

Combined Meeting of the Mayor and Borough Council held on Monday, March 26, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:34 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this combined meeting of the Mayor and Council, has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and filing with her office.

- **ROLL CALL:** Councilpersons Buchanan, Bella, Eicher, Henry, Novak, Perrette.

Absent: None

Others Present: Mayor Kennedy O'Brien
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont
C.F.O. /Acting Business Admin. Kronowski

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Councilwoman Eicher moved the following minutes be approved on roll call vote, subject to correction if necessary:

- ☒ Regular Meeting - February 13, 2012
- ☒ Receipt of Bids - February 23, 2012
(DPW Building Repair & Alterations)
- ☒ Regular Meeting - February 27, 2012
- ☒ Executive Session - February 27, 2012

Motion seconded by Councilman Henry.

Roll Call: Councilpersons Buchanan, Bella, Eicher, Henry, Novak, Perrette, all Ayes

- **PRESENTATIONS-**

Presentation made by Kate Duffy, Director Special Events- American Cancer Society to raise awareness about the Relay For Life Event at the Raritan Bay Waterfront Park on Friday, June 15 - Saturday, June 16, 2012 and the kickoff will take place this Sunday, April 1 at Sciortino's Restaurant in South Amboy.

- **OLD BUSINESS**

- a. Public hearing on the following Ordinance(s):

ORDINANCE # 178-12

REFUNDING BOND ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF VARIOUS SERIES OF THE BOROUGH'S OUTSTANDING GENERAL OBLIGATION BONDS, APPROPRIATING NOT TO EXCEED \$13,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,500,000 REFUNDING BONDS OF THE BOROUGH FOR FINANCING THE COST THEREOF

(Co. Perrette, Admin. & Finance Committee - Public Hearing March 26, 2012)

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #178-12.

No one appeared.

Councilman Perrette moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

ORDINANCE # 178-12

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

Section 1. Pursuant to N.J.S.A. 40A:2-1 *et seq.* and 40A:2-51 *et seq.* of the Local Bond Law of the State of New Jersey (the “State”), the Borough of Sayreville, in the County of Middlesex, New Jersey (the “Borough”), is hereby authorized to refund its outstanding (i) General Improvement Bonds of 2004 and Water Improvement Bonds of 2004, each dated November 15, 2004 in the aggregate principal amount of \$2,251,000 and originally issued in the aggregate principal amount of \$6,266,000 (the “2004 Bonds”); (ii) General Improvement Bonds of 2005 dated December 1, 2005 in the aggregate principal amount of \$2,195,000 and originally issued in the aggregate principal amount of \$4,545,000 (the “2005 Bonds”); (iii) General Improvement Bonds of 2006 and Water Improvement Bonds of 2006, each dated December 15, 2006 in the aggregate principal amount of \$2,400,000 and originally issued in the aggregate principal amount of \$5,000,000 (the “2006 Bonds”); (iv) General Improvement Bonds of 2007 and Water Improvement Bonds of 2007, each dated November 1, 2007 in the aggregate principal amount of \$2,944,000 and originally issued in the aggregate principal amount of \$6,744,000 (the “2007 Bonds”); and (v) General Improvement Bonds of 2008 and Water Improvement Bonds of 2008, each dated October 7, 2008 in the aggregate principal amount of \$2,554,000 and originally issued in the aggregate principal amount of \$5,904,000 (the “2008 Bonds” and together with the 2004 Bonds, the 2005 Bonds, the 2006 Bonds and the 2007 Bonds, the “Prior Bonds”); and

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds of the Borough are hereby authorized to be issued, at one time or from time to time in one or more series, in the aggregate principal amount of not to exceed \$13,500,000 pursuant to N.J.S.A. 40A:2-51 *et seq.* of the Local Bond Law of the State.

Section 3. An aggregate amount not to exceed \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b), including, without limitation, underwriter's discount, original issue discount, if any, and all legal, accounting, printing and fiduciary expenses, has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to reduce the annual debt service expenses of the Borough.

