

**\*\*MINUTES\*\***

**November 22, 2021**

**6:30 P.M.**

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

1. Meeting Called to Order and Roll Call

The meeting was called to order by Mayor Reynolds at 6:30 P.M.

Roll Call: Present: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn,  
and Mayor Reynolds

Absent: C/Robilotti

Also Present Borough Attorney Joseph Youssouf, Deputy Finance Officer and Deputy Municipal Clerk Laurie Finger, Finance Officer Sylvia Eryan-Hawileh, and 2<sup>nd</sup> Deputy Municipal Clerk Gretchen McCarthy.

2. Discussion Items: None

3. Adjournment

There being no discussion items a motion to adjourn the workshop was offered by C/Krawiec, seconded by C/Mann, with all present Council members in favor of adjournment. C/Robilotti was absent. Time of adjournment 6:32 pm.

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

1. Meeting Called to Order and Roll Call

The meeting was called to order by Mayor Reynolds at 6:32 P.M.

Roll Call: Present: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn,  
and Mayor Reynolds

Absent: C/Robilotti

Also Present Borough Attorney Joseph Youssouf, Deputy Finance Officer and Deputy Municipal Clerk Laurie Finger, Finance Officer Sylvia Eryan-Hawileh, and 2<sup>nd</sup> Deputy Municipal Clerk Gretchen McCarthy.

2. Statement of Compliance with Sunshine Law

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

3. Moment of Silence and Salute to the Flag was led by Mayor Reynolds

4. Approval of Minutes

October 27, 2021 Regular Meeting

October 27, 2021 Executive Session

Councilmember Marter noted that page 9 of the minutes required correction as it shows he voted but he was actually absent from the October 27, 2021 meeting. So noted and corrected. Motion was made by C/Krawiec, seconded by C/Mann and approved on the following vote to accept the corrected October 27, 2021 Regular Meeting Minutes as well as the Executive Session Minutes as presented.

Roll Call: Ayes: C/ Krawiec, C/Mann, C/Wojyn  
Nays: None  
Abstain: C/Francisco, C/Marter,  
Absent: C/Robilotti

5. Committee Reports

Councilmember Francisco- Code Enforcement, Public Health, Welfare & Public Events reported on a photo with Santa fundraiser being held at the Village Inn and a light contest run by Bill Lewis.

Council member Krawiec- Public Utilities, reported that hydrant flushing was completed this week.

Councilmember Wojyn- Public Safety, read the October monthly police report and further reported on a recent phone outage experienced in the Borough offices. A purchase order will soon be needed for the migration of the Borough website to a new provider.

Council member Marter- Legislative, Insurance and Licenses & Technology had no report.

Councilmember Mann- Public Buildings & Grounds, had no report.

Councilmember Robilotti- Administration, Finance and Personnel was absent, however, Chief Cooke gave the narcotics report in Councilmember Robilotti's absence.

**6. Correspondence**

The following correspondence was noted as having been received:

- From the CFO to the Mayor & Council on November 2nd, the October 2021 Budget Report.
- From the Manalapan Municipal Clerk regarding the introduction of an ordinance to adopt a redevelopment plan for the Gaitway Redevelopment Area. Public hearing is set for December 22, 2021. (Block 73, Lots 1-8; Block 74, Lots 6-10, 11.01, & 12 and Block 75, Lots 1-8)
- Best wishes for a happy and healthy Thanksgiving and, as always, a reminder to please submit your council reports to the Clerk

**7. Open Public Portion/Limited to Agenda Items Only**

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

Motion was made by C/Mann, seconded by C/Wojyn and approved on the following roll call vote to open to public comment:

Roll Call:      Ayes: C/Francisco, C/ Krawiec, C/Mann, C/Marter, C/Wojyn  
                     Nays: None  
                     Abstain: None  
                     Absent: C/Robilotti

Public Comment:

No members of the public wished to be heard at this time.

There being no comments, motion was made by C/Mann, seconded by C/Marter and approved on the following roll call vote to close to public comment.

