

Borough of Englishtown

****REGULAR MEETING****

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

April 11, 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
 Contract Negotiations

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 2024-02 FIRST READING & INTRODUCTION
Ordinance Amending Chapter 95 of the Borough Code by Adding a New Article to Establish Positions of Borough Engineer, Special Engineer and Planner
 - Ordinance 2024-03 FIRST READING & INTRODUCTION
Ordinance Amending Section 75-9 of the Borough Code to Abolish the Citizens Advisory Committee and Replace it with an Economic Development Advisory Committee

- Ordinance 2024-04 FIRST READING & INTRODUCTION
Ordinance Establishing Limits for Salaries of the Employees of the Borough of Englishtown- Facilities Technician

- Resolution 2024-071
Appointing Donna Holmqvist of Professional Planning Group as Borough Planner for the year 2024

- Resolution 2024-072
Awarding Contract to Donna Holmqvist of Professional Planning Group to Perform the 2024 Master Plan Re-Examination

- Resolution 2024-073
Awarding Contract to Colliers Engineering to Perform the 2024 Master Plan Re-Examination

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 APRIL 24, 2024 AT 6:30 PM ****

SECTION 1

Chapter 95, Officers and Employees, shall be amended as follows:

ARTICLE VII (NEW)

§ 95-24. Purpose.

The purpose of this article is to amend Chapter 95 of the Borough Code by adding a New Article to establish the positions of Borough Engineer, Special Engineer and Planner.

§95-25. Establishment of Borough Engineer position.

There shall be a Borough Engineer, who shall be appointed by the Borough Council for a term of one year. The Council shall by Resolution set the Engineer's annual compensation on a fixed fee or hourly basis not to exceed an amount to be determined on an annualized basis. In the event that the Borough appoints a Special Engineer pursuant to Section 27 of this Chapter, the Council reserves the sole discretion, which may be delegated to the Borough Attorney, Unified Planning/Zoning Board Attorney and/or Administrator, as to which assignments and projects to assign to the Borough Engineer and/or the Special Engineer. Neither the Borough Engineer nor the Special Engineer shall have any contractual or other right to any particular assignment.

§95-26. Establishment of Special Engineer position.

In addition to the Borough Engineer, the Council may appoint a Special Engineer for a term not to exceed one year. The Council shall by Resolution set the Engineer's annual compensation on a fixed fee or hourly basis not to exceed an amount to be determined on an annualized basis. The Council reserves the sole discretion, which may be delegated to the Borough Attorney, Unified Planning/Zoning Board Attorney and/or Administrator, as to which assignments and projects to assign to the Borough Engineer and/or the Special Engineer.

§95-27. Duties of Engineer.

The Engineer and/or Special Engineer, as assigned by the Council or their designee as set forth in this Chapter, shall perform the duties prescribed by general law and ordinance:

- A. Prepare or cause to be prepared plans, designs, specifications, reports, investigations and cost estimates for all public works improvements undertaken by the Borough, either by public contract or contract or force account, and further supervise any planning activities.
- B. Provide and maintain surveys, maps, plans, specifications and control records with respect to all public works facilities owned and operated by the Borough.
- C. Provide technical and engineering advice and assistance to the Unified Planning/Zoning Board and to other Township departments as needed.
- D. Review proposed sketch plats, minor, preliminary and final subdivision maps for conformity with the municipal subdivision ordinances and other land use requirements, and advise the Unified Planning/Zoning Board as to such matters in their capacity as Unified Planning/Zoning Board Engineer.
- E. Serve as Unified Planning/Zoning Board Engineer and attend all regular meetings as notified by the Secretary of the Unified Planning/Zoning Board.
- F. Inspect and approve all installations made in accordance with the requirements of the Unified Planning/Zoning Board prior to the acceptance of any street or subdivision or the release of any security related to a subdivision approval. The Unified Planning/Zoning Board shall not act on any site plan or subdivision application unless and until the findings and recommendations of the Division of Engineering have been submitted to the Board and made a part of its public record.
- G. Maintain the Tax Maps of the Borough pursuant to law.
- H. Upon the termination of his service with the Borough, surrender all papers, documents, memoranda, reports and other materials relating to the administration of his engineering duties.