Section 5. The Borough hereby acknowledges and agrees that, in accordance with N.J.S.A. 40:2-10, a supplemental debt statement will be prepared as of the date of this refunding bond ordinance by the Chief Financial Officer of the Borough, giving effect to the proposed authorization of the refunding bonds of the Borough authorized hereby in the aggregate amount not to exceed \$1,156,000, which amount represents the amount of the refunding debt in excess of the debt to be refunded, and that the supplemental debt statement has been filed in the Office of the Clerk of the Borough prior to the passage on first reading of this refunding bond ordinance. The Borough hereby directs the Borough Clerk to have the supplemental debt statement filed in the Office of the Division of Local Government Services in the Department of Community Affairs prior to final adoption of this refunding bond ordinance.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State prior to final adoption.

Section 7. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law of the State, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

/s/ Nicholas Perrette, Councilman

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Borough Attorney

ORDINANCE # 179-12

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII,
SECTION 7-42.6 OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADOPT A NO LEFT TURN**

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #179-12.

Councilwoman Eicher recued herself from any conversation regarding this ordinance because she is a teacher at the school in question.

Those appearing were:

- Gineen Morosco, Educator in the Sayreville School District. She said that she appears tonight a representative of the people, She described herself as "the community surrounding the sign", Sayreville residents, parents, educators, transportation and community members. She expressed their frustration with the no left turn sign and after lengthy commentary asked that the ordinance be postponed and opening a traffic investigation to find a safe, suitable alternative to that sign before a final vote is held. She gave several alternatives.

Councilman Perrette asked what the impact times were in the am and pm.

Ms. Morosco said in 8:30-8:45 am and 2:24-3:15 pm and pre-school times of 9:00, 11:20 and 3:15.

Councilman Perrette thought that having a police officer there to help with traffic would be beneficial.

Councilman Bella questioned who would pay for the traffic safety study. Ms. Morosco responded that the UES would be willing to hold fund raising events to cover the cost.

Councilman Bella said that he is sympathetic to her concerns but this is a safety and liability issue. He said that after speaking with the Police Chief and Sgt. Bartlinski he believed this ordinance needs to be adopted and it is the right thing to do.

Mayor asked for a show of hand as to how many were employees of the Board of Education, and that of the UES School. Mayor recognized that almost everyone here tonight were employees from the UES.

Mayor asked if there were any further comments.

- Joanne Leon, 206 Washington Road
Sayreville bus driver for over 20 years and described her alternate bus route as being dangerous.
- Debbie Revel, 17 Driftwood Drive
Resident and parent in support of making the left, expressing the inconvenience.

Mayor explained their position that if this is allowed it may cost some adult or child their life in an accident. He explained the year the school was build and how Rt. 9 was aligned back then.

- Barbara Kilcomons, 22 Schmitt St.
Asked why a police officer could not be placed there in the morning and the afternoon, like other towns.
- Eloise Hansen, 61 price Street
Agree with the Mayor and the safety of the children.
- Police Chief John Zebrowski
Explained that that sign has been there for eight years and due to that fact there has not been a tragedy there. The issue is public safety and what is best for that intersection. He explained that now they need a specific enforcement for that sign and the safety of the children. This is an inconvenience but it works and wants the ordinance adopted.
- John Bartlinski, Police Sgt./Traffic Bureau
He explained the discussions going back to when the school was built and the Board of Education at that time put up the sign. He said he recently received an e-mail from Dr. Alfano, School Superintendent who is in favor of the sign and does not want the sign removed, as well as the school's transportation coordinator and board of education. The sign was placed for the safety of the children and want this ordinance before something tragic happens. He further commented on the possibility of re-districting.

Councilman Buchanan asked what if they adopted the ordinance but placed an officer at that location during the school hours because this is one of the heaviest congested roadways in Sayreville.

Sgt. Bartlinski said that it would be very unsafe for an officer to stop five lanes of traffic.

Councilman Buchanan questioned what was going to happen once Bordentown Ave/Ernston Rd. are closed for the improvements.