Roll Call:      Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn  
                     Nays: None  
                     Abstain: None  
                     Absent: C/Robilotti

**8. Old Business: None**

9. New Business:  
Ordinance No. 2021-08 – Introduction

**ORDINANCE NO. 2021-08**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.126 (WATER) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, 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 section of Chapter 2.126 be amended and supplemented as follows:

1. Section 2.126.07 (Installation fees), Subsection A of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

A. Taps.

(1) For all taps on installations from the main to the curb stop made by the Water Department, the owner shall be charged the following amounts, to be paid to the Water Department at the time of the issuance of the permit:

\$3,091.00 (three thousand and ninety-one dollars) per E.D.U.

2. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed

3. This Ordinance shall take effect following final adoption and publication pursuant thereto.

Motion was made by C/Krawiec, seconded by C/Mann, and approved on the following roll call vote for approval on first reading of Ordinance 2021-08, entitled, “An Ordinance Amending and Supplementing Chapter 2.126 (Water) of the ‘Code of the Borough of Englishtown, New Jersey”

Roll Call: Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn

Nays: None

Abstain: None

Absent: C/Robilotti

Ordinance No. 2021-09 – Introduction

**ORDINANCE NO. 2021-09**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 2.106 (SEWERS) OF THE  
“CODE OF THE BOROUGH OF ENGLISHTOWN, 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 section of Chapter 2.106 be amended and supplemented as follows:

1. Article I – Installation and Use, Section 2.106.2 (Connection of Future Structures), Subsection B of the “Code of the Borough of Englishtown, New Jersey” is hereby amended and supplemented to read as follows:

B. The owner of every residential house, building and/or structure hereafter constructed, modified or improved in the Borough of Englishtown, which may be occupied or used by human beings, shall, if connection with the sewer system of the Borough of Englishtown is made on or after November 22nd, 2021, be charged a connection fee of \$943.00 (nine hundred and forty three dollars).

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall take effect upon final adoption and publication pursuant to law.

Motion was made by C/Krawiec, seconded by C/Mann, and approved on the following roll call vote for approval on first reading of Ordinance 2021-09, entitled, “An Ordinance Amending and Supplementing Chapter 2.106 (Sewers) of the ‘Code of the Borough of Englishtown, New Jersey’”

Roll Call: Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn

Nays: None

Abstain: None

Absent: C/Robilotti

Ordinance No. 2021-10 – Introduction

**ORDINANCE NO. 2021-10**

**ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION  
PURSUANT TO N.J.S.A. 40A:4-53(d) FOR THE MASTER PLAN AND  
DEVELOPMENT REGULATIONS REEXAMINATION REPORT OF THE  
BOROUGH OF ENGLISHTOWN, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, N.J.S. 40A:4-53(d) provides for a municipality to adopt by ordinance special emergency appropriations for the engagement of special consultants for the preparation and reexamination of master plans when required to conform to the planning laws of the State of new Jersey; and,

**WHEREAS**, N.J.S 40A:4-89(d) provides that each municipality shall perform a re-examination of its master plan at least every ten (10) years; and

**WHEREAS**, the Borough of Englishtown, having completed the last Master Plan revisions in August 2010, believes to properly facilitate growth and development of the Borough it should complete a Master Plan review and revision in 2021; and

**WHEREAS**, the estimated cost of the engagement of special consultants for the preparation of a master plan is \$17,500.00;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth and State of New Jersey as follows:

1. In accordance with N.J.S.A. 40A:4-53(d) a special emergency appropriation is hereby authorized for the purpose of carrying out the re-examination and revision of the Borough of Englishtown Master Plan, as mandated by N.J.S.A. 40:55D-89 and shall be deemed a special emergency appropriation in the amount of \$17,500.00.
2. That authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of not less than \$3,500.00, reflecting at least one-fifth of the total amount authorized by this ordinance and as provided in N.J.S.A. 40A-55(c).
3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services five (5) days after final passage.
4. This ordinance shall take effect upon final passage and publication as required by law.
5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Motion was made by C/Mann, seconded by C/Wojyn, and approved on the following roll call vote for approval on first reading of Ordinance 2021-10, entitled, "Ordinance Authorizing a Special Emergency Appropriation Pursuant to N.J.S.A. 40A:4-53(d) for the Master Plan and Development Regulations Reexamination Report of the Borough of Englishtown, County of Monmouth, New Jersey"