§95-28. Establishment of Borough Planner position.

The Council may appoint a Borough Planner for a term not to exceed one year. The Borough Planner shall be responsible to review all applications for development and shall submit written reports to the Council and/or Unified Planning/Zoning Board as requested. The Planner shall be available for consultation with the Council, the Borough Attorney and Unified Planning/Zoning Board and shall attend Council meetings and Unified Planning/Zoning Board meetings upon request.

§95-29. Term of Office.

The term of office for the, Borough Engineer, Special Engineer and Borough Planner shall not exceed 1 year under any circumstance unless required by law. The Borough Engineer, Special Engineer and Borough Planner shall be subject to removal by the Borough Council prior to the expiration of their contract upon a hearing and a showing of good cause, which shall be defined as a failure to adequately execute their duties or for other sufficient cause.

SECTION 2

This Ordinance shall take effect upon its final passage, approval and publication according to law.

DATE OF INTRODUCTION April 11, 2024

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak		x	x		
M. Lewis					x
W. Lewis					x
Reque			x		
Sabin			x		
Sarti	x		x		
Mayor Francisco	tie vote only				

DATE OF PUBLIC HEARING April 24, 2024

ORDINANCE 2024-03
AN ORDINANCE AMENDING SECTION 75-9 OF THE BOROUGH OF
ENGLISHTOWN CODE TO ABOLISH THE CITIZENS ADVISORY COMMITTEE
AND REPLACE IT WITH AN ECONOMIC DEVELOPMENT ADVISORY
COMMITTEE

WHEREAS, the Mayor and Council submit this Ordinance to amend Section 75-9 of the Borough Code to establish an Economic Development Advisory Committee and replace the defunct Citizens Advisory Committee.

SECTION 1

Chapter 75, Section 9, shall be amended to eliminate the existing language and replace it with new language as follows:

~~§ 75-9. Citizens Advisory Committee.~~

~~The Mayor may appoint one or more persons as a Citizens Advisory Committee to assist or collaborate with the Unified Planning/Zoning Board in its duties, but such person or persons shall have no power to vote or take other actions required by the Board. Such person or persons shall serve at the pleasure of the Mayor.~~

§ 75-9. Economic Development Advisory Committee.

A. Purpose. Englishtown Borough's Economic Development Advisory Committee ("EDAC" or "Committee") is charged with developing and implementing a strategic business attraction and retention program for the municipality. Its function is to match enterprises looking for a new home with a suitable and appropriate location within the Borough of Englishtown's borders. The EDAC's mission is to attract strong and diverse corporations that will add to the Borough's business community. The primary focus of the EDAC is to promote occupancy of existing vacant commercial sites and to work with currently occupied developed properties toward revitalizing these properties to aid in enhancing current tax rates. At the direction of the Borough Council, the EDAC also assists with new applications and/or inquiries for commercial developments and provides timely and useful vacant listings suitable for development. The EDAC shall work to foster a business-friendly environment in the Borough of Englishtown, to promote an understanding of economic development and aid the community in envisioning and realizing a desired economic future.

B. Composition; membership; term of office. The EDAC shall consist of the Mayor, Council President and three members appointed by the Mayor, each for a term of one year. Each member appointed to the Committee shall be a citizen of the United States and a qualified voter of this state. The Mayor should endeavor to appoint at least one owner of a local business to the Committee. Vacancies in the membership of the Committee shall be filled by the Mayor for the unexpired term thereof.

C. Selection of officers. The members of the Committee shall choose annually from among its members a Chair and such other officers as it may deem necessary. Officers on the Committee shall be considered Borough Officials and shall be eligible under Section 75-1 of the Code to serve as Class II members of the Unified Planning/Zoning Board.

D. Compensation. The members of the Committee shall serve without compensation.

SECTION 2

This Ordinance shall take effect upon its final passage, approval and publication according to law.