Chief responded that they will get together with the School Board, the superintendent's office and the transportation coordinator to work out a temporary solution, but he would not recommend that an officer be there on a permanent basis.

Councilman Henry asked

- how a school qualifies as a School Zone
- how to get a Yield sign on that ramp
- how to get a traffic study done

Explained by Sgt. Bartlinski.

Councilwoman Novak said that a left turn out of the UES for any vehicle is dangerous and having a police officer at that location is cost prohibitive. So the sign and ordinance is necessary. She did express her concerns over the busses being directed down Bordentown Ave. to Burlaw Place to Rt. 9 and asked if they could figure out another route for the busses to go.

Chief said that he would have Sgt. Bartlinski sit with Mrs. Shedlock, but ultimately that is a decision of the board of education.

- Ann Marie Christensen, 23 Merritt Avenue
She said that she works for the pre-school and have 60 children that are driven to school.
- Gineen Morosco, 12 Annapolis Drive, Halet, NJ
Education in Sayreville school district.
She said that after hearing the questions and concerns presented here tonight she is still asking that this Ordinance be put on hold.

Mayor said that the chain of command is as follows. The Board of Education is the property owner they put the sign up put the sign. They are the ones who are requesting from the Sayreville police Department that there be an ordinance to legislate that sign. They have sent a sign to the governing body requesting this along with documentation from the Police Dept. confirming that this is a public safety issue.

Councilman Henry asked if he could ask Mrs. Batko for the record on the Board of Education's support of this ordinance.

- Mrs. Batko said that this was discussed at the Board of Education Meeting and that Dr. Alfano did send an e-mail to the Mayor that it was the Board's and Dr. Alfano's recommendation that the No Left Turn Sign remain. It has the full support of the Board.

No further questions or comments.

Mayor called for a motion on Ordinance #179-12.

Councilman Bella moved the Public Hearing be closed and the Ordinance be approved on Second and final reading and advertised according to law. Councilwoman Novak seconded the motion.

Roll Call: Councilpersons Bella, Buchanan (with comments), Eicher, Henry, Novak (with comments), Perrette (with comments), all Ayes.

Comments:

Co. Buchanan said that this ordinance needs to get passed for the safety of the children and teachers but would like to see some other options looked into.

Co. Novak said that the sign must remain in place but would like to continue to work on alternatives.

Co. Perrette said that he believes that something could be worked out through the police department and the Twp. of Old Bridge but right now we need it for the protection of the children and teachers alike.

ORDINANCE #179-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII, SECTION 7-42.6(e) OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO
ADOPT A NO LEFT TURN
(adding paragraph e)

BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey, as follows:

SECTION 1. Section 7-42.6 Samsel School (Central Valley to adopt Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to expand the Special Economic District by inserting the text **underlined and marked in bold**, to read as follows:

- 7-42.6 Samsel School (Central Valley)
- a. All vehicles must park in designated areas and between the lines provided.
 - b. Handicapped Parking. The following stalls are hereby designated as handicapped Parking:
As shown on the attached site plan.*
 - c. One-Way Streets. The following streets or parts of streets are hereby designated as one-way streets:
As shown on the attached site plan.*
 - d. Speed Limits. The speed limits for both directions of travel in the parking lot shall be fifteen (15) mph.
 - e. **No person shall make a left turn from school property on to Ernston Road.**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Mayor called for the next order of business.

Mun. Clerk Farbaniec Read the heading for Public Hearing on Ordinance #180-12.

ORDINANCE # 180-12
CALENDAR YEAR 2012 ORDINANCE TO
EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(Co. Perrette, Admin. & Finance Committee – Public Hearing March 26, 2012)

At this time Mayor O'Brien opened the Meeting to the Public for questions or comments on Ordinance #180-12.

There were no appearances.

Mayor then called for a motion.

Councilman Perrette moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

ORDINANCE #180-12

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 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, 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 Mayor and Council of the Borough of Sayreville in the County of Middlesex finds it advisable and necessary to increase its CY 2012 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 Mayor and Council hereby determines that a three and one-half percent (3.5%) increase in the budget for said year, amounting to \$1,320,320.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and 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 Mayor and Council of the Borough of Sayreville in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Sayreville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one-half percent (3.5%), amounting to \$1,320,320.00, and that the CY 2012 municipal budget for the Borough of Sayreville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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.