”

Roll Call: Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn  
 Nays: None  
 Abstain: None  
 Absent: C/Robilotti

**RESOLUTION NO. 2021-145**

**RESOLUTION REGRETFULLY ACCEPTING THE  
 RESIGNATION OF TATIANA DOMINGO**

**WHEREAS,** Tatiana Domingo has served as a special class II police officer for the Borough of Englishtown since August 27, 2020; and

**WHEREAS,** Tatiana Domingo has notified the Chief of Police that her last day of employment shall be November 3, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Englishtown Borough Council regretfully accepts the resignation of Tatiana Domingo.
2. That a certified copy of this Resolution be delivered to the Chief Financial Officer.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco	X	X			
Krawiec		X			
Mann		X			
Marter	X	X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-146**

**APPOINTMENT OF CLASS II  
 SPECIAL LAW ENFORCEMENT OFFICER**

**WHEREAS,** there is a need to hire a Class II Special Law Enforcement Officer;  
 and

**WHEREAS**, the Chief of Police has recommended Edward F. Burns, Manalapan, N.J. for the position; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that Edward F. Burns is hereby appointed Class II Special Law Enforcement Officer for the Borough of Englishtown as follows:

1. Appointment is effective and conditional upon Edward F. Burns passing a background investigation, psychological evaluation, physical examination, drug testing by urinalysis, and firearms qualifications; and
2. Salary is payable upon commencement of work, in the amount of \$15.00 per hour, paid semi-monthly per the salary ordinance.
3. Said appointment is probationary for one year and said probation shall culminate one (1) year from the start date of employment.
4. That said appointment is for the remainder of this calendar year and subject to re-appointment annually.

**BE IT FURTHER RESOLVED**, that a certified true copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, the Police Training Commission, the Police Commission and Edward F. Burns.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec	X	X			
Mann		X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-147**

**APPOINTMENT OF PART-TIME VIOLATIONS CLERK FOR THE ENGLISHTOWN MUNICIPAL COURT**

**WHEREAS**, there is a need to fill the position of part-time violations clerk within the Borough of Englishtown Municipal Court; and

**WHEREAS**, it is the recommendation of the Municipal Court Administrator and Council Chair Cindy Robilotti to appoint Leslie Siminson of Old Bridge, New Jersey to the position of part-time violations clerk of the Borough of Englishtown.



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

1. Leslie Siminson is hereby appointed as part-time violations clerk for the Borough of Englishtown Municipal Court, pending the completion of background/security checks and shall be under the direction of the Municipal Court Administrator.
2. That said position shall be part-time, 25 hours per week, at an hourly rate of \$20.00 per hour, payable per the salary ordinance with a ninety (90) day probationary period. Court Attendance included in annual salary.
3. That should additional hours be required for department coverage/court and section 4.2 of the Personnel Policy will be adhered to regarding additional hours. These additional hours will be authorized by the Municipal Court Judge and Municipal Court Administrator, to cover vacation or court session's payable at the same hourly rate.

