28, 2024 AT 6:30 PM \*\***

**BOROUGH OF ENGLISHTOWN  
ORDINANCE 2024-14**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
ENGLISHTOWN AMENDING CHAPTER 460 ENTITLED "PARKS"**

**§ 460-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

PARKS —

- A. Sanford Memorial Park, including all its walkways and any municipal-owned entities, including but not limited to Borough Hall parking lot and restrooms that may be associated with same.
- B. Lake Weamaconk (Mills Pond) and all publicly owned surrounding land and properties.

**§ 460-2. Parks open to all; user requirements.**

The public parks of the Borough of Englishtown shall be open to all citizens of the Borough of Englishtown and to such other persons as are desirous of using same. All persons using any park within the Borough shall observe the rules and regulations set forth in this chapter.

**§ 460-3. Hours. [Amended 10-27-2021 by Ord. No. 2021-07]**

The hours of park operation shall be from dusk to dawn, daily.

**§ 460-4. Prohibited acts.**

The following acts are prohibited within any park in the Borough:

- A. Cutting, defacing, injuring, removing or disturbing any tree, shrub, building, fence, bench or other structure, apparatus or property; or picking, cutting or removing any shrub, bush, or flower; or marking, writing, ~~defacing~~ climbing (not intended for such purpose) upon any building, fence, bench, railing, pavings, or paving materials, signs, monuments, fences, or other park structure.
- B. The use of abusive or profane language.
- C. The possession or use of firearms, bow and arrow, or the throwing of stones or other missiles.
- D. The consuming, possessing or presence in the park while under the influence of any illegal drugs, or the consuming, possessing or presence in the park while under the influence of any alcoholic beverages.<sup>1</sup> Anyone wishing to consume or possess any alcoholic beverages while in the park must obtain written permission from the governing body or its designee.
- E. Hunting, ~~or~~ trapping, frightening, chasing, pursuing, molesting, shooting, or throwing missiles at any animal, wildlife, reptile or bird.

- F. Gambling, betting or participating on any game of chance without special permit that has been subject to all municipality, county and state laws.
- G. Dumping or littering.
- H. Any other act constituting a disorderly persons offense under N.J.S.A. 2C:33-2, Disorderly conduct.
- I. Fire: any bonfire or any outdoor rubbish fire not in accordance with provisions set forth in the New Jersey State Fire Protection Code Site Number, N.J.A.C. 5:70, in existence now and with future amendments.
- J. Failure to cooperate in maintaining public restrooms and washrooms in a neat and sanitary condition.
- K. Drive or park any vehicle (other than emergency vehicles) on any area except the park roads or parking areas, without prior approval from governing body.
- L. Swim, bathe or wade in any publicly owned waters or waterways in or adjacent to the lake.
- M. Ice-skating or fishing when official notice indicates a safety hazard or otherwise, or in a specific area designated by safety official or Police Department.
- N. Set up tents, shacks, or other temporary structures for the purpose of overnight camping, nor shall any persons leave in the park after closing hours any movable structure or special vehicle to be used or that could be used for the such purpose, such as house trailer, camp trailer, camp wagon, etc., without proper approval and permits by the governing body.
- O. Have in the possession, or set or otherwise cause to explode or discharge or burn, any firecrackers, torpedo rockets, or other fireworks, firecrackers or explosives of inflammable material, or discharge them or throw them into any such areas from lands or highways adjacent thereto.
- P. Leaving domestic animal solid waste on any above-described property without appropriate disposal.
- Q. Peddling and soliciting.~~not in accordance with Chapter 468.~~
- R. No temporary or statutory lighting outlets or wiring not in accordance with electrical code  
N.J.A.C. 5:23-2.1 to 5:23-2.4.
- S. ~~Any such further acts as the governing body may from time to time by resolution enact.~~  
Climbing any tree, building, fence, or structure of whatever kind not intended for such purpose.
- T. Throwing, discharging, or otherwise placing or causing to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid which will or may result in pollution of said waters.