/s/ Nicholas Perrette, Councilman
(Admin. & Finance Comm.)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

NEW BUSINESS: (none)

CONSENT AGENDA/RESOLUTIONS

- **PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY**

At this time Mayor O'Brien opened the meeting to the Public on the Consent Agenda Resolutions.

There were no appearances.

Councilwoman Eicher moved the Public Hearing on Consent Agenda Resolutions be closed and the resolutions be approved on Roll Call Vote. Seconded by Councilman Henry.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette.
 Nays: Councilwoman Eicher voted No to Resolution #2012-100.

RESOLUTION #2012-96

WHEREAS, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

That all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien
 Mayor

/s/ Frank J. Bella
 Councilman

/s/ William J. Henry
 Councilman

/s/ Daniel Buchanan
 Councilman

/s/ Mary J. Novak
 Councilwoman

/s/ Lisa Eicher
 Councilwoman

/s/ Nicholas J. Perrette
 Councilman

Bill list of March 26, 2012, in the amount of \$4,630,154.47 (Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).

RESOLUTION #2012-97

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2011Budget Appropriation Reserves be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Legal Services (1155-130-2-3110)	\$	\$ 20,000
Police Dispatch (1250-314-1-1002)	20,100	
Construction Code Official (1195-330-1-1002)		100
	<u>\$ 20,100</u>	<u>\$ 20,100</u>

/s/ Nicholas Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-98
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
MARCH 12, 2012 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the March 12, 2012 Council Meeting approving the following:

Application(s) for Bingo/Raffle Licenses:

- Application from **Court Appointed Special Advocates (CASA) of New Jersey, Inc.** to conduct an On-Premise Draw Raffle (Tricky Tray).
#RA:1728 was voided & #1743 was reissued as a new application for games held on January 19, 2012.
- Amended Application from **Truman School PTO** to conduct a Bingo, on March 23, 2012 (BL:469A).

/s/ Nicholas Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-99

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for One (1) Conventional Rear Loader Sanitation Truck and One (1) Automated Refuse Loader Body and Arm Replacement and that he be paid for said services at a fee not to exceed \$3,400.00.

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

/s/ Mary J. Novak, Councilwoman
(Chairman Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-100

BE IT RESOLVED that the proper borough officials are hereby authorized and directed to execute and agreement with Goose Control Technology for the removal of geese and associated services for the 2012 season at a fee not to exceed \$12,000.00.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-101

BE IT RESOLVED that the proper officials are hereby authorized to execute Agreement and Application for permission to conduct Fireworks Display between International Fireworks, Douglasville, PA , and the Borough of Sayreville, covering display to be held at Kennedy Park on June 30, 2012 (rain date July 1, 2012) at a cost not to exceed \$12,500.00, subject to International Fireworks providing the appropriate insurance coverage as required by the Borough and further subject to said insurance indemnifying the Borough with regard to liability caused by the fireworks including personal injury and or property damage.

/s/ Lisa Eicher, Councilwoman
(Recreation Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-102

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS
OF NOT EXCEEDING \$13,500,000 GENERAL OBLIGATION
REFUNDING BONDS OF 2012 OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND PROVIDING
FOR THE SALE AND DELIVERY OF SUCH BONDS**