DATE OF INTRODUCTION April 11, 2024

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jewusiak		x	x		
M. Lewis					x
W. Lewis					x
Reque			x		
Sabin			x		
Sarti	x		x		
Mayor Francisco	tie vote only				

DATE OF PUBLIC HEARING April 24, 2024

ORDINANCE 2024-04

**ORDINANCE ESTABLISHING LIMITS FOR SALARIES OF THE EMPLOYEES OF
 THE BOROUGH OF ENGLISHTOWN, COUNTY OF MONMOUTH,
 STATE OF NEW JERSEY**

BE IT ORDAINED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey that the following changes shall be incorporated into Chapter 1.37 of the Code of the Borough of Englishtown entitled “Salaries and Compensation”

Section I: The annual salary ranges are established as follows, and the Borough Chief Financial Officer is hereby authorized to transfer such sums of money from such payroll from the time as directed by Salary Resolution of the Governing Body.

POSITION

SALARIES
MINIMUM MAXIMUM
\$18,000 \$55,000.00

FACILITIES TECHNICIAN

Section II: Salaries shall be set forth by Resolution of Mayor and Council within the aforementioned salary guidelines.

Section III: Payment of salaries shall be in equal semi-monthly or other installments as the Mayor and Council may from time to time resolve.

Section IV: All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section V: This ordinance shall take effect upon its passage and publication according to law.

DATE OF INTRODUCTION April 11, 2024

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak	x	x			
M. Lewis					x
W. Lewis					x
Reque		x			
Sabin	x	x			
Sarti		x			
Mayor Francisco	tie vote only				

DATE OF PUBLIC HEARING April 24, 2024

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-071**

APPOINTMENT OF BOROUGH PLANNER

WHEREAS, the Mayor and Council of the Borough of Englishtown is knowledgeable that there is a need for the appointment of a Municipal Planner to perform Planning Services as may be required by Council; and

WHEREAS, The Local Public Contract Law (N.J.S.A. 40:11-1-Et Seq) requires that the Resolution authorizing the appointment of a Municipal Planner, for "Professional Service" without competitive bids must be publicly advertised;

WHEREAS, by the Mayor and Council of the Borough of Englishtown as follows:

1. Donna Holmqvist of Preferred Planning Group appointed as the Borough Planner for the Borough of Englishtown for a term ending December 31, 2024, subject to contract approval.
2. The said party appointed above during the term of their appointment shall provide such Planning Services as may be required by the Borough Council under and pursuant to law and shall submit vouchers for payment in a timely manner as well as project outlines, cost estimates and any other relevant material prior to submitting a work proposal to Borough Council. The salary is based on service per fee schedule and is not to exceed \$17,500.00. The Chief Financial Officer has certified that funds are available in account number 4-01-21-180-027.
3. The Borough Clerk shall cause notice of the passage of this Resolution of Appointment to be published in the official newspapers of the Borough of Englishtown in accordance with the Local Public Contracts Law.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak	x	x			
M. Lewis					x
W. Lewis					x
Reque		x			
Sabin	x	x			
Sarti		x			
Mayor Francisco	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-072**

AWARD PROFESSIONAL SERVICES CONTRACT TO PREFERRED PLANNING GROUP, LLC TO PERFORM THE 2024 MASTER PLAN REEXAMINATION

WHEREAS, there exists a need for Preferred Planning Services for the Master Plan and Development Regulations Reexamination Report in the Borough of Englishtown, in the County of Monmouth, State of New Jersey; and

WHEREAS, the proposal received from Preferred Planning Group, LLC is responsive; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services” pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the maximum amount of the contract is \$5,000.00 and the Chief Financial Officer has certified that funds are available in account number 4-01-21-180-027.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for the Master Plan Reexamination with Preferred Planning Group, LLC. 110 Chestnut Ridge Road, Suite 192 Montvale, NJ 07645.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law.
3. The Municipal Clerk shall cause to be printed once, in the Asbury Park Press, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak		x	x		
M. Lewis					x
W. Lewis					x
Reque			x		
Sabin			x		
Sarti	x		x		
Mayor Francisco	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-073**