**§ 460-4a. Prohibited Conduct.**

- A. Bring alcoholic beverages or drink same at any time while in a public park or recreation area.
- B. Have in his possession or set or otherwise cause to explode or discharge or burn any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives of flammable material or discharge them or throw them into such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. At the discretion of the Borough Council, permits may be given for conducting properly supervised fireworks in designated park areas.
- C. Appear at any place in other than proper clothing.
- D. Solicit alms or contributions for any purpose, whether public or private, unless by approved permit.
- E. Build or attempt to build a fire except in such areas and under such regulations as may be designated by the Borough Council. No persons shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park or on any highways, roads or streets abutting or contiguous thereto.
- F. Enter an area posted as closed to the public, nor shall any person use or abet in the use of any area in violation of posted notices.
- G. Go onto the ice on any of the waters for any purpose.
- H. Sleep or protractedly lounge on the seats or benches or other areas or engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.
- I. Fail to produce and exhibit any permit from the Borough Council he/she claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- J. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- K. Expose or offer for sale any article or thing; nor shall he/she station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Borough Council.
- L. Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever; nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

**§ 460-5. Violations and penalties. (NO CHANGE)**

**§ 460-6. Application for Use of Borough Facilities. (NO CHANGE)**

- A. The Borough of Englishtown desires to establish regulations for the use of all applicable facilities owned and operated by the Borough of Englishtown as set forth in this section.
- B. For purposes of this Section 460-4a user group shall be defined to include any individual or group representing an organization or group of individuals that seek to use Borough facilities for an organized activity.
- C. All uses of Borough Facilities by user groups shall require the issuance of a facility use permit. Applications for facility use permits must be made through a facility use request in writing and on the forms supplied by the Borough. Forms may be obtained from the Borough Clerk or on the Borough's website.
- D. The following terms shall govern all facility use requests by user groups, and all issuances of facility use permits shall be conditioned upon the following:
  - 1. Applications must be submitted to the Borough's Clerk's Office no less than 3 months before the date of requested use.
  - 2. The application shall be signed by an adult representative of the user group requesting the facility use permit who shall be considered the organization's authorized agent. The user group must have the authorized agent or at least one other adult in attendance while the facility is being used pursuant to the facility use permit.
  - 3. Applicants must agree that they shall assume responsibility for the orderly and careful use of the facility for which they are seeking approval.
  - 4. Applicants must agree to indemnify and hold the Borough harmless from any and all claims, injuries and/or damages arising out of the permitted use of the facility and must furnish evidence of adequate liability insurance coverage of a minimum of \$1,000,000 per person, incident and for property damage with such Certificate of Insurance clearly naming the Borough of Englishtown as additionally insured for the period of time which the permit is being issued.
  - 5. Applicants must also seek approval from the Borough of Englishtown Police Department, should their event require security or safety details.
  - 6. Applicants agree they will not sublet or assign any permitted facility. Only the individuals or organizations making reservations for the fields or facilities may use them for the stated time on their permit. Any unauthorized subletting or assignment will result in the immediate forfeiture of the individual or organizations permit.
  - 7. The Borough shall not discriminate in making any of its facilities available on the basis of race, color, national origin, religion, sex, sexual orientation, age, physical limitation, or any other protected class under applicable law.

8. The issuance of a facility use permit to a user group shall not constitute or imply in any way an endorsement by the Borough of the user group's aims, policies, or activities, and a user group hereby agrees to not imply such Borough endorsement in any of its advertisements or announcements.

9. The Governing Body shall deny any permit application if they determine that the applicant fails to satisfy any of the applicable requirements contained in this section or if a user group has not paid permit fees imposed in chapter 350 in a timely fashion.

**BOROUGH OF ENGLISHTOWN  
ORDINANCE 2024-15**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
ENGLISHTOWN ESTABLISHING RECREATION FEES, DEDICATION OF  
RECREATION FEES IN THE BOROUGH AND AMENDING PART II, "GENERAL  
LEGISLATION", OF THE CODE OF THE BOROUGH OF ENGLISHTOWN BY  
REPEALING EXISTING CHAPTER 350-5 ENTITLED, "FESTIVAL AND EVENT FEES"  
IN ITS ENTIRETY AND ADDING THERETO A NEW CHAPTER 350-5  
"FESTIVAL AND EVENT FEES"**

**§ 350-5. Festival and event fees.**

A. Vendor/Food Vendor:

- (1) Vendor fee: \$25
- (2) Temporary Food Vendor Fee (fee does not include Fire Code permit):
  - (a) Food Vendor: \$35
  - (b) Food Truck: \$50
- (3) Festival car show: \$5 for preregistration or \$10 registration day of show.

B. Annual Halloween Party.

- (1) Entrance fee: \$5 per person (children 12 years and under are free).

C. Annual Scarecrow Contest

- (1) Entrance fee: \$15

D. Annual Holiday Party

- (1) Photo with Santa: \$5

E. The rates set forth above are subject to modification by a resolution adopted by the governing body.

**§ 350-6. Municipal Recreation Field Fees. (NO CHANGE)**

**§ 350-7. Dedication of Revenues**

- A. All revenues received from all sources, including vendor fees, special event fees, if any, food stand income, and income from all recreation related fees shall be dedicated revenues to be used solely for the payment of planning and operation of recreation events through the Recreation Trust Fund.