

****MINUTES ****

Workshop Agenda

August 24, 2022

6:30 P.M.

**Work Session 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 Reynolds at 6:30 P.M.

Roll Call

Present: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, and
Mayor Reynolds

Absent: C/Wojyn

Also present: Borough Attorney Joseph Youssef
Deputy Finance Officer/Deputy Municipal Clerk Laurie Finger
Finance Officer Sylvia Eryan-Hawileh
Municipal Clerk Gretchen McCarthy

Discussion Items:

- Solid Waste Utility

The Mayor and Council discussed the newly created solid waste utility. The possibility of privatization of solid waste collection was debated, where residents would need to contract privately with a hauler for garbage collection versus continuing the service through the solid waste utility. Mayor Reynolds made comparison of levels of service, remarking on number of times per week collection and bulk item collection. Mr. Francisco and Mr. Lewis spoke in favor of privatization to give residents options for these services. The ordinance creating the solid waste utility and current collection contract requirements were further discussed. Attorney Youssef advised Council to consider the public interest on this matter with regard to health, safety and welfare and how to address matters that may arise.

Workshop Meeting Adjournment Time 7:13pm

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Francisco		X	X		
Lewis	X		X		
Mann			X		
Marter			X		
Robilotti			X		
Wojyn					X

Mayor Reynolds	tie vote only				
----------------	---------------	--	--	--	--

**** MINUTES ****

**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 Reynolds at 7:13 P.M.

Roll Call Present: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, and
Mayor Reynolds

Absent: C/Wojyn

Also present: Borough Attorney Joseph Youssef
Deputy Finance Officer/Deputy Municipal Clerk Laurie Finger
Finance Officer Sylvia Eryan-Hawileh
Municipal Clerk Gretchen McCarthy

Statement of Compliance with Sunshine Law by:

Borough Attorney Youssef 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 notification made to 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.

Moment of Silence and Salute to the Flag

Led by Mayor Reynolds

RESOLUTION NO. 2022-110

**RESOLUTION ACCEPTING THE RESIGNATION OF GREGORY WOJYN
AS BOROUGH COUNCILMAN**

WHEREAS, Englishtown Borough Councilman Gregory Wojyn has served the Borough of Englishtown since 2009 with dedication and commitment; and

WHEREAS, Gregory Wojyn tendered his resignation with the Borough of Englishtown effective August 5, 2022.

NOW THEREFORE BE IT RESOVED that the Mayor and Council of the Borough of Englishtown regrettfully accept the resignation Councilman Gregory Wojyn and wish him well in his future.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the personnel file of Gregory Wojyn and 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			
Lewis		X			
Mann	X	X			
Marter				X	
Robilotti	X	X			
Wojyn					X
Mayor Reynolds	tie vote only				

Interview of Candidates and Nominations to fill Council Vacancy

Attorney Youssouf referred to State vacancy laws with regard to the vacancy caused by the resignation of Councilmember Wojyn. Lengthy discussion and debate was held with regard to the recommendation of names to fill the vacancy. Three names were put forth by Councilmember Francisco as Republican committee member: William Sabin, Alexi Reque and Jose Monroig. Mr. Sabin was interviewed to fill the vacancy.

Motion was made by C/Lewis, seconded by C/Francisco, and approved on the following roll call vote for William Sabin to fill the Council vacancy:

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

Attorney Youssouf administered the oath of office to Mr. Sabin.

Motion for Council President

The only motion made was made by C/Mann, seconded by C/Robilotti, and approved on the following roll call vote for Dan Marter to fill the Council President vacancy:

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

Approval of Minutes

June 22, 2022 Regular Meeting

There being no corrections, deletions or additions, a motion to approve the June 22, 2022 Regular and Executive Session meeting minutes was made by C/Francisco, seconded by C/Marter, and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Marter, C/Robilotti,
 Nays: None
 Abstain: C/Lewis, C/Mann, C/Sabin
 Absent: None

July 27, 2022 Regular Meeting

July 27, 2022 Executive Session

There being no corrections, deletions or additions, a motion to approve the July 27, 2022 Regular and Executive Session meeting minutes was made by C/Robilotti, seconded by C/Mann, and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Mann, C/Marter, C/Robilotti,
 Nays: None
 Abstain: C/Sabin
 Absent: None

