

MINUTES

October 22, 2025

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
ENGLISHTOWN

15 Main Street, Englishtown, New Jersey 07726

Executive Session

Roll Call: Present: Councilman Alite, Councilman Atterbury, Councilman Fierro, Councilwoman Leonardis, Councilman Sarti, Councilman Sharkey

Also Present: Deputy Municipal Clerk Crystal Calise, Attorney Jonathan Cohen, Business Administrator Kim Humphrey, Mayor Daniel Francisco

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.

Monmouth County JIF every 3 years previously without active review. This year was a contract year; other statewide JIFs expressed interest in Englishtown, including one associated with Al Barless in Essex County.

The insurance broker missed the notice deadline; the notice was sent around October 15, have Monmouth County JIF for another year rather than three.

Monmouth County JIF is described as strong on routine claims

Lawsuit involving Councilman's private construction and civil rights claims

The borough will file a short letter/brief stating the governing body's disinterest in the private dispute and seeking to separate the borough's role. A motion to dismiss the borough's involvement will be pursued by Mitch later; the firm handling now will address the order to show cause, with a litigation notice and intent to seek attorney's fees upon dismissal.

John's counsel to dismiss civil rights claims against him personally

Concerns about a possible recommendation of the plaintiff's attorney by someone connected to the council; encouragement to sue the town was discouraged due to fiduciary obligations to the municipality.

The inclusion of a councilman being sued was deemed useful for discussion but noted that conflicts may arise, to be evaluated case-by-case as the lawsuit progresses.

The audit was not complete, usually done by early June. Due to how the 2024 budget was handled into 2025, the auditor had difficulty conducting the audit, and books were not closed from 2024 to 2025, complicating current-state assessment.

The CFO advised against holding finance committee meetings or conducting analyses before audit close-out adjustments and the exit conference, which details changes, comments, and required corrective actions.

A council member discussed Englishtown's budget with a county CFO instructor from another county. The CFO stated this is inappropriate and should go through official channels with the CFO and BA; the instructor contacted Englishtown's CFO about the council member's outreach and job performance comments, escalating concerns about ethics and procedure.

Auditor costs \$200; meetings with the auditor should be limited

The 2024 audit exit meeting is being scheduled; BA and CFO, with the auditor able to brief council separately if needed.

Concerns about Brendan's actions and conduct

- Brendan contacted an external county CFO and shared incomplete budget materials with other CFOs and a teacher, raising privacy and compliance issues. The budget is a public record only upon request; sharing incomplete or incorrect versions is problematic.
- Discussed municipal budget
- He yelled at staff and told the BA not to contact him and stating she wasn't worth her pay. He also sent texts asserting a "right" to attend the audit exit meeting as finance chair and framing non-inclusion as a "problem."
- Multiple members believe he is seeking political elevation, collaborating with outsiders and potentially engaging in actions that could expose the town to legal risk
- concern that Brendan's behavior could jeopardize retaining the CFO, who is considered essential and cost-effective.
- removing Brendan from the finance role and issuing another censure to document misconduct; one censure has already occurred.

Restructure committees in January, potentially shifting from broad committees to specific liaisons

Brendan not to contact certain staff directly; communications should go through designated leadership.

potential OPMA claims, removal and censure now but placing formal votes/resolutions on the next meeting's agenda. Some advocated for immediate removal; others recommended notice to avoid legal challenges.

Replacement for finance oversight may be assigned to a liaison, potentially the chair who is a tiebreaker and does not vote, enhancing objectivity. Final decision to be discussed at the next meeting.

Downtown planning contracts and ARH deliverables

ARH downtown study area, report of findings and recommendations; two ordinances are on the agenda tied to those recommendations.

Potential acquisition by the borough and leasing of space; this could enable alcohol service under ABC code when the municipality owns the property

The borough is one of approximately 400 towns with objections to their housing element and fair share plan; the overarching goal is incremental town-by-town settlements to expand affordable housing.

Condemnation for public use can proceed without showing dilapidation; however, using the property for private development with a 30-year pilot requires demonstrating it is an area in need of redevelopment.

Freehold building is not dilapidated, making redevelopment-based condemnation difficult without cooperation; public-purpose condemnation is more feasible

Lieutenant contract discussion was on the agenda but not ready; it will be pushed off.