Borough of Englishtown

SPECIAL MEETING

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

May 28, 2024 6:00 PM 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 March 24, 2024.

Regular Meeting:

- 1. Meeting Called to Order and Roll Call
- 2. Statement of Compliance with Sunshine Law
- 3. Salute to the Flag
- 4. Open Public Portion Limited to Agenda Items Only
 Limited to three (3) minutes per citizen to be determined at Borough Council's
 discretion. Any and all situations regarding Borough Personnel, when names are
 implied or mentioned, are to be brought to the full attention of the Council
 through an appointment and subsequent disclosure through the Personnel
 Committee.
- 5. Budget Adoption
 - Public Hearing on Budget Amendments
 - Resolution 2024-094
 Authorization to Read Budget by Title Only
 - Resolution 2024-095
 Adoption of the 2024 Municipal Budget
 - Resolution 2024-107
 Authorizing the Borough of Englishtown to Enter into the New Jersey
 Cooperative Purchasing Alliance
 - Resolution 2024-108

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2024-094

AUTHORIZING THE MUNICIPAL BUDGET BE READ BY TITLE ONLY.

WHEREAS, N.J.S. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less that a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, that the budget shall be read by title only.

Council Member	Motion/Second	Aye	Nay	<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 May 28, 2024.

Kerry Killeen,	Municipal Clerk

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2024-095

ADOPTION 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 and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,987,099.75 to be raised for municipal purposes.

Summary of Revenues	Anti	cipated
	2024	2023
1. Surplus	228,888.00	295,000.00
2. Total Miscellaneous Revenues	601,483.06	538,914.53
3. Receipts from Delinquent Taxes		
4. a) Local Tax for Municipal Purposes	1,987,099.75	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 Br	nd 1,987,099.75	1,937,462.07
Total General Revenues	2,817,470.81	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	296,200.89	279,678.00
3. Capital Improvements	50,000.00	30,000.00
4. Debt Service (Include for School Purposes)	210,000.00	216,716.00
5. Reserve for Uncollected Taxes	118,218.00	118,218.00
Total General Appropriations	2,807,470.81	2,771,376.60
Total Number of Employees		
2024 Dedicated Water	Utility Budget	2
Summary of Revenues	Anti	clpated
	2024	2023
1. Surplus	278,250.00	275,000.00
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 Dedic	ated	Sewer	Utility Budget					
Summary of Revenues			An	Anticipated				
			2024	2023				
1. Surplus			298,200.00	290,000.00				
2. Miscellaneous Revenues	s	!	335,800.00	335,800.00				
3. Deficit (General Budget)	i	200						
Total Revenu	es		634,000.00	625,800.00				
		- Annual Control of the Control of t						
Summary	of Appro	priations	2024 Budget	Final 2023 Budget				
1. Operating Expenses:	Salaries	& Wages	65,000.00	90,000.00				
,	Other Ex	oenses	439,000.00	446,000.00				
2. Capital Improvements	Contract of the Contract of th	to the section of	37,000.00	35,000.00				
3. Debt Service		2000						
4. Deferred Charges & Other	er Appropri	ations	58,000.00	9,800.00				
5. Surplus (General Budge	t)		35,000.00	45,000.00				
Total Appr	opriations		634,000.00	625,800.00				
Total Number of Employees	3							
2024 Dedic	ated	Solid Waste	Utility Budget					
Summa	Summary of Revenues		Ar	nticipated				
		į	2024	2023				
1. Surplus		İ	287,027.11	281,970.00				
2. Miscellaneous Revenue	3							
3. Deficit (General Budget)			4,472.89					
Total Revenu	es	İ	291,500.00	281,970.00				
Summary	of Appro	priations	2024 Budget	Final 2023 Budget				
1. Operating Expenses:	Salaries	& Wages		2,000.00				
1	Other Ex	penses	291,500.00	279,970.00				
2. Capital Improvements		ļ						
3. Debt Service								
4. Deferred Charges & Oth		ations						
5. Surplus (General Budge	t)	3						
Total Appr	opriations	-	291,500.00	281,970.00				
Total Number of Employees	3							