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough's Chief Financial Officer, Municipal Court Administrator and Leslie Siminson

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec		X			
Mann	X	X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-148**

**AUTHORIZING PAYMENT CERTIFICATE #3 (PARTIAL) FOR 2020 ANNUAL ROAD PROGRAM FOR RECONSTRUCTION OF HAMILTON STREET, HERITAGE DRIVE AND RAYMOND COURT.**

**WHEREAS**, the Borough of Englishtown had previously awarded a contract (via Resolution 2021-071) for the project known as the 2020 Annual Road Program for the reconstruction of Hamilton Street, Heritage Drive and Raymond Court, to Earle Asphalt Company in the amount of \$435,413.30; and

**WHEREAS**, Earle Asphalt Company has submitted invoices to Borough Engineer Thomas Herits, (known as payment certificate #3) in the partial amount of amount of \$26,060.37; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Englishtown does hereby authorize payment of \$26,060.37 for payment certificate #3 (partial) to Earle Asphalt Company of Farmingdale, New Jersey for the 2020 Annual Road Program for the reconstruction of Hamilton Street, Heritage Drive and Raymond Court

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be forwarded to the Borough’s Chief Financial Officer and Borough Engineer.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec	X	X			
Mann	X	X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-149**

**AUTHORIZING REFUND OF TAXES**

**WHEREAS**, the Borough of Englishtown Tax Collector has reported that, a refund is due to a duplicate payment being received from:

Trident Abstract Title Agency  
 For 5 McDonald Way, Block 18, Lot 13.03  
 in the amount of \$2,970.19

**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 \$2,970.19 to Trident Abstract Title Agency, LLC, 1340-A Campus Parkway, Wall, NJ 07753.

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

8.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec	X	X			
Mann	X	X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-150**

**RESOLUTION AUTHORIZING APPROPRIATION TRANSFER**

**WHEREAS**, N.J.S.A. 40A: 4-58 provides that during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that the transfers in the amount of \$7,600.00 be made in the 2021 budget as attached.

**Current Fund:**

**From:**

Municipal Clerk S&W	\$1,000.00
Planning Board OE	\$ 600.00
Streets & Roads S&W	\$3,000.00
Police OE	\$3,000.00

**To:**

Finance S&W	\$1,000.00
Tax Assessment OE	\$ 600.00
Engineering Services OE	\$3,000.00
Police S&W	\$3,000.00

**Reason**

Allocate Salary
RDS Calculation
Engineer Cost
Police over Time

<b>Council Member</b>	<b>Motion/Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Francisco		X			
Krawiec	X	X			
Mann		X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**RESOLUTION NO. 2021-151**

**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 \$1,031,478.77 are hereby authorized to be paid on November 22, 2021.
2. The Borough Clerk is hereby directed to list on the page in the Minutes Book following the minutes of this meeting all of the said vouchers hereby authorized to be paid.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X	X		
Krawiec			X		
Mann	X		X		
Marter			X		
Robilotti					X
Wojyn			X		
Mayor Reynolds	tie vote only				

**10.** Tax Collector’s Report dated October 2021 was read by Mayor Reynolds.

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

Motion was made by C/Mann, seconded by C/Francisco, approved on the following roll call vote to open to public comment:

Roll Call: Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn  
 Nays: None  
 Abstain: None  
 Absent: C/Robilotti

William Lewis, 50 Lasatta Avenue, stated that he has heard a number of complaints about raised tax assessments and suggested “FAQs” be put on the website to help answer resident questions.

There being no further public comments, motion was made by C/Krawiec, seconded by C/Mann, and approved on the following roll call vote to close to public comment.

Roll Call: Ayes: C/Francisco, C/Krawiec, C/Mann, C/Marter, C/Wojyn  
Nays: None  
Abstain: None  
Absent: C/Robilotti

**12. Executive Session- "Personnel"**

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

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

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

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

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

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the public be excluded from this portion of the public meeting convened this 22<sup>nd</sup> day of November, 2021, pursuant to Section 4 of the Open Public Meetings Act.

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

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X			
Krawiec	X	X			
Mann	X	X			
Marter		X			
Robilotti					X
Wojyn		X			
Mayor Reynolds	tie vote only				

**13. Adjournment**

There being no further business a motion to adjourn was offered by C/Krawiec, seconded by C/Mann with all present Council members in favor on voice vote. C/Robilotti was absent.

7:03 P.M.

December 22, 2021 \_\_\_\_\_  
 Date Approved

Laurie Finger \_\_\_\_\_  
 Deputy Municipal Clerk