WHEREAS, THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (the "Borough") has heretofore issued its (i) General Improvement Bonds of 2004 and Water Improvement Bonds of 2004, each dated November 15, 2004 in the aggregate principal amount of \$2,251,000 and originally issued in the aggregate principal amount of \$6,266,000 (the "2004 Bonds"); (ii) General Improvement Bonds of 2005 dated December 1, 2005 in the aggregate principal amount of \$2,195,000 and originally issued in the aggregate principal amount of \$4,545,000 (the "2005 Bonds"); (iii) General Improvement Bonds of 2006 and Water Improvement Bonds of 2006, each dated December 15, 2006 in the aggregate principal amount of \$2,400,000 and originally issued in the aggregate principal amount of \$5,000,000 (the "2006 Bonds"); (iv) General Improvement Bonds of 2007 and Water Improvement Bonds of 2007, each dated November 1, 2007 in the aggregate principal amount of \$2,944,000 and originally issued in the aggregate principal amount of \$6,744,000 (the "2007 Bonds"); and (v) General Improvement Bonds of 2008 and Water Improvement Bonds of 2008, each dated October 7, 2008 in the aggregate principal amount of \$2,554,000 and originally issued in the aggregate principal amount of \$5,904,000 (the "2008 Bonds" and together with the 2004 Bonds, the 2005 Bonds, the 2006 Bonds and the 2007 Bonds, the "Prior Bonds"); and

WHEREAS, the Prior Bonds were issued to finance and/or refinance (a) various capital improvements for the Borough and (b) costs of issuance in connection with the Prior Bonds; and

WHEREAS, the Borough intends to (i) refund all or a portion of the outstanding callable 2004 Bonds in the amount of \$2,251,000; (ii) refund all or a portion of the outstanding callable 2005 Bonds in the amount of \$2,195,000; (iii) refund all or a portion of the outstanding callable 2006 Bonds in the amount of \$2,400,000; (iv) refund all or a portion of the outstanding 2007 Bonds in the amount of \$2,944,000; (v) refund all or a portion of the outstanding 2008 Bonds in the amount of \$2,544,000; and (vi) finance costs of issuance to be incurred in connection therewith (collectively, the "2012 Refunding Project") through the issuance of its "General Obligation Refunding Bonds of 2012" in an aggregate principal amount not to exceed \$13,500,000 (the "Refunding Bonds"); and

WHEREAS, the Refunding Bonds shall consist of Water Improvement Refunding Bonds and General Improvement Refunding Bonds; and

WHEREAS, in order to market and sell the Refunding Bonds, (i) the Borough shall issue a Preliminary Official Statement (the "Preliminary Official Statement") and a final Official Statement (the "Official Statement"), (ii) the Borough shall enter into a negotiated sale of the Refunding Bonds with NW Capital Markets (the "Underwriter") pursuant to the terms of a bond purchase agreement (the "Purchase Contract"), (iii) upon the issuance of the Refunding Bonds, the Borough shall enter into a "Continuing Disclosure Certificate" to be dated as of the date of issuance of the Refunding Bonds (the "Continuing Disclosure Certificate") in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "SEC") pursuant to the Securities Exchange Act of 1934, as amended, or any successor rule or regulation thereto ("Rule 15c2-12"), and (iv) the Borough shall take such other actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as bond counsel to the Borough and the Borough's financial advisor deem necessary, convenient, useful or desirable in order to issue the Refunding Bonds (collectively, the "Financing Documents");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. In order to finance all or a portion of the cost of the 2012 Refunding Project, the Refunding Bonds shall be and are hereby authorized to be issued in an aggregate principal amount not to exceed \$13,500,000 pursuant to the Local Bond Law of the State of New Jersey (the "State") and a refunding bond ordinance of the Borough finally adopted on March 26, 2012 and entitled, "Refunding Bond Ordinance of the Borough of Sayreville, in the County of Middlesex, New Jersey, providing for the refunding of various series of the Borough's outstanding general obligation bonds, appropriating not to exceed \$13,500,000 therefor and authorizing the issuance of not to exceed \$13,500,000 refunding bonds of the Borough for financing the cost thereof" (the "Refunding Bond Ordinance").

Section 2. The Refunding Bonds are hereby authorized to be sold to the Underwriter at a purchase price to be set forth in the Purchase Contract described below (which sum shall represent the par amount of the Refunding Bonds to be delivered less an Underwriter's discount to be determined in an amount not exceeding \$5.00 per \$1,000 of Refunding Bonds sold and any original issue discount or premium to be determined in the Purchase Contract), plus interest accrued on the Refunding Bonds from their dated date to the date of delivery thereof, if any. The