August 10, 2022 Special Meeting

There being no corrections, deletions or additions, a motion to approve the August 10, 2022 Special meeting minutes was made by C/mann, seconded by C/Lewis, and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Mann, C/Marter, C/Robilotti,
 Nays: None
 Abstain: C/Sabin
 Absent: None

Upon question raised by Councilmember Lewis regarding the August 10, 2022 Executive Session minutes, motion was made by C/Mann, seconded by C/Lewis and approved on the following vote to table the August 10, 2022 Special meeting Executive Session minutes:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Mann, C/Marter, C/Robilotti, C/Sabin
 Nays: None
 Abstain: None
 Absent: None

Committee Reports:

Councilmember Francisco- Code Enforcement, Public Health, Welfare & Public Events reported that an ongoing issue on Tennent Avenue is being addressed by the new Code Enforcement Officer. Rounds have also been being made on Main Street, talking with businesses on code enforcement matters.

Councilmember Lewis- Public Utilities, per the Water/Sewer Superintendent, commended the DPW employees on their work on street mark outs. With the large number of mark outs for the ongoing gas line replacement, only one issue has been had with a water main break that was quickly repaired. Also, a complaint was received today about a garbage truck leaking oil on Matlosz Court two weeks ago.

Mayor Reynolds remarked that he had spoken with water/sewer superintendent, Jim Mastrokalos, at the previous evening's planning board meeting and he informed the Mayor that the Borough would now be charged a bulk rate for water from the Gordon's Corner Water Company, which is a savings for the Borough.

Councilmember Mann- Public Safety read the July police report.

Council member Marter- Legislative, Insurance and Licenses stated that he had reported on off-boarding at the special meeting and also on the numerous notices that have needed to be sent out due to the closing of roads for the borough wide gas line replacement. Status was requested on reimbursement for his technology expenditures while in office. Also gave reminder of the need to obtain website support/maintenance by December.

Councilmember Sabin- Public Buildings & Grounds, being newly inaugurated, had no report.

Councilmember Robilotti- Administration, Finance and Personnel reported that the planning board had a meeting on August 23rd and heard application 2022-05 for 62 Main Street & 3 Dey Street for a minor subdivision. No variances were needed and the subdivision was approved. Also reported that the community development committee had a meeting August 11.

Correspondence: None was reported as having been received.

Open Public Portion Limited to Agenda Items Only

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

Roll Call: Ayes: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

Public Comment:

Chief Cooke, Englishtown P.D.,

- Stated that he reached out to the person does that does the Fire Department website and they are willing to come talk to the Borough regarding its website.

Jesse Tossetti, 37 Hospitality Way

- Requested clarification on Ordinance 2022-011 with regard to multi-unit complexes opting out and the impact to the remainder of the residents of the Borough.

Close to Public:

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

Roll Call: Ayes: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

Old Business: NONE

New Business:

RESOLUTION NO. 2022-111

**AUTHORIZE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES BY
BOROUGH ENGINEER**

WHEREAS, there exists a need for Design and Construction Administration Services of a Professional Engineer for the road projects through N.J.D.O.T. State Aid Program MA-2021 and 2022 and also FY 2022 Safe Streets to Transit; and

WHEREAS, the Borough Engineer, Thomas Herits of Colliers Engineering, has submitted a proposal dated August 4, 2022 for said projects; and

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

WHEREAS, funds in the amount of \$154,800.00 are available as evidenced by the Chief Financial Officer’s certification of funds

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

1. The Mayor is hereby authorized and directed to execute the attached proposal with Thomas J. Herits, PE, PP, PLS of Colliers Engineering, 331 Newman Springs Road, Red Bank, New Jersey 07701.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for services performed by persons authorized by law to practice a recognized profession that is required by law.
3. The Municipal Clerk shall cause to be printed once, in the Asbury Park Press, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

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

RESOLUTION NO. 2022-112

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 US Bank Global Trust Services:

Tax Sale Certificate No. 21-00007
Block 6, Lot 14.24, Qualifier C24
24 Oxford Court

in the amount of \$925.16
premium of \$700.00
total of **\$1,625.16**

WHEREAS, the above-mentioned certificate has been redeemed by the tax collector and the lienholder is to obtain said total refund amount of \$1,625.16.

