

*****AMENDED TO INCLUDE RESOLUTION 2024-086, AMENDING TITLE OF
ORDINANCE 2024-08, MOVING ORDINANCE 2024-05 AND RESOLUTION 2024-076
TO ITEM 4, AND ADDING COMMITTEE REPORTS*****

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 24, 2024

6:00 PM Executive Session 6:30 Public Session

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 January 12, 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. Introduction of 2024 Budget
 - Ordinance 2024-05 FIRST READING AND INTRODUCTION
Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A: 4-45.14)
 - Resolution 2024-076
Introduction of the 2024 Municipal Budget
5. Approval of Minutes
 - February 28, 2024 Executive & Public Session
6. 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.

7. Committee Reports

8. Old Business

- Ordinance 2024-02 PUBLIC HEARING & ADOPTION
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 PUBLIC HEARING & ADOPTION
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 PUBLIC HEARING & ADOPTION
Ordinance Establishing Limits for Salaries of the Employees of the Borough of Englishtown- Facilities Technician

9. New Business

- Ordinance 2024-06 FIRST READING AND INTRODUCTION
Ordinance Amending Chapter 114 of the Code of the Borough of Englishtown Concerning the Borough's Police Department
- Bond Ordinance 2024-07 FIRST READING AND INTRODUCTION
Bond Ordinance Providing for Improvements to Sanford Memorial Park
- Ordinance 2024-08 FIRST READING & INTRODUCTION
Ordinance Amending Chapter 2.130 of the Code of the Borough of Englishtown to Permit Delivery and Drive-Thru for Class 5 Cannabis Retailers and Class 6 Cannabis Delivery Services

10. Consent Agenda

- Resolution 2024-077
Authorizing Temporary Emergency Appropriations
- Resolution 2024-078
Authorizing Grant Application with the New Jersey Department of Community Affairs for Sanford Park Improvements
- Resolution 2024-079

Refund of Tax Sale Certificate 23-00008 Block 23 Lot 1.03

- Resolution 2024-080
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 10.01 and 10.02

- Resolution 2024-081
Reviewing and Approving the Englishtown Borough Board of Fire
Commissioners Salaries for 2024

- Resolution 2024-082
Appointing the Economic Development Advisory Committee

- Resolution 2024-083
Approval of Borough Bills

- Resolution 2024-084
Recognizing Police Commission's Appointment of Corporal Trevor
Martinson as Officer in Charge

- Resolution 2024-085
Confirming Class 5 Cannabis Retailers Are Permitted to Operate Delivery
Services 24 Hours Per Day

- Resolution 2024-086
Appointing Fund Commissioner and Safety Coordinator for the
Monmouth Municipal JIF

11. 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.

12. Adjournment

**** NEXT COUNCIL MEETING MAY 9, 2024 AT 6:30 PM ****

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

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 ADOPTION April 24, 2024

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

Date:

Mayor Daniel Francisco

Attested

ORDINANCE 2023-04
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	
<u>MINIMUM</u>	<u>MAXIMUM</u>
\$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 ADOPTION April 24, 2024

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

Date:

Mayor Daniel Francisco

Attested

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2024-005**

**CALENDAR YEAR 2024
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Englishtown in the County of Monmouth finds it advisable and necessary to increase its Current Year 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for the said year, amounting to \$21,620.20 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Englishtown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring that, in the Current Year 2024 budget year, the final appropriations of the Borough of Englishtown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$21,620.20, and that the Current Year 2024 municipal budget for the Borough of Englishtown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

DATE OF INTRODUCTION April 24, 2024

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

DATE OF ADOPTION May 9, 2024

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

Date: _____

Mayor Daniel Francisco

 Attested

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-076**

INTRODUCTION OF 2024 MUNICIPAL BUDGET

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Budget hereinbefore set forth is hereby adopted on first reading and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,993,014.59 to be raised for municipal purposes.

Summary of Revenues		Anticipated	
		2024	2023
1. Surplus		228,888.00	295,000.00
2. Total Miscellaneous Revenues		594,068.22	538,914.53
3. Receipts from Delinquent Taxes			
4. a) Local Tax for Municipal Purposes		1,993,014.59	1,937,462.07
b) Addition to Local School District Tax			
c) Minimum Library Tax			
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd		1,993,014.59	1,937,462.07
Total General Revenues		2,815,970.81	2,771,376.60
Summary of Appropriations		2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages	1,153,900.00	1,173,920.00
	Other Expenses	979,151.92	952,844.60
2. Deferred Charges & Other Appropriations		306,200.89	279,678.00
3. Capital Improvements		50,000.00	30,000.00
4. Debt Service (Include for School Purposes)		208,500.00	216,716.00
5. Reserve for Uncollected Taxes		118,218.00	118,218.00
Total General Appropriations		2,815,970.81	2,771,376.60
Total Number of Employees			
2024 Dedicated		Water Utility Budget	
Summary of Revenues		Anticipated	
		2024	2023
1. Surplus		278,250.00	275,000.00
2. Miscellaneous Revenues		385,000.00	385,000.00
3. Deficit (General Budget)			
Total Revenues		663,250.00	660,000.00
Summary of Appropriations		2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages	85,000.00	126,000.00
	Other Expenses	305,000.00	301,450.00
2. Capital Improvements		75,000.00	163,500.00
3. Debt Service		130,000.00	52,250.00
4. Deferred Charges & Other Appropriations		68,250.00	16,800.00
5. Surplus (General Budget)			
Total Appropriations		663,250.00	660,000.00
Total Number of Employees			

2024 Dedicated		Sewer	Utility Budget	
Summary of Revenues			Anticipated	
			2024	2023
1. Surplus			298,200.00	290,000.00
2. Miscellaneous Revenues			335,800.00	335,800.00
3. Deficit (General Budget)				
Total Revenues			634,000.00	625,800.00
Summary of Appropriations			2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages		65,000.00	90,000.00
	Other Expenses		439,000.00	446,000.00
2. Capital Improvements			37,000.00	35,000.00
3. Debt Service				
4. Deferred Charges & Other Appropriations			58,000.00	9,800.00
5. Surplus (General Budget)			35,000.00	45,000.00
Total Appropriations			634,000.00	625,800.00
Total Number of Employees				
2024 Dedicated		Solid Waste	Utility Budget	
Summary of Revenues			Anticipated	
			2024	2023
1. Surplus			287,027.11	281,970.00
2. Miscellaneous Revenues				
3. Deficit (General Budget)			4,472.89	
Total Revenues			291,500.00	281,970.00
Summary of Appropriations			2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages			2,000.00
	Other Expenses		291,500.00	279,970.00
2. Capital Improvements				
3. Debt Service				
4. Deferred Charges & Other Appropriations				
5. Surplus (General Budget)				
Total Appropriations			291,500.00	281,970.00
Total Number of Employees				

Notice is hereby given that the budget and tax resolution was approved by the Councilmembers of the Borough of Englishtown, County of Monmouth on April 24, 2024. A hearing on the budget and tax resolution will be held at 15 Main Street Englishtown, NJ 07726, on May 22, 2024 at 6:30 PM at which time and place objections to the Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested parties. Copies of the budget are available in the office of the Municipal Clerk at the Englishtown Municipal Building, 15 Main Street Englishtown, NJ 07726 during the hours off 8 AM to 4 PM.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

 Kerry Killeen, Municipal Clerk

ORDINANCE 2024-06
AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF THE BOROUGH OF ENGLISHTOWN CONCERNING THE BOROUGH'S POLICE DEPARTMENT

WHEREAS, the Mayor and Council submit this Ordinance to amend Chapter 114 of the Borough Code to modify certain sections applicable to the Borough's Police Department.