***** TABLED *****

AWARD PROFESSIONAL SERVICES CONTRACT TO COLLIERS ENGINEERING TO PERFORM THE 2024 MASTER PLAN REEXAMINATION

WHEREAS, there exists a need for Planning Services for the Master Plan and Development Regulations Reexamination Report in the Borough of Englishtown, in the County of Monmouth, State of New Jersey; and

WHEREAS, the proposal received from Colliers Engineering is responsive; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services” pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the maximum amount of the contract is \$7,500.00 and the Chief Financial Officer has certified that funds are available in account number 4-01-21-180-027.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for the Master Plan Reexamination with Colliers Engineering.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law.
3. The Municipal Clerk shall cause to be printed once, in the Asbury Park Press, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak	x	x			
M. Lewis					x
W. Lewis					x
Reque	x	x			
Sabin		x			
Sarti		x			
Mayor Francisco	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-074**

AUTHORIZING THE UNIFIED PLANNING/ZONING BOARD TO UNDERTAKE A CONDEMNATION OR NON-CONDEMNATION REDEVELOPMENT STUDY ON THE SCHOOL DISTRICT PROPERTIES LOCATED AT BLOCK 12, LOTS 8 AND 9

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Governing Body may authorize the Unified Planning and Zoning Board (“Board”) to undertake a preliminary investigation to determine whether a proposed area is an area in need of redevelopment according to the criteria set out in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Council of the Borough of Englishtown have determined that it is in the best interest of the Borough to have the Board conduct an investigation and hearing as to whether the properties currently used by the Manalapan-Englishtown Regional Board of Education and located at Block 12, Lots 8 and 9 constitute areas in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown in the County of Monmouth, State of New Jersey, as follows:

1. The Board is hereby authorized to undertake a preliminary investigation to determine whether or not the area operated by the Manalapan-Englishtown School District located in Block 12, Lots 8 and 9 constitute areas in need of redevelopment according to the criteria set out in N.J.S.A. 40A:12A-5.
2. The Board is hereby authorized to conduct an investigation and hearing after public notice as provided for in N.J.S.A. 40A:12A-6.
3. The Board shall report its findings to the Council after its public hearing.

Council Member	Motion/Second	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jewusiak		x	x		
M. Lewis					x
W. Lewis					x
Reque			x		
Sabin	x		x		
Sarti			x		
Mayor Francisco	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-075**

AWARD OF CONTRACT TO COLLIERS ENGINEERING AND DESIGN FOR GRANT APPLICATION SERVICES FOR THE SANFORD PARK IMPROVEMENT PROJECT

WHEREAS, there exists a need for project design and grant writing services for Sandford Park improvements in the Borough of Englishtown, in the County of Monmouth, State of New Jersey; and

WHEREAS, the proposal received from the Borough Engineer, Collier Engineering & Design, is responsive; and

WHEREAS, the Borough Council has reviewed the Borough Engineer’s recommendations; and

WHEREAS, the maximum amount of the contract is \$22,600.00 and the Chief Financial Officer has certified that funds are available in account number 4-01-20-165-028.

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 the Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for the project design and grant writing services for Sanford Park improvements with Colliers Engineering & Design, 101 Crawfords Corner Road Suite 3400 Holmdel, NJ 07733.

Council Member	Motion/Second	Aye	Nay	Abstain	Absent
Jewusiak	x	x			
M. Lewis					x
W. Lewis					x
Reque	x	x			
Sabin			x		
Sarti		x			
Mayor Francisco	tie vote only				

Public Portion:

Mayor Francisco requested a motion to open public comment. Motion was made by C/Jewusiak, and seconded by C/Sabin, all in favor.

Hearing no comments, Mayor Francisco requested a motion to close public comment. Motion was made by C/Sarti, and seconded by C/Reque, all in favor.

Adjournment:

There being no further business a motion to adjourn was offered by C/Reque seconded by C/Jewusiak. All in favor. The time being 8:15 P.M.

June 26, 2024 _____
 Date Approved

Kerry Killeen, R.M.C.
 Municipal Clerk