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 \$1,625.16 to US Bank Global Trust Services, 50 South 16th St., Suite 2050, Philadelphia, Pennsylvania 19102:

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>
Francisco		X			
Lewis	X	X			
Mann		X			
Marter		X			
Robilotti	X	X			
Sabin		X			
Mayor Reynolds	tie vote only				

RESOLUTION NO. 2022-113

AUTHORIZING REFUND OF DUPLICATE TAX PAYMENT

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

Mario, Brandon & Daniel Autiero
For 52-E Lasatta Avenue, Block 2, Lot 23.02E, Qualifier C02E
in the amount of \$1,268.28

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 \$1,268.28 to Mario, Brandon & Daniel Autiero, 4 Precedent Place, Manalapan, NJ 07726.

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>
Francisco		X	X		
Lewis			X		
Mann			X		
Marter	X		X		
Robilotti			X		
Sabin			X		
Mayor Reynolds	tie vote only				

RESOLUTION NO. 2022-114

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Englishtown is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Englishtown agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

RESOLUTION NO. 2022-115

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
FOR THE WESTERN MONMOUTH COUNTY ACTIVE SHOOTER TRAINING GROUP**

WHEREAS, the Borough of Englishtown, Freehold Township Freehold Borough, Manalapan Township, Howell Township, Colts Neck Township, Allentown Borough, Marlboro Township, and the Monmouth County Sherriff's Department are interested in implementing the Western Monmouth Active Shooter Training Group, in which Freehold Township will be the Lead Agency and Provider; and

WHEREAS, this cooperative Agreement between the above entities would be beneficial to the respective communities, allowing interagency standardization of active shooter protocols, and facilitating a rapid response and coordination in the likely event that officers from multiple agencies may be the first responders in neighboring communities for these types of incidents; and

WHEREAS, an agreement entitled "Shared Services Agreement – Western Monmouth Active Shooter Training Group" has been proposed and found acceptable: and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, that the Municipal Clerk is hereby authorized to execute the aforementioned Agreement; and

BE IT RESOLVED that a copy of the Agreement be maintained in the Municipal Clerk's Office and made available for public inspection; and

BE IT RESOLVED that pursuant to N.J.S.A. 40A:65-1, a certified copy of this resolution shall be forwarded to the New Jersey Department of Community Affairs Division of Local Government Services; and

BE IN RESOLVED, that a certified copy of this Resolution and Agreements for execution shall be forwarded to the Municipal Clerks of Freehold Township, Freehold Borough Manalapan Township, Howell Township, Colts Neck Township, Allentown Borough, Marlboro Township, and the Monmouth County Sherriff's Department the Freehold Township Administrator, Freehold Township Police Captain, and Freehold Township Director of Finance; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the Chief Financial Officer and the Police Chief.

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

RESOLUTION NO. 2022-116

2022 DESIGNATION OF SALARIES

WHEREAS, the Mayor and Council of the Borough of Englishtown adopted an Ordinance entitled "An Ordinance establishing limits for salaries of the Employees in the Borough of Englishtown, County of Monmouth, State of New Jersey"; and

WHEREAS, said salaries provided certain ranges for the positions set forth; and

NOW, THEREFORE, BE IT RESOLVED that it is the determination of the Mayor and Council of the Borough of Englishtown that annual salaries for said positions as set forth in Resolution 2022-097, shall be corrected as follows for the year 2022:

<u>Position</u>	<u>Name</u>	<u>2022 Annual Salary</u>
Chief Financial Officer	Sylvia Eryan-Hawileh	\$12,000.00 eff 7/1/22
Chief Financial Officer	Sylvia Eryan-Hawileh	\$1,400.00 stipend per month for additional duties in the absence of a f/t finance clerk eff. 8/1/22
Water/Sewer Department Clerk	Violetta Grzanko	\$20.00 per hour eff. 1/1/22
Water/Sewer Department/Solid Waste Utility Clerk	Violetta Grzanko	\$22.00 per hour eff. 7/1/22

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

RESOLUTION NO. 2022-117

RESOLUTION UPDATING CLAIMANT CERTIFICATION POLICY

WHEREAS, N.J.A.C. 5:0-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set for in N.J.S.A. 40A:5-16(a) ; and