SECTION 1

1. §114-2(D) shall be amended to eliminate the existing language and replace it with new language as follows:

~~D. The Police Chief shall establish rules and regulations for the governance and efficient working of the police department. Any rules and regulations promulgated by the Police Chief shall be reviewed by the Police Commission and shall be approved by resolution of the governing body.~~

D. The Police Commission shall, from time to time, as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and its employees. The rules and regulations shall fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department, including the Chief of Police, shall be subject to such rules and regulations and penalties.

2. §114-4(B), regarding promotions, shall be amended as follows with new language underlined:

B. Promotions. The Mayor and Council desire to promote the most qualified candidates ~~demonstrated ability, and competitive examinations~~ for promotional opportunities within the police department. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the department. No person shall be eligible for promotion unless he or she shall have served as a full time police officer in the Borough Police Department for a

period of three years. No person shall be eligible for promotion to a superior officer position unless he or she has previously served as a patrol officer in the department.

(1) When two or more candidates are ranked equally pursuant to the promotional procedure, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A. 40A:14-122.6.

(2) The Police Commission shall serve as the reviewing committee for department promotions. If the Police Commission determines there to be exigent circumstances demanding a waiver of the normal promotional process, including applications, examinations and interviews, the Police Commission may waive the promotional procedures and promote a police officer based upon the officer's demonstrated merit and capabilities. The determination as to whether an exigency exists sufficient to warrant the waiver of the promotional procedures falls within the sole discretion of the Police Commission. Any promotion made under exigent circumstances must be approved by a vote of the Mayor and Council.

3. §114-6, concerning the appointment of a Police Physician shall be abolished, and replaced with the following provision:

§114-6. Financial Duties of Chief of Police

A. The Chief of Police serves in a fiduciary role for the Borough and shall be responsible to assist the Chief Financial Officer in managing the Police Department Budget and obtaining requisitions for purchase orders.

B. Consistent with the Chief's fiduciary role, the Chief of Police shall be expected to conduct business on behalf of the Borough in an exemplary manner with regard to all financial dealings with Borough contractors, members of the public and vendors.

C. The Chief of Police is required and presumed to be knowledgeable of all Borough contracts, by-laws and financial arrangements with vendors that do business with the Borough's police department, including but not limited to, the Joint Insurance Fund ("JIF"), vehicle service and repair shops and the terms of shared service agreements to which the Police Department is subject.

D. The Chief of Police must process all invoices for payment within 30 days of receipt and work in conjunction with the Chief Financial Officer and Clerk to ensure that all financial matters concerning the Borough's budget and audits are conducted in an efficient and orderly manner.

E. Failure of the Chief of Police to carry out his financial duties honorably, efficiently and in good faith, as set out in this provision, shall be grounds for termination or demotion.

4. Section 114-7, Hours of Duty, will be amended to add a new paragraph as follows:

§ 114-7. Hours of duty.

Members of the Department shall have regular hours assigned to them for active duty each day, and when not so employed they shall be considered off duty. They shall, however, be held always subject to duty and, although periodically reviewed from the routine performance of duty, are always subject to orders from proper authority and to call from civilians, and the fact that they may be technically off duty shall not be held as relieving them from possibility of taking proper police action.

(New Language). The Chief of Police is required to work in the Police Department administrative offices on regular non-holiday weekdays during the hours of 9 a.m. to 5 p.m., except during his pre-scheduled vacation or when out on approved leave of absence. The Chief may be required to work additional hours as need be and is not entitled to receive overtime for said hours. The Chief of Police is not permitted to work off-duty details.

5. §114-27 shall be amended to add a new paragraph as follows:

I. The Chief of Police shall be ineligible for special duty assignments.

A new section, §114-28, shall be added as follows:

§ 114-28. Disciplinary actions.

A. Disciplinary action shall be taken against sworn members of the Police Department in accordance with the Rules and Regulations adopted by resolution pursuant to Subsection 114-

2(D) above and for violations of New Jersey statutes or this code, including for general misconduct under N.J.S.A. 40A:14-147.

B. Disciplinary action against a police officer may include counseling, oral reprimand, written reprimand, fine, suspension, demotion and/or removal from the police force.

C. No sworn officer shall be suspended, removed, fined or reduced in rank from or in office, employment, or position therein, except for just cause and then only upon a written complaint setting forth the charge or charges against such officer in accordance with N.J.S.A. 40A:14-147 et seq. and this subsection:

1. The complaint shall specify the disciplinary charge(s) and shall notify the respondent of the date, time and place of the hearing which shall be not less than 10 nor more than 30 days from the date of service of the complaint. Failure to comply with the provisions of this section as to the service of the complaint shall require dismissal of the complaint.

2. A complaint charging a violation of the rules and regulations adopted pursuant to Subsection 114-2(D) above shall be filed no later than the 45th day after the date on which the person filing the complaint obtains sufficient information to prepare the complaint. The 45 day time limit shall not apply if an investigation of a respondent for a violation of the rules or regulations is included directly or indirectly within a concurrent investigation of that officer for violation of the criminal laws of this State, in which case the forty-five day limit shall begin on the day after the disposition of the criminal investigation. A failure to file a complaint within the forty-five-day limit of this subsection shall require dismissal of the complaint, except that the forty-five-day limit shall not apply to complaints filed against respondents by private individuals or for statutory violations such as for general misconduct under N.J.S.A. 40A:14-147.

3. Upon the filing of a complaint, the Chief of Police shall cause the Department to conduct an internal investigation. If the internal investigation finds probable cause to believe that there has been a violation of Department rules and regulations, the officer in charge of the investigation shall file departmental charges and the matter shall proceed as otherwise provided in this subsection. If the internal investigation does not find probable cause, departmental charges shall not be filed.

4. The Police Commission shall assign an independent hearing officer appointed by the Township Committee to conduct a disciplinary hearing and make recommended findings and

conclusions to the Borough Council, which shall retain full authority to accept, reject or modify the hearing officer's recommendation and to make a final determination.

5. All disciplinary hearings shall be held in accordance with the provisions of N.J.S.A. 40A:14-148.

6. Any sworn police officer who has been tried and convicted under this subsection may obtain a review thereof by the Superior Court of New Jersey pursuant to N.J.S.A. 40A:14-150. All such appeals from decisions of the hearing officer, whether it was the Chief of Police or the Township Committee, shall be taken directly to the Superior Court.

7. The Police Commission shall be empowered to sign and serve disciplinary charges on the Chief of Police or chief law enforcement executive after an investigation has been conducted by the Monmouth County Prosecutor's Office and/or Office of the Attorney General pursuant to the New Jersey Attorney General's Internal Affairs Policies and Procedures.

SECTION 2

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

DATE OF INTRODUCTION April 24, 2024

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

DATE OF ADOPTION May 9, 2024

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

Date:

Mayor Daniel Francisco

Attested

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NUMBER 2024-07**

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO SANFORD MEMORIAL PARK, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$190,000 THEREFOR (INCLUDING A COMMUNITY DEVELOPMENT BLOCK GRANT EXPECTED TO BE RECEIVED FROM THE COUNTY OF MONMOUTH) AND AUTHORIZING THE ISSUANCE OF \$180,952 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$190,000, which is inclusive of a Community Development Block Grant in the amount of \$155,418 expected to be received from the County of Monmouth (the "Grant"), and \$9,048 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes or from moneys actually held by the Borough.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$190,000 appropriation not provided for by application of said down payment, and until the Grant has been received, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$180,952 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$180,952 are

hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to the Sanford Memorial Park playground including, but not limited to, accessibility and safety improvements in compliance with The Americans With Disabilities Act (ADA) including, but not limited to, walkway and curb improvements, and acquisition and installation, as applicable, of playground equipment and rubberized safety surfacing, bench improvements, landscaping and aesthetic improvements, and trash and recycling receptacle improvements; and shall also include all site clearing, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) Until the Grant is received, the estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$180,952.

(c) The estimated cost of said improvements or purposes is \$190,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, and until the Grant has been received, being the amount of \$9,048 is comprised of the down payment for said improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, including the Grant, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth, including the Grant, shall be received by the Borough after the issuance

of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the

Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$180,952 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$38,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the

Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: April 24, 2024**

**KERRY KILLEEN,
Clerk of the Borough of Englishtown**

**ADOPTED ON SECOND READING
DATED: May 22, 2024**

**KERRY KILLEEN,
Clerk of the Borough of Englishtown**

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024

**DANIEL FRANCISCO,
Mayor**

ORDINANCE 2024-08
AN ORDINANCE AMENDING CHAPTER 2.130 OF THE CODE OF THE BOROUGH
OF ENGLISHTOWN TO PERMIT DELIVERY AND DRIVE THRU FOR CLASS FIVE
CANNABIS RETAILERS AND CLASS SIX CANNABIS DELIVERY SERVICES

WHEREAS, the Mayor and Council submit this Ordinance to amend Chapter 2.130 of the Borough Code to modify certain sections applicable to the Borough's Police Department.

SECTION 1

1. § 2.130.08.2 shall be amended to add the following language in a new paragraph 4 and 5.

4. Class 5 cannabis retailers and/or Class 6 cannabis delivery services shall be permitted to engage in delivery services 24 hours per day.

5. Class 5 cannabis retailers, may, after receiving Unified Planning/Zoning Board site plan approval, operate a drive through. This approval shall include a traffic study and impact analysis paid for by the applicant.

SECTION 2

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

DATE OF INTRODUCTION April 24, 2024

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

DATE OF ADOPTION May 9, 2024

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

Date:

Mayor Daniel Francisco

Attested

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-077**

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2024 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2024 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$1,060,968.95 for the Current Fund, \$190,689.38 for the Water Utility Fund, \$254,455.00 for the Sewer Utility Fund, and \$121,093.88 for the Solid Waste Utility Fund, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown in the County of Monmouth, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20:1 an emergency temporary appropriation shall be and the same is hereby made.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION No. 2024-078**

**AUTHORIZING GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT
OF COMMUNITY AFFAIRS FOR SANFORD PARK IMPROVEMENTS**

WHEREAS, the Borough of Englishtown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to implement upgrades to Sanford Memorial Park including updates to the basketball court.

BE IT THEREFORE RESOLVED, that the Borough of Englishtown does hereby authorize the application for such a grant, and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Englishtown and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they and their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
Daniel Francisco

(type or print name)
Mayor

(title)

(signature)
Kerry Killeen

(type or print name)
Municipal Clerk

(title)

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION No. 2024-078**

**AUTHORIZING GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT
OF COMMUNITY AFFAIRS FOR SANFORD PARK IMPROVEMENTS**

WHEREAS, the Borough of Englishtown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to implement upgrades to Sanford Memorial Park including updates to the basketball court.

BE IT THEREFORE RESOLVED, that the Borough of Englishtown does hereby authorize the application for such a grant, and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Englishtown and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they and their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
Daniel Francisco

(type or print name)
Mayor

(title)

(signature)
Kerry Killeen

(type or print name)
Municipal Clerk

(title)

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

1

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-079**

AUTHORIZING REFUND OF TAX SALE CERTIFICATE

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to PRO CAP 8 FBO FIRSTRUST BANK:

Tax Sale Certificate No. 23-00008
Block 23, Lot 1.03
5 S. Main Street
in the amount of \$194.07
premium of \$0.00
total of **\$194.07**

WHEREAS, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$194.07.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$2,754.18 to PRO CAP 8 FBO FIRSTRUST BANK P.O. Box 774 Fort Washington, PA 19034-0774:

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to the Borough's Tax Collector and Chief Financial Officer.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

*Borough of Englishtown
Tax Collector
15 Main Street
Englishtown, N.J. 07726
732-446-9235 ext. 213*

Date: April 4, 2024

To: Kerry Killeen, Borough Clerk

Cc: Jeffrey Elsasser, CMFO

From: Consett Ellison, Tax Collector *ce*

Subject: FOR BILL LIST DATE, April 24, 2024
Resolution for Redemption of Tax Sale Certificates 23-00008

In the amount of	\$ 194.07
Premium Returned	<u>\$ 0.00</u>
Total to Lienholder	<u>\$ 194.07</u>

Paid on March 27, 2024,
By Property Owner

Block# 23 Lot# 1.03
5 S Main Street

Make Check Payable to Lien Holder:

PRO CAP 8 FBO FIRSTRUST BANK
P.O BOX 774
FORT WASHINGTON, PA 19034-0774

Breakdown of Funds: Total Current Fund: \$ 194.07
Total Premium Trust: \$ 0.00

Please give check to Tax Collector to mail when certificate and voucher are returned.

Certificate: 23-00008	Owner: FIVE SOUTH MAIN STREET LLC	Type of Lien: Outside
Prop Loc: 5 S MAIN STREET	Address: 259 PROSPECT PLAINS ROAD	Interest Rate: 18.00
	CRANBURY, NJ 08512	Apr 2: Y
		Premium: 0.00
Block/Lot/Qual: 23. 1.03	Holder Name: PRO CAP 8 FBO FIRSTTRUST BANK	Holder Id: PRO CAP8
Sale Date: 12/14/23	Address: P.O. BOX 774	
Redemption Calculation Date: 04/24/24	FORT WASHINGTON, PA 19034-0774	
Include Current Charges: N		

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Tax	67.75	0.65	68.40
		Cost: <u>65.00</u>	
		Total Certificate:	133.40
#Days: 130 Per Diem: 0.066700		Int on Cert:	8.67
		Redemption Penalty (0.00 %):	<u>0.00</u>
		Total:	142.07

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
--------------	----------	------	--------------	---------------	----------	-------	----------	-------

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Tax	<u>68.40</u>	<u>4.45</u>	<u>72.85</u>
Total Tax	68.40	4.45	72.85
Certificate Cost	65.00	4.22	69.22

LIEN REDEMPTION:

Principal:	133.40	
Redemption Penalty (0.00 %):	0.00	
Interest:	8.67	
Recording Fees:	40.00	
Other Fees:	<u>12.00</u>	
TOTAL REDEMPTION:	194.07	Total Per Diem: 0.066700

**BOROUGH OF ENGLISHTOWN
RESOLUTION No. 2024-080**

**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 10.01 AND 10.02**

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 Freehold Regional High School District and located at Block 12, Lots 10.01 and 10.02 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 Freehold Regional High School District located in Block 12, Lots 10.01 and 10.02 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	Aye	Nay	Abstain	Absent
Jewusiak					
M. Lewis					
W. Lewis					
Reque					
Sabin					
Sarti					
Mayor Francisco	tie vote only				

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-081**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
ENGLISHTOWN REVIEWING AND APPROVING THE ENGLISHTOWN BOROUGH
FIRE COMMISSIONER SALARY FOR 2024**

WHEREAS, the Englishtown Borough Fire District No. 1 via Resolution, authorized and approved 2024 annual compensation for the Board of Fire Commissioners; and

WHEREAS, N.J.S.A. 40A:14-88 requires the salaries of members of Board of Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

WHEREAS, the Mayor and Council of the Borough of Englishtown have reviewed the proposed annual compensation for the following members of the Board of Fire Commissioners for 2024 as follows:

Chairman \$5,250.00

Vice Chairman \$5,250.00

Clerk \$6,000.00

Treasurer \$6,000.00

Commissioner \$5,250.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the Council of the Borough of Englishtown hereby approves the 2024 annual compensation of the Board of Fire Commissioners of the Borough of Englishtown Fire District No. 1.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS FIRE
DISTRICT NO. 1 ENGLISHTOWN FIXING COMMISSIONERS
COMPENSATION FOR THE YEAR 2024**

Whereas; N.J.S.A. 40A:14-88 provides that the Board shall fix the compensation each Commissioner shall receive subject to review by the governing body wherein the fire district is located; and

Whereas; the Board has carefully reviewed the compensation of each fire commissioner and has determined that for the year 2024 the compensation to be paid to each commissioner shall be as follows:

Chairman: \$5,250.00
V. Chairman: \$5,250.00
Clerk: \$6,000.00
Treasurer: \$6,000.00
Commissioner: \$5,250.00

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No. 1 Englishtown that a certified true copy of this Resolution be forwarded to the Governing body of Englishtown and then be included in the annual budget proposed for the year 2024.

Moved: P. Cooke

Seconded by: T. Kirkland

Rollcall Vote:


Ayes: 5

Nays: 0

Absent: 0

Abstained: 0

Certified to be a true copy of a Resolution of the Board of Fire Commissioners adopted on the 7th day of December 2023.


Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-082**

APPOINTMENT OF ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the Borough of Englishtown is desirous of appointing members to the Economic Development Advisory Committee; and

WHEREAS, the Economic Development Advisory Committee is charged with developing and implementing a strategic business attraction and retention program for the municipality and shall report to the Mayor and Council.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown that the following are hereby appointed to the Englishtown Borough Economic Development Advisory Committee for the year 2024:

Daniel Francisco
William Lewis
Ciro Maietta

BE IT FURTHER RESOLVED, that a certified true copy of this Resolution be forwarded to each member.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-083**

**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 \$794,718.46 are hereby authorized to be paid on April 24, 2024.
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.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

Borough of Englishtown
Preliminary Bill List
Submitted to Borough Council
for Approval at Meeting of
April 24, 2024

<u>Fund</u>	<u>Amount</u>
1 Current Fund Budget	\$ 184,460.29
Tax Refund	
Man/Eng School Taxes	\$ 254,846.90
Freehold Reg H.S. School Taxes	\$ 85,201.00
County Taxes	\$ 191,293.40
Marriage License Fees	
Fire District Taxes	
Tax redemption lien	\$ 194.07
Tax Appeal Refund	
Petty Cash	
Accounts Payable	
2 Grant Fund	\$ 291.32
4 General Capital	\$ 11,117.05
5 Water Utility Fund	\$ 24,920.70
6 Water Capital Fund	
7 Sewer Utility Fund	\$ 9,442.45
8 Sewer Capital Fund	
9 Solid Waste Fund	\$ 23,352.56
12 Regular Trust Fund	\$ 7,625.66
13 Unemployment Trust	
14 Community Development	
15 Escrow Funds	
17 Dog Trust Fund	\$ 79.20
20 Payroll Deduction Fund	\$ 1,893.86
30 Special Events Fund	
Total Bill List	\$ 794,718.46

This is to certify that funds are available to pay bills and payroll as listed on the attached Bill List.

Jeffrey Elsasser

Jeffrey Elsasser
Chief Financial Officer

P.O. Type: All
 Range: First to Last
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last
 Open: N Paid: Y Void: N
 Rcvd: N Held: N Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y
 Paid Date Range: 03/28/24 to 04/30/24
 Include Non-Budgeted: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
AME750	AMERICAN WEAR INC	24-00237	04/10/24	MARCH UNIFORM RENTALS	Open	158.50	0.00		
ASB666	ASBURY PARK PRESS	24-00242	04/10/24	LEGAL ADVERTISING	Open	52.80	0.00		
BLUEM005	BLUE MOUNTAIN DISTRIBUTORS	24-00249	04/10/24	MARCH WATER DELIVERY	Open	29.98	0.00		
CHR250	CHRISTIANA T C/F CE1 FIRST TRU	24-00233	04/10/24	REDEMPTION CERT# 23-00002	Open	2,754.18	0.00		
FRE160	TOWNSHIP OF FREEHOLD	24-00245	04/10/24	LICENSED OPERATIONAL SERVICES	Open	2,834.00	0.00		
JCP500	JCP&L	24-00209	04/01/24	DPW ELECTRIC 2/27-3/26/24	Open	238.09	0.00		
		24-00210	04/01/24	GORDONS CORNER 2/27-3/26/24	Open	50.31	0.00		
		24-00211	04/01/24	TENNENT AVENUE 2/27-3/26/24	Open	15.53	0.00		
						303.93			
JRH500	J.R. HENDERSON LABS, INC	24-00247	04/10/24	MONTHLY BACTERIA MARCH 2024	Open	150.00	0.00		
LAN300	LANGUAGE SERVICES ASSOCIATES	24-00244	04/10/24	INTERPRETING SERVICE 3/31/24	Open	48.30	0.00		
MAN750	MANALAPAN HARDWARE	24-00250	04/10/24	VARIOUS SUPPLIES	Open	32.91	0.00		
MMJ500	MONMOUTH MUNICIPAL J I F	24-00214	04/03/24	REFUND CLAIM 2024319592 O/P	Open	2,322.55	0.00		
MON800	MONMOUTH MUNICIPAL JUDGES ASSO	24-00243	04/10/24	2024 MEMBERSHIP DUES	Open	200.00	0.00		
MUN100	MUNICIPAL CLERKS ASSOC OF NJ	24-00241	04/10/24	MCANJ DUES 2024 K KILLEEN	Open	100.00	0.00		
MUN150	MUNICIPAL CAPITAL FINANCE	24-00204	03/27/24	COPIER LEASE 3/1-3/31/24	Open	126.03	0.00		
NJH333	NJ DEPT OF HEALTH	24-00238	04/10/24	MONTHLY DOG LICENSE REPORTS	Open	79.20	0.00		
NJL501	NJLM EDUCATIONAL FOUNDATION	24-00239	04/10/24	PART TIME CFO JOB AD	Open	160.00	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
NJL501	NJLM EDUCATIONAL FOUNDATION	Continued				
24-00248	04/10/24 NJLM 2024 DUES	Open	<u>377.00</u>	0.00		
			537.00			
NJP550	NEW JERSEY PLANNING OFFICIALS					
24-00206	03/27/24 MANDATORY BOARD MEMBER TRAININ	Open	175.00	0.00		
NJR500	NJ REGISTRARS' ASSOCIATION					
24-00240	04/10/24 NJRA DUES- K KILLEEN	Open	25.00	0.00		
NJSHBP	NJ STATE HEALTH BENEFITS PRGM					
24-00232	04/10/24 HEALTH INSURANCE 4/2024	Open	20,088.42	0.00		
ONE250	ONE CALL CONCEPTS, INC.					
24-00246	04/10/24 MARK OUT FOR MARCH 2024	Open	25.74	0.00		
PBA166	PBA LOCAL 166					
24-00143	02/28/24 PBA DUES	Open	490.00	0.00		
24-00251	04/10/24 PBA DUES	Open	<u>455.00</u>	0.00		
			945.00			
PRU500	PRUDENTIAL RETIREMENT					
24-00144	02/28/24 DCRP 2/28/24	Open	474.09	0.00		
24-00252	04/10/24 DCRP 3/31/24	Open	<u>474.77</u>	0.00		
			948.86			
SHI750	SHI INTERNATIONAL CORP					
24-00205	03/27/24 WEBROOT SOFTWARE	Open	700.00	0.00		
SUB500	SUBURBAN DISPOSAL INC.					
24-00234	04/10/24 GARBAGE COLLECTION 4/2024	Open	29,019.22	0.00		
TRE664	TREASURER, STATE OF NJ					
24-00208	03/27/24 WATER ALLOCATION FEES 2024	Open	4,670.00	0.00		
VER500	VERIZON WIRELESS					
24-00203	03/25/24 CODE WIRELESS 2/16-3/15/24	Open	38.01	0.00		
24-00216	04/08/24 WATER PLANT 3/1/24-3/30/24	Open	<u>40.01</u>	0.00		
			78.02			
VER600	VERIZON WIRELESS PD					
24-00202	03/22/24 CDPD WIRELESS 2/16-3/15/24	Open	266.07	0.00		
VISUA005	VISUAL COMPUTER SOLUTIONS INC.					
24-00217	04/08/24 SETUP AND TRAINING	Open	2,431.00	0.00		
ZB0500	Z-BOROUGH OF ENGLISHTOWN					
24-00224	03/30/24 PAYROLL 3/30/24	Open	46,878.45	0.00		
24-00225	03/30/24 BORO SHARE OF TAXES 3/30/24	Open	1,842.75	0.00		
24-00226	03/30/24 DCRP 3/30/24	Open	74.98	0.00		
24-00227	04/10/24 EMPLOYER FTL & LTD 3/30/24	Open	26.24	0.00		
24-00228	04/10/24 PAYROLL 4/15/24	Open	48,298.30	0.00		
24-00229	04/10/24 BORO SHARE OF TAXES 4/15/24	Open	1,915.84	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ZB0500	Z-BOROUGH OF ENGLISHTOWN				Continued				
		24-00230	04/10/24	DCRP 4/15/24	Open	76.05	0.00		
		24-00231	04/10/24	EMPLOYER FTL & LTD 4/15/24	Open	26.62	0.00		
						99,139.23			
Total Purchase Orders:		41	Total P.O. Line Items:		0	Total List Amount:	168,240.94	Total Void Amount:	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
2023 CURRENT FUND	4-01	106,926.99	0.00	0.00	106,926.99
2023 WATER OPERATING FUND	4-05	18,838.51	0.00	0.00	18,838.51
2023 SEWER OPERATING FUND	4-07	9,232.84	0.00	0.00	9,232.84
2023 SOLID WASTE OPERATING FUND	4-09	23,352.56	0.00	0.00	23,352.56
2023 PAYROLL FUND	4-20	<u>1,893.86</u>	<u>0.00</u>	<u>0.00</u>	<u>1,893.86</u>
Year Total:		160,244.76	0.00	0.00	160,244.76
GRANT FUND	G-02	291.32	0.00	0.00	291.32
REGULAR TRUST FUND	T-12	7,625.66	0.00	0.00	7,625.66
ANIMAL CONTROL TRUST FUND	T-17	<u>79.20</u>	<u>0.00</u>	<u>0.00</u>	<u>79.20</u>
Year Total:		7,704.86	0.00	0.00	7,704.86
Total of All Funds:		<u>168,240.94</u>	<u>0.00</u>	<u>0.00</u>	<u>168,240.94</u>

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-084**

**RESOLUTION RECOGNIZING POLICE COMMISSION'S APPOINTMENT OF
CORPORAL TREVOR MARTINSON AS OFFICER IN CHARGE**

WHEREAS, on April 17, 2024, the Chief of Police was assigned administrative leave;
and

WHEREAS, the Police Commission determined contemporaneous with the Chief of
Police's leave of absence that Corporal Trevor Martinson should be appointed to serve as Officer
in Charge ("OIC"); and

WHEREAS, Police Corporal Trevor Martinson has on many occasions served as OIC
for the Borough and performed that role competently and professionally; and

WHEREAS, the Council approves of the Police Commission's decision and believes that
Corporal Martinson is qualified and capable of serving the Borough as OIC during the Chief of
Police's leave of absence;

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the
Borough of Englishtown hereby recognizes Police Corporal Trevor Martinson as the OIC and
approves of the Police Commission's decision to appoint Corporal Martinson to lead the
Department during this period of time.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of
the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION No. 2024-085**

RESOLUTION CONFIRMING THAT CANNABIS CLASS 5 RETAILERS ARE PERMITTED TO OPERATE DELIVERY SERVICES 24 HOURS PER DAY

WHEREAS, on April 27, 2023, the Mayor and Council voted to adopt Ordinance No. 2023-03 which, among other things, amended and supplemented Chapter 2.130 entitled “Zoning” of the Code of the Borough of Englishtown Creating Cannabis Use Requirements; and

WHEREAS, Ordinance 2023-03 provided that Class 5 Cannabis Retailers were a permitted class of license within the Borough; and

WHEREAS, Ordinance 2023-03 was silent on whether Class 5 Retailers were permitted to engage in delivery services; and

WHEREAS, the Borough Council has introduced an Ordinance on first reading contemporaneous with this Resolution which clarifies the Council’s intent to permit cannabis delivery services for Class 5 retailers;

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. Class 5 cannabis retailers shall be permitted to engage in delivery services 24 hours per day.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

**BOROUGH OF ENGLISHTOWN
RESOLUTION NO. 2024-086**

**APPOINTMENT OF FUND COMMISSIONER, SAFETY COORDINATOR, AND
RIGHT TO KNOW COORDINATOR FOR THE MONMOUTH MUNICIPAL JOINT
INSURANCE FUND**

WHEREAS, it is necessary to appoint a Fund Commissioner and Safety Coordinator for continued participation in the Monmouth Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown that the following named person be and is hereby appointed to fill the vacancies the following positions for the year 2024:

Fund Commissioner: Kerry Killeen
Safety Coordinator: Mike Reynolds

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the above named, the Monmouth Municipal Joint Insurance Fund.

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

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Englishtown at a regular meeting held April 24, 2024.

Kerry Killeen, Municipal Clerk

BOROUGH OF ENGLISHTOWN

**** MINUTES ****

April 24, 2024

6:30 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 Francisco at 6:35 P.M.

Roll Call Present: C/Jewusiak, C/M. Lewis, C/W. Lewis, C/Reque C/Sabin, C/Sarti

Absent: None

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

Statement of Compliance with Sunshine Law

Mayor Francisco 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.

Salute to the Flag - Led by Mayor Francisco

BUDGET INTRODUCTION:

BOROUGH OF ENGLISHTOWN

ORDINANCE NO. 2024-05

CALENDAR YEAR 2024

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND ESTABLISH A CAP BANK**

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount

of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Englishtown in the County of Monmouth finds it advisable and necessary to increase its Current Year 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for the said year, amounting to \$21,620.20 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Englishtown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring that, in the Current Year 2024 budget year, the final appropriations of the Borough of Englishtown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$21,620.20, and that the Current Year 2024 municipal budget for the Borough of Englishtown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

DATE OF INTRODUCTION April 24, 2024

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

DATE OF PUBLIC HEARING: May 22, 2024

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-076**

INTRODUCTION OF 2024 MUNICIPAL BUDGET

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the Budget hereinbefore set forth is hereby adopted on first reading and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,993,014.59 to be raised for municipal purposes.

Summary of Revenues		Anticipated	
		2024	2023
1. Surplus		228,888.00	295,000.00
2. Total Miscellaneous Revenues		594,068.22	538,914.53
3. Receipts from Delinquent Taxes			
4. a) Local Tax for Municipal Purposes		1,993,014.59	1,937,462.07
b) Addition to Local School District Tax			
c) Minimum Library Tax			
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd		1,993,014.59	1,937,462.07
Total General Revenues		2,815,970.81	2,771,376.60

Summary of Appropriations		2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages	1,153,900.00	1,173,920.00
	Other Expenses	979,151.92	952,844.60
2. Deferred Charges & Other Appropriations		306,200.89	279,678.00
3. Capital Improvements		50,000.00	30,000.00
4. Debt Service (Include for School Purposes)		208,500.00	216,716.00
5. Reserve for Uncollected Taxes		118,218.00	118,218.00
Total General Appropriations		2,815,970.81	2,771,376.60
Total Number of Employees			

2024 Dedicated		Water	Utility Budget
Summary of Revenues		Anticipated	
		2024	2023
1. Surplus		278,250.00	275,000.00
2. Miscellaneous Revenues		385,000.00	385,000.00
3. Deficit (General Budget)			
Total Revenues		663,250.00	660,000.00

Summary of Appropriations		2024 Budget	Final 2023 Budget
1. Operating Expenses:	Salaries & Wages	85,000.00	126,000.00
	Other Expenses	305,000.00	301,450.00
2. Capital Improvements		75,000.00	163,500.00
3. Debt Service		130,000.00	52,250.00
4. Deferred Charges & Other Appropriations		68,250.00	16,800.00
5. Surplus (General Budget)			
Total Appropriations		663,250.00	660,000.00
Total Number of Employees			

2024 Dedicated		Sewer	Utility Budget	
Summary of Revenues			Anticipated	
			2024	2023
1.	Surplus		298,200.00	290,000.00
2.	Miscellaneous Revenues		335,800.00	335,800.00
3.	Deficit (General Budget)			
Total Revenues			634,000.00	625,800.00
Summary of Appropriations			2024 Budget	Final 2023 Budget
1.	Operating Expenses:	Salaries & Wages	65,000.00	90,000.00
		Other Expenses	439,000.00	446,000.00
2.	Capital Improvements		37,000.00	35,000.00
3.	Debt Service			
4.	Deferred Charges & Other Appropriations		58,000.00	9,800.00
5.	Surplus (General Budget)		35,000.00	45,000.00
Total Appropriations			634,000.00	625,800.00
Total Number of Employees				
2024 Dedicated		Solid Waste	Utility Budget	
Summary of Revenues			Anticipated	
			2024	2023
1.	Surplus		287,027.11	281,970.00
2.	Miscellaneous Revenues			
3.	Deficit (General Budget)		4,472.89	
Total Revenues			291,500.00	281,970.00
Summary of Appropriations			2024 Budget	Final 2023 Budget
1.	Operating Expenses:	Salaries & Wages		2,000.00
		Other Expenses	291,500.00	279,970.00
2.	Capital Improvements			
3.	Debt Service			
4.	Deferred Charges & Other Appropriations			
5.	Surplus (General Budget)			
Total Appropriations			291,500.00	281,970.00
Total Number of Employees				

Notice is hereby given that the budget and tax resolution was approved by the Councilmembers of the Borough of Englishtown, County of Monmouth on April 24, 2024. A hearing on the budget and tax resolution will be held at 15 Main Street Englishtown, NJ 07726, on May 22, 2024 at 6:30 PM at which time and place objections to the Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested parties. Copies of the budget are

available in the office of the Municipal Clerk at the Englishtown Municipal Building, 15 Main Street Englishtown, NJ 07726 during the hours off 8 AM to 4 PM.

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

Public Comment on Agenda Items Only

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

Joanne Damante, -Ms. Damante stated she doesn't agree with allowing dispensaries to be open 24 hours. Borough Attorney Jonathan Cohen stated that the proposed Ordinance only allows delivery 24 hours per day.

Aric Ifergan, Ruuted- Mr. Ifergan thanked the Council for their consideration on Ordinance 2024-08 and stated that his Dispensary would like to pledge an additional monthly donation to the Borough based on the sales of each month's "monthly strain".

Will, Scarlet Reserve Room- thanked the Council for their consideration of Ordinance 2024-08.

Brenden Sharkey, English Club Drive- Mr. Sharkey asked how long executive sessions would be at the first monthly meeting.

Hearing no further comments Mayor Francisco requested a motion to close public comment. Motion was made by C/W. Lewis and seconded by C/Reque.

C/Jewusiak left the meeting via telephone at 6:57 PM.

Councilmember Committee Reports:

Councilman Reque – Public Utilities –

- Had a meeting with Tim Keune to discuss ongoing projects with the water plant.

Councilman Sarti – Public Safety–

- Read the monthly Police activity report

Councilman Lewis – Administration, Finance, Personnel and Technology –

- New time clock system, as well as the security camera project are both under way.

Councilman Sabin – Public Events, Code Enforcement, Public Health, Welfare –

- Dead trees were removed from the Lake, soccer goals were replaced at the Park and the fields were striped as well.
- Kim Sabin, Recreation Chair, added that they were coordinating with the American Legion for Memorial Day Parade planning.

Councilwoman Lewis – Legislative, Insurance and Licenses –

- Provided updates on garbage pickup

OLD BUSINESS:

ORDINANCE 2024-02

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
ENGLISHTOWN AMENDING CHAPTER 95 OF THE BOROUGH CODE**

WHEREAS, the Mayor and Council submit this Ordinance to amend the Borough Code concerning Officers and Employees, codified as Chapter 95, to include the contractually appointed positions of Borough Planner, Borough Engineer and Special Engineer.

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.

Motion to open public hearing on Ordinance 2024-02 was made by C/W. Lewis and seconded by C/Reque. All in favor. Hearing no public comments, motion was made by C/W. Lewis to close public hearing and seconded by C/Jewusiak. All in favor.

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

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.

Motion to open public hearing on Ordinance 2024-02 was made by C/W. Lewis and seconded by C/Reque. All in favor. Hearing no public comments, motion was made by C/W. Lewis to close public hearing and seconded by C/Jewusiak. All in favor.

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

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.

<u>POSITION</u>	SALARIES	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
FACILITIES TECHNICIAN	\$18,000	\$55,000.00

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.

Motion to open public hearing on Ordinance 2024-02 was made by C/W. Lewis and seconded by C/Reque. All in favor. Hearing no public comments, motion was made by C/W. Lewis to close public hearing and seconded by C/Jewusiak. All in favor.

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

NEW BUSINESS:

**BOROUGH OF ENGLISHTOWN
 ORDINANCE 2024-06
 AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF THE BOROUGH OF
 ENGLISHTOWN CONCERNING THE BOROUGH’S POLICE DEPARTMENT**

WHEREAS, the Mayor and Council submit this Ordinance to amend Chapter 114 of the Borough Code to modify certain sections applicable to the Borough’s Police Department.

SECTION 1

1. §114-2(D) shall be amended to eliminate the existing language and replace it with new language as follows:

~~D. The Police Chief shall establish rules and regulations for the governance and efficient working of the police department. Any rules and regulations promulgated by the Police Chief shall be reviewed by the Police Commission and shall be approved by resolution of the governing body.~~

D. The Police Commission shall, from time to time, as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and its employees. The rules and regulations shall fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department, including the Chief of Police, shall be subject to such rules and regulations and penalties.

2. §114-4(B), regarding promotions, shall be amended as follows with new language underlined:

B. Promotions. The Mayor and Council desire to promote the most qualified candidates ~~demonstrated ability, and competitive examinations~~ for promotional opportunities within the police department. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the department. No person shall be eligible for promotion unless he or she shall have served as a full time police officer in the Borough Police Department for a period of three years. No person shall be eligible for promotion to a superior officer position unless he or she has previously served as a patrol officer in the department.

(1) When two or more candidates are ranked equally pursuant to the promotional procedure, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A. 40A:14-122.6.

(2) The Police Commission shall serve as the reviewing committee for department promotions. If the Police Commission determines there to be exigent circumstances demanding a waiver of the normal promotional process, including applications, examinations and interviews, the Police Commission may waive the promotional procedures and promote a police officer based upon the officer's demonstrated merit and capabilities. The determination as to whether an exigency exists sufficient to warrant the waiver of the promotional procedures falls within the sole discretion of the Police Commission. Any promotion made under exigent circumstances must be approved by a vote of the Mayor and Council.

3. §114-6, concerning the appointment of a Police Physician shall be abolished, and replaced with the following provision:

§114-6. Financial Duties of Chief of Police

A. The Chief of Police serves in a fiduciary role for the Borough and shall be responsible to assist the Chief Financial Officer in managing the Police Department Budget and obtaining requisitions for purchase orders.

B. Consistent with the Chief's fiduciary role, the Chief of Police shall be expected to conduct business on behalf of the Borough in an exemplary manner with regard to all financial dealings with Borough contractors, members of the public and vendors.

C. The Chief of Police is required and presumed to be knowledgeable of all Borough contracts, by-laws and financial arrangements with vendors that do business with the Borough's police department, including but not limited to, the Joint Insurance Fund ("JIF"), vehicle service and repair shops and the terms of shared service agreements to which the Police Department is subject.

D. The Chief of Police must process all invoices for payment within 30 days of receipt and work in conjunction with the Chief Financial Officer and Clerk to ensure that all financial matters concerning the Borough's budget and audits are conducted in an efficient and orderly manner.

E. Failure of the Chief of Police to carry out his financial duties honorably, efficiently and in good faith, as set out in this provision, shall be grounds for termination or demotion.

4. Section 114-7, Hours of Duty, will be amended to add a new paragraph as follows:

§ 114-7. Hours of duty.

Members of the Department shall have regular hours assigned to them for active duty each day, and when not so employed they shall be considered off duty. They shall, however, be held always subject to duty and, although periodically reviewed from the routine performance of duty, are always subject to orders from proper authority and to call from civilians, and the fact that they may be technically off duty shall not be held as relieving them from possibility of taking proper police action.

The Chief of Police is required to work in the Police Department administrative offices on regular non-holiday weekdays during the hours of 9 a.m. to 5 p.m., except during his pre-scheduled vacation or when out on approved leave of absence. The Chief may be required to work additional hours as need be and is not entitled to receive overtime for said hours. The Chief of Police is not permitted to work off-duty details, except that the Chief may be eligible for off-duty detail assignments that are scheduled outside of the Chief's regular working hours as set forth in this provision.

5. A new section, §114-28, shall be added as follows:

§ 114-28. Disciplinary actions.

A. Disciplinary action shall be taken against sworn members of the Police Department in accordance with the Rules and Regulations adopted by resolution pursuant to Subsection 114-2(D) above and for violations of New Jersey statutes or this code, including for general misconduct under N.J.S.A. 40A:14-147.

B. Disciplinary action against a police officer may include counseling, oral reprimand, written reprimand, fine, suspension, demotion and/or removal from the police force.

C. No sworn officer shall be suspended, removed, fined or reduced in rank from or in office, employment, or position therein, except for just cause and then only upon a written complaint setting forth the charge or charges against such officer in accordance with N.J.S.A. 40A:14-147 et seq. and this subsection:

1. The complaint shall specify the disciplinary charge(s) and shall notify the respondent of the date, time and place of the hearing which shall be not less than 10 nor more than 30 days from the date of service of the complaint. Failure to comply with the provisions of this section as to the service of the complaint shall require dismissal of the complaint.

2. A complaint charging a violation of the rules and regulations adopted pursuant to Subsection 114-2(D) above shall be filed no later than the 45th day after the date on which the person filing the complaint obtains sufficient information to prepare the complaint. The 45 day time limit shall not apply if an investigation of a respondent for a violation of the rules or regulations is included directly or indirectly within a concurrent investigation of that officer for violation of the criminal laws of this State, in which case the forty-five day limit shall begin on the day after the disposition of the criminal investigation. A failure to file a complaint within the forty-five-day limit of this subsection shall require dismissal of the complaint, except that the forty-five-day limit shall not apply to complaints filed against respondents by private individuals or for statutory violations such as for general misconduct under N.J.S.A. 40A:14-147.

3. Upon the filing of a complaint, the Chief of Police shall cause the Department to conduct an internal investigation. If the internal investigation finds probable cause to believe that there has been a violation of Department rules and regulations, the officer in charge of the investigation

shall file departmental charges and the matter shall proceed as otherwise provided in this subsection. If the internal investigation does not find probable cause, departmental charges shall not be filed.

4. The Police Commission shall assign an independent hearing officer appointed by the Township Committee to conduct a disciplinary hearing and make recommended findings and conclusions to the Borough Council, which shall retain full authority to accept, reject or modify the hearing officer's recommendation and to make a final determination.

5. All disciplinary hearings shall be held in accordance with the provisions of N.J.S.A. 40A:14-148.

6. Any sworn police officer who has been tried and convicted under this subsection may obtain a review thereof by the Superior Court of New Jersey pursuant to N.J.S.A. 40A:14-150. All such appeals from decisions of the hearing officer, whether it was the Chief of Police or the Township Committee, shall be taken directly to the Superior Court.

7. The Police Commission shall be empowered to sign and serve disciplinary charges on the Chief of Police or chief law enforcement executive after an investigation has been conducted by the Monmouth County Prosecutor's Office and/or Office of the Attorney General pursuant to the New Jersey Attorney General's Internal Affairs Policies and Procedures.

SECTION 2

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

DATE OF INTRODUCTION April 24, 2024

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

DATE OF PUBLIC HEARING: May 22, 2024

**BOROUGH OF ENGLISHTOWN
BOND ORDINANCE NUMBER 2024-07**

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO SANFORD MEMORIAL PARK, BY AND IN THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$190,000 THEREFOR (INCLUDING A COMMUNITY DEVELOPMENT BLOCK GRANT EXPECTED TO BE RECEIVED FROM THE COUNTY OF MONMOUTH) AND AUTHORIZING THE ISSUANCE OF \$180,952 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLISHTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Englishtown, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$190,000, which is inclusive of a Community Development Block Grant in the amount of \$155,418 expected to be received from the County of Monmouth (the "Grant"), and \$9,048 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes or from moneys actually held by the Borough.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$190,000 appropriation not provided for by application of said down payment, and until the Grant has been received, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$180,952 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes,

negotiable notes of the Borough in a principal amount not exceeding \$180,952 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to the Sanford Memorial Park playground including, but not limited to, accessibility and safety improvements in compliance with The Americans With Disabilities Act (ADA) including, but not limited to, walkway and curb improvements, and acquisition and installation, as applicable, of playground equipment and rubberized safety surfacing, bench improvements, landscaping and aesthetic improvements, and trash and recycling receptacle improvements; and shall also include all site clearing, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) Until the Grant is received, the estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$180,952.

(c) The estimated cost of said improvements or purposes is \$190,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, and until the Grant has been received, being the amount of \$9,048 is comprised of the down payment for said improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, including the Grant, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or

the County of Monmouth, including the Grant, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full

detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$180,952 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$38,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be

obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

DATE OF INTRODUCTION April 24, 2024

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

DATE OF PUBLIC HEARING: May 22, 2024

ORDINANCE 2024-08
AN ORDINANCE AMENDING CHAPTER 2.130 OF THE CODE OF THE BOROUGH OF ENGLISHTOWN TO PERMIT DELIVERY AND DRIVE THRU FOR CLASS FIVE CANNABIS RETAILERS AND CLASS SIX CANNABIS DELIVERY SERVICES

WHEREAS, the Mayor and Council submit this Ordinance to amend Chapter 2.130 of the Borough Code to modify certain sections applicable to the Borough’s Police Department.

SECTION 1

1. § 2.130.08.2 shall be amended to add the following language in a new paragraph 4 and 5.

4. Class 5 cannabis retailers and/or Class 6 cannabis delivery services shall be permitted to engage in delivery services 24 hours per day.

5. Class 5 cannabis retailers, may, after receiving Unified Planning/Zoning Board site plan approval, operate a drive through. This approval shall include a traffic study and impact analysis paid for by the applicant.

SECTION 2

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

DATE OF INTRODUCTION: April 24, 2024

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

DATE OF PUBLIC HEARING: May 22, 2024

CONSENT AGENDA:

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-077**

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a Year 2024 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2024 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$1,060,968.95 for the Current Fund, \$190,689.38 for the Water Utility Fund, \$254,455.00 for the Sewer Utility Fund, and \$121,093.88 for the Solid Waste Utility Fund, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englishtown in the County of Monmouth, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4- 20:1 an emergency temporary appropriation shall be and the same is hereby made.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-078**

**AUTHORIZING GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT
 OF COMMUNITY AFFAIRS FOR SANFORD PARK IMPROVEMENTS**

WHEREAS, the Borough of Englishtown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project to implement upgrades to Sanford Memorial Park including updates to the basketball court.

BE IT THEREFORE RESOLVED, that the Borough of Englishtown does hereby authorize the application for such a grant, and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Englishtown and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they and their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
 Daniel Francisco

(type or print name)
 Mayor

(title)

(signature)
 Kerry Killeen

(type or print name)
 Municipal Clerk

(title)

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jewusiak					x
M. Lewis		x			
W. Lewis	x	x			

Reque		x	x			
Sabin			x			
Sarti			x			
Mayor Francisco	tie vote only					

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-079**

AUTHORIZING REFUND OF TAX SALE CERTIFICATE

WHEREAS, the Borough of Englishtown Tax Collector has reported that the following Tax Sale Certificate has been sold to PRO CAP 8 FBO FIRSTRUST BANK:

Tax Sale Certificate No. 23-00008
 Block 23, Lot 1.03
 5 S. Main Street
 in the amount of \$194.07
 premium of \$0.00
 total of **\$194.07**

WHEREAS, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$194.07.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that it hereby authorizes payment in the amount of \$2,754.18 to PRO CAP 8 FBO FIRSTRUST BANK P.O. Box 774 Fort Washington, PA 19034-0774:

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to the Borough's Tax Collector and Chief Financial Officer.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-080**

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 10.01 AND 10.02

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 Freehold Regional High School District and located at Block 12, Lots 10.01 and 10.02 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 Freehold Regional High School District located in Block 12, Lots 10.01 and 10.02 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	Aye	Nay	Abstain	Absent
Jewusiak					x
M. Lewis		x			
W. Lewis	x	x			
Reque		x			
Sabin		x			
Sarti		x			
Mayor Francisco	tie vote only				

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-081**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
 ENGLISHTOWN REVIEWING AND APPROVING THE ENGLISHTOWN BOROUGH
 FIRE COMMISSIONER SALARY FOR 2024**

WHEREAS, the Englishtown Borough Fire District No. 1 via Resolution, authorized and approved 2024 annual compensation for the Board of Fire Commissioners; and

WHEREAS, N.J.S.A. 40A:14-88 requires the salaries of members of Board of Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

WHEREAS, the Mayor and Council of the Borough of Englishtown have reviewed the proposed annual compensation for the following members of the Board of Fire Commissioners for 2024 as follows:

Chairman \$5,250.00

Vice Chairman \$5,250.00

Clerk \$6,000.00

Treasurer \$6,000.00

Commissioner \$5,250.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey, that the Council of the Borough of Englishtown hereby approves the 2024 annual compensation of the Board of Fire Commissioners of the Borough of Englishtown Fire District No. 1.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-082**

APPOINTMENT OF ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the Borough of Englishtown is desirous of appointing members to the Economic Development Advisory Committee; and

WHEREAS, the Economic Development Advisory Committee is charged with developing and implementing a strategic business attraction and retention program for the municipality and shall report to the Mayor and Council.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown that the following are hereby appointed to the Englishtown Borough Economic Development Advisory Committee for the year 2024:

Daniel Francisco
 William Lewis

Ciro Maietta

BE IT FURTHER RESOLVED, that a certified true copy of this Resolution be forwarded to each member.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-083**

**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 \$794,718.46 are hereby authorized to be paid on April 24, 2024.
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.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-084**

**RESOLUTION RECOGNIZING POLICE COMMISSION’S APPOINTMENT OF
 CORPORAL TREVOR MARTINSON AS OFFICER IN CHARGE**

WHEREAS, on April 17, 2024, the Chief of Police was assigned administrative leave;
 and

WHEREAS, the Police Commission determined contemporaneous with the Chief of
 Police’s leave of absence that Corporal Trevor Martinson should be appointed to serve as Officer
 in Charge (“OIC”); and

WHEREAS, Police Corporal Trevor Martinson has on many occasions served as OIC
 for the Borough and performed that role competently and professionally; and

WHEREAS, the Council approves of the Police Commission’s decision and believes that
 Corporal Martinson is qualified and capable of serving the Borough as OIC during the Chief of
 Police’s leave of absence;

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the
 Borough of Englishtown hereby recognizes Police Corporal Trevor Martinson as the OIC and
 approves of the Police Commission’s decision to appoint Corporal Martinson to lead the
 Department during this period of time.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION No. 2024-085**

**RESOLUTION CONFIRMING THAT CANNABIS CLASS 5 RETAILERS ARE
 PERMITTED TO OPERATE DELIVERY SERVICES 24 HOURS PER DAY**

WHEREAS, on April 27, 2023, the Mayor and Council voted to adopt Ordinance No.
 2023-03 which, among other things, amended and supplemented Chapter 2.130 entitled “Zoning”
 of the Code of the Borough of Englishtown Creating Cannabis Use Requirements; and

WHEREAS, Ordinance 2023-03 provided that Class 5 Cannabis Retailers were a permitted class of license within the Borough; and

WHEREAS, Ordinance 2023-03 was silent on whether Class 5 Retailers were permitted to engage in delivery services; and

WHEREAS, the Borough Council has introduced an Ordinance on first reading contemporaneous with this Resolution which clarifies the Council’s intent to permit cannabis delivery services for Class 5 retailers;

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. Class 5 cannabis retailers shall be permitted to engage in delivery services 24 hours per day.

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

**BOROUGH OF ENGLISHTOWN
 RESOLUTION NO. 2024-086**

**APPOINTMENT OF FUND COMMISSIONER, SAFETY COORDINATOR, AND
 RIGHT TO KNOW COORDINATOR FOR THE MONMOUTH MUNICIPAL JOINT
 INSURANCE FUND**

WHEREAS, it is necessary to appoint a Fund Commissioner and Safety Coordinator for continued participation in the Monmouth Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Englishtown that the following named person be and is hereby appointed to fill the vacancies the following positions for the year 2024:

Fund Commissioner: Kerry Killeen
 Safety Coordinator: Mike Reynolds

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the

above named, the Monmouth Municipal Joint Insurance Fund.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jewusiak					x
M. Lewis		x			
W. Lewis	x	x			
Reque		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/W. Lewis, and seconded by C/W. Lewis, all in favor.

Tom Reynolds, Tennent Ave- Mr. Reynolds stated that he vetoed the cannabis Ordinance when he was Mayor, and inquired about the status of the new water well supply project.

Cindy Robilotti, Heritage Drive- Ms. Robilotti stated that the retention basin at the Hearing no further comments, Mayor Francisco requested a motion to close public comment. Motion was made by C/Reque, and seconded by C/Sarti, all in favor.

Adjournment:

There being no further business a motion to adjourn was offered by C/W. Lewis seconded by C/Reque. All in favor. The time being 7:16 P.M.

June 26, 2024

 Date Approved

Kerry Killeen, R.M.C.

 Municipal Clerk