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	2024 Dedica	ted			Utility Budget			
	Summary of Revenues			Anticipated				
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	scellaneous Revenues							
3. De	eficit (General Budget)							
	Total Revenue	s		5				
	Summary of Appropriations		2024 Budget	Final 2023 Budget				
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	2024 Dedic	ated		<u> </u>	Utility Budget			
			Revenues		-i 	licipated		
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	2024 Dedic			Ut	ility Budget	!
	Summ	ary of	Revenues			icipated
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	Surplus					
_	Miscellaneous Revenue					
3.	Deficit (General Budget)) [
	Total Revent	ıes				
	Summary	of A	ppropriations		2024 Budget	Final 2023 Budget
1.	Operating Expenses:		aries & Wages			
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	Capital Improvements	22 - Table 9 - 10				
	Debt Service					
	Deferred Charges & Oth		ropriations			
5.	Surplus (General Budge		and the same of th		Ì	
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	terest					
P	rincipal					
	utstanding Balance					

Council Member	Motion/Second	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Jewusiak				1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
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 May 28, 2024.
Kerry Killeen, Municipal Clerk

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2024-107

RESOLUTION AUTHORIZING THE BOROUGH OF ENGLISHTOWN TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency" has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 28, 2024 the governing body of the Borough of Englishtown, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows: This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Englishtown Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor of the Borough of Englishtown is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

BE IT FURTHER RESOLVED, this resolution shall take effect immediately upon passage.

Council Member	Motion/S	Second	Aye	Nay	<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 May 28, 2024.

Kerry Killeen,	Municipal Clerk

BOROUGH OF ENGLISHTOWN RESOLUTION No. 2024-108

RESOLUTION PROMOTING TREVOR MARTINSON TO POSITION OF POLICE LIEUTENANT AND SETTING TERMS OF OFFICE

WHEREAS, Trevor Martinson is currently a Corporal in the Police Department and has been serving as acting officer in charge since April 17, 2024, when the Chief of Police was placed on administrative leave; and

WHEREAS, Martinson has served the Department for many years with distinction and has proven himself to be an exceptionally competent administrative officer during the period of the Police Chief's current administrative leave as well as during the Chief's previous absences; and

WHEREAS, on May 22, 2024, the Council enacted Ordinance 2024-06, which modifies Section 114-4(B) of the Code to permit the Mayor and Council to promote police officers without testing or examination procedures when the Police Commission has determined that an exigency exists "sufficient to warrant the waiver of the [typical] promotional procedures"; and

WHEREAS, the Police Commission has found that an exigency currently exists due, in part, to a lack of administrative officers in the Department; and

WHEREAS, the position of Police Lieutenant is not covered in any collective negotiations agreement and therefore there is no majority representative with whom the Borough must negotiate regarding terms of office, including work hours, pay, benefits and the like.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englishtown shall promote Martinson to the position of Police Lieutenant immediately, subject to the following terms of office:

- 1. Martinson's salary shall be \$99,800.18 for 2024, which equates to ten (10) percent over the top step for patrol officers as set out in Schedule A of the collective negotiations agreement between the Borough and Policemen's Benevolent Association Local No. 166 ("PBA"), which was approved by Resolution on May 22, 2024, and is effective January 1, 2024 through December 28, 2028 ("PBA Agreement"). The pay increase shall be granted prospectively from the date of approval of this Resolution.
- 2. Martinson shall be permitted to accumulate up to 250 hours of compensatory time as defined by the Fair Labor Standards Act ("FLSA") and provisions of the PBA Agreement.
- 3. Except where inconsistent with this Resolution and/or law, Martinson shall receive the same benefits and terms of office as set out in the PBA Agreement, except that he shall not be entitled to utilize the PBA's Grievance Procedure as set out in Article 7 of the PBA Agreement. Any grievances that Martinson has with the Borough will be handled informally with the Police

Commission and he shall not be entitled to any special hearing or appeal rights except as provided for by N.J.S.A. 40A:14-147 to -151 in the case of discipline.

- 4. Unless there is an active Police Chief, Martinson will use his discretion to set his hours consistent with the needs of the Department, and, whenever possible, shall endeavor to be present during regular working hours. The Police Lieutenant shall serve as the chief law enforcement executive of the Police Department during any periods in which the Chief of Police is on extended leave, including but not limited to the Chief's current administrative leave, or if there is no Police Chief.
- 5. The Borough and Martinson may hereafter enter into an individual agreement, in which case any such agreement shall supersede the terms of office as set out in this Resolution.

Council Member	Motion/Second	<u>Aye</u>	Nay	<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 May 28, 2024.

Kerry Killeen, Municipal Clerk	

BOROUGH OF ENGLISHTOWN

** MINUTES **

May 28, 2024

9:00 A.M SPECIAL 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 6:00 P.M.

Roll Call Present: C/Jewusiak, C/M. Lewis via conference call, C/W. Lewis,

C/Reque C/Sabin, C/Sarti

Absent: None

Also Present: 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.

Public Comment on Agenda Items Only

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

Hearing no comments Mayor Francisco requested a motion to close public comment. Motion was made by C/W. Lewis and seconded by C/Jewusiak. All in favor.

BUDGET BOROUGH OF ENGLISHTOWN

RESOLUTION NO. 2024-094

AUTHORIZING THE MUNICIPAL BUDGET BE READ BY TITLE ONLY.

WHEREAS, N.J.S. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less that a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made

available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, that the budget shall be read by title only.

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

BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2024-095

ADOPTION 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 and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,987,099.75 to be raised for municipal purposes.

	Summa	ry of	Revenues	Antic	ipated			
		Ī		2024	2023			
1. Sur	plus			228,888.00	295,000.00			
	al Miscellaneous Rev	enues		601,483.06	538,914.53			
3. Red	ceipts from Delinquen	t Taxe	es es					
4. a) L	ocal Tax for Municipa	Purp	oses	1,987,099.75	1,937,462.07			
b) <i>A</i>	Addition to Local Scho	ol Dis	trict Tax					
c) N	/linimum Library Tax							
	Tot Amt to be Rsd	by Ta	xes for Sup of Muni Bnd	1,987,099.75	1,937,462.07			
	Total Gen	eral R	evenues	2,817,470.81	2,771,376.60			
				, , , , , ,	, ,, , , , , ,			
	Summary	of A	opropriations	2024 Budget	Final 2023 Budget			
1 One	erating Expenses:		aries & Wages	1,153,900.00	1,173,920.00			
1. Орк	Erating Expenses.		er Expenses	979,151.92	952,844.60			
2. Def	ferred Charges & Othe			296,200.89	279,678.00			
	oital Improvements			50,000.00	30,000.00			
	ot Service (Include for	Scho	ol Purposes)	210,000.00	216,716.00			
	serve for Uncollected			118,218.00	118,218.00			
	Total Genera	al App	ropriations	2,807,470.81	2,771,376.60			
Total N	Number of Employees							
	2024 Dedic	ated	Water	Utility Budget				
	Summa	ry of	Revenues	Anticipated				
				2024	2023			
1. Sur	plus			278,250.00	275,000.00			
	cellaneous Revenues			385,000.00	385,000.00			
3. Def	ficit (General Budget)							
	Total Revenu	es		663,250.00	660,000.00			
			opropriations	2024 Budget	Final 2023 Budget			
1. Ope	erating Expenses:		ries & Wages	85,000.00	126,000.00			
		Othe	er Expenses	305,000.00	301,450.00			
	oital Improvements	-		75,000.00	163,500.00			
	ot Service			130,000.00	52,250.00			
	ferred Charges & Other		ropriations	68,250.00	16,800.00			
o. Sur	plus (General Budge		1	000 000 00	000 000 00			
	Total Appro	-	ons	663,250.00	660,000.00			
I Total N	Number of Employees							

2024 Dedi	cated	Sewer	Utility Budget				
Summ	ary of	Revenues	Anticipated				
			2024	2023			
1. Surplus			298,200.00	290,000.00			
2. Miscellaneous Revenue	s		335,800.00	335,800.00			
3. Deficit (General Budget)						
Total Reven	ıes		634,000.00	625,800.00			
Summar	of Ar	ppropriations	2024 Budget	Final 2023 Budget			
Operating Expenses:		ries & Wages	65,000.00	90,000.00			
		r Expenses	439,000.00	446,000.00			
2. Capital Improvements			37,000.00	35,000.00			
3. Debt Service							
4. Deferred Charges & Oth		opriations	58,000.00	9,800.00			
5. Surplus (General Budg	et)		35,000.00	45,000.00			
Total App	ropriation	ons	634,000.00	625,800.00			
Total Number of Employee	s						
2024 Dedi	cated	Solid Waste	Utility Budget				
Summ	ary of	Revenues	Antic	ipated			
			2024	2023			
1. Surplus			287,027.11	281,970.00			
2. Miscellaneous Revenue	s						
3. Deficit (General Budget)		4,472.89				
Total Reven	ıes		291,500.00	281,970.00			
Summar	of Ap	propriations	2024 Budget	Final 2023 Budget			
1. Operating Expenses:	Operating Expenses: Salaries & Wages			2,000.00			
	Othe	r Expenses	291,500.00	279,970.00			
2. Capital Improvements							
Debt Service							
4. Deferred Charges & Oth		opriations					
5. Surplus (General Budg			201.705.77	201.070.55			
Total App		ons	291,500.00	281,970.00			
Total Number of Employee	s						

2024 Dedicated				Utility Budget					
Summary of Revenues				An	Anticipated				
				Anticipated					
1. Surplu	S								
2. Miscell	aneous Revenues								
3. Deficit	(General Budget)								
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	Summary	of Appropria	ations	2024 Budget	Final 2023 Budget				
1. Operat	ing Expenses:	Salaries & W	ages ages						
		Other Expens	ses						
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3. Debt S	ervice								
	ed Charges & Othe		ns						
5. Surplu	s (General Budge								
	Total Appro	priations							
Total Nun	ber of Employees								
	2024 Dedic	ated		Utility Budget					
	Summa	ry of Reveni	ues	An	Anticipated				
				Anticipated					
1. Surplu	S								
2. Miscell	aneous Revenues								
3. Deficit	(General Budget)								
	Total Revenue	es							
	Summary	of Appropria	ations	2024 Budget	Final 2023 Budget				
1. Operat	ing Expenses:	Salaries & W	'ages						
		Other Expenses							
2. Capital	Capital Improvements								
3. Debt S	ervice								
4. Deferre	ed Charges & Othe	r Appropriatio	ns						
	s (General Budge								
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Total Nun	nber of Employees								

\Box	2024 Dedi	cated			Utility Budget		
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					Anticipated		
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2. 1	Miscellaneous Revenue	s					
3. [Deficit (General Budget)					
	Total Reven	ues					
	Summar	y of Appı	ropriations		2024 Budget	Final 2023 Budget	
1. (Operating Expenses:		s & Wages				
		Other E	Expenses				
	Capital Improvements						
	Debt Service						
_	Deferred Charges & Oth		oriations				
5. 5	Surplus (General Budg	et)					
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Tota	al Number of Employee	s					
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Prir	ncipal						
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	ncipal						
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Council Member	Motion/Second		<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jewusiak		X	X			
M. Lewis			X			
W. Lewis	X		X			
Reque			X			
Sabin			X			
Sarti			X			
Mayor Francisco	tie vote only					

NEW BUSINESS: BOROUGH OF ENGLISHTOWN RESOLUTION NO. 2024-107

RESOLUTION AUTHORIZING THE BOROUGH OF ENGLISHTOWN TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency" has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 28, 2024 the governing body of the Borough of Englishtown, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows: This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Englishtown Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor of the Borough of Englishtown is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

BE IT FURTHER RESOLVED, this resolution shall take effect immediately upon passage.

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

BOROUGH OF ENGLISHTOWN

RESOLUTION No. 2024-108

RESOLUTION PROMOTING TREVOR MARTINSON TO POSITION OF POLICE LIEUTENANT AND SETTING TERMS OF OFFICE

WHEREAS, Trevor Martinson is currently a Corporal in the Police Department and has been serving as acting officer in charge since April 17, 2024, when the Chief of Police was placed on administrative leave; and

WHEREAS, Martinson has served the Department for many years with distinction and has proven himself to be an exceptionally competent administrative officer during the period of the Police Chief's current administrative leave as well as during the Chief's previous absences; and

WHEREAS, on May 22, 2024, the Council enacted Ordinance 2024-06, which modifies Section 114-4(B) of the Code to permit the Mayor and Council to promote police officers without testing or examination procedures when the Police Commission has determined that an exigency exists "sufficient to warrant the waiver of the [typical] promotional procedures"; and

WHEREAS, the Police Commission has found that an exigency currently exists due, in part, to a lack of administrative officers in the Department; and

WHEREAS, the position of Police Lieutenant is not covered in any collective negotiations agreement and therefore there is no majority representative with whom the Borough must negotiate regarding terms of office, including work hours, pay, benefits and the like.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englishtown shall promote Martinson to the position of Police Lieutenant immediately, subject to the following terms of office:

- 1. Martinson's salary shall be \$99,800.18 for 2024, which equates to ten (10) percent over the top step for patrol officers as set out in Schedule A of the collective negotiations agreement between the Borough and Policemen's Benevolent Association Local No. 166 ("PBA"), which was approved by Resolution on May 22, 2024, and is effective January 1, 2024 through December 28, 2028 ("PBA Agreement"). The pay increase shall be granted prospectively from the date of approval of this Resolution.
- 2. Martinson shall be permitted to accumulate up to 250 hours of compensatory time as defined by the Fair Labor Standards Act ("FLSA") and provisions of the PBA Agreement.
- 3. Except where inconsistent with this Resolution and/or law, Martinson shall receive the same benefits and terms of office as set out in the PBA Agreement, except that he shall not be entitled to utilize the PBA's Grievance Procedure as set out in Article 7 of the PBA Agreement. Any grievances that Martinson has with the Borough will be handled informally with the Police

Commission and he shall not be entitled to any special hearing or appeal rights except as provided for by N.J.S.A. 40A:14-147 to -151 in the case of discipline.

- 4. Unless there is an active Police Chief, Martinson will use his discretion to set his hours consistent with the needs of the Department, and, whenever possible, shall endeavor to be present during regular working hours. The Police Lieutenant shall serve as the chief law enforcement executive of the Police Department during any periods in which the Chief of Police is on extended leave, including but not limited to the Chief's current administrative leave, or if there is no Police Chief.
- 5. The Borough and Martinson may hereafter enter into an individual agreement, in which case any such agreement shall supersede the terms of office as set out in this Resolution.

Council Member	Motion/Second		<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		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/Sarti, all in favor.

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

Adjournment:

There being no further business a motion to adjourn was offered by C/W. Lewis seconded by C/Jewusiak. All in favor. The time being $\underline{6:10 \text{ PM}}$.

August 28, 2024	<u>Kerry Killeen, R.M.C.</u>
Date Approved	Municipal Clerk