WHEREAS, local units are now given discretion to require a claimant certification as it

deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer of the Borough of Englishtown recommends that a claimant signature only be required for Refunds, Advance Payments, Employee Reimbursements and for goods or services that exceed \$1,000.00; and

WHEREAS, the Chief Financial Officer recommends the adoption of this Claimant Signature Policy; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey that, effective immediately, claimant's signatures will only be required for Refunds, Advance Payments, Employee Reimbursements, or for goods or services that exceed \$1,000.00

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

RESOLUTION NO. 2022-118

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 \$864,923.15 are hereby authorized to be paid on August 24, 2022.
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			
Lewis	X	X			
Mann		X			
Marter		X			
Robilotti	X	X			
Sabin		X			
Mayor Reynolds	tie vote only				

ORDINANCE NO. 2022-011

AN ORDINANCE REPEALING ORDINANCE NO. 2022-01 OF THE BOROUGH OF ENGLISHTOWN CREATING A SOLID WASTE UTILITY AND SETTING FORTH THE METHOD OF CALCULATION AND COLLECTION OF SERVICE FEES.

WHEREAS; The Borough Council desires to repeal Ordinance No. 2022-01 creating and establishing a municipal solid waste collection authority in accordance with the provisions of N.J.S.A. 40A:4-34 through 40A: 4-36 et. seq.; and

WHEREAS; It is the intent and purpose of this Ordinance amendment to delete in its entirety, all ordinance sections referring to said Solid Waste Utility and to further amend Chapter 2 Section 57 “BRUSH, TRASH AND DEBRIS” of the Code of the Borough of Englishtown by deleting Section 57.05 “SOLID WASTE UTILITY” including:

57.05 Solid Waste Utility subsections A. and B.

57. 05.01 “Recovery of costs and fees”

57.05.02 “Service charge”

57.05.03 “Computation of service charge”, and

57.05.04 “Payment of service charge”;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council of the Borough of Englishtown that the above referenced ordinance amendments and sections thereof are repealed in their entirety.

Ordinance 2022-11 on introduction, public hearing set for: 09/28/2022

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

Councilmember Lewis made a motion for a discussion item to be listed on the September 28, 2022 agenda to discuss holding two Council meetings per month instead of one. The motion was seconded by Councilmember Francisco and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Mann, C/Marter, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

Councilmember Lewis made a motion for a discussion item to be listed on the September 28, 2022 agenda to discuss charging for the use of the Borough sports fields. The motion was seconded by Councilmember Francisco and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Mann, C/Marter, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

Councilmember Francisco made a motion for an ordinance to be listed on the September 28, 2022 agenda to repeal the ordinance requiring a permit for holding yard sales. The motion was seconded by Councilmember Lewis with the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Sabin
Nays: C/Marter, C/Mann, C/Robilotti
Abstain: None
Absent: None

There being a tie vote, Mayor Reynolds voted in favor of listing an Ordinance on the September 28, 2022 agenda thereby approving the motion.

Councilmember Francisco made a motion for an ordinance to be listed on the September 28, 2022 agenda to repeal Ordinance 2021-04, which banned all categories of cannabis businesses within the Borough. The motion was seconded by Councilmember Lewis and approved on the following vote:

Roll Call: Ayes: C/Francisco, C/Lewis, C/Marter, C/Sabin
Nays: C/Mann, C/Robilotti
Abstain: None
Absent: None

Tax Collector's Reports of June 2022 and July 2022 were read by Mayor Reynolds

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.

Open Public Portion

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

Roll Call: Ayes: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

Public Comment:

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

Close to Public:

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

Roll Call: Ayes: C/Francisco, C/Lewis, C/Marter, C/Mann, C/Robilotti, C/Sabin
Nays: None
Abstain: None
Absent: None

**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 of 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 falling within personnel matters.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the public be excluded from this portion of the public meeting convened this 24th day of August, 2022, 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	X			
Lewis	X	X			
Mann		X			
Marter		X			
Robilotti		X			
Sabin		X			
Mayor Reynolds	tie vote only				

No matters were considered upon return from Executive Session

Meeting Adjournment

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

8:41 P.M.

September 28, 2022
Date Approved

Gretchen McCarthy
Municipal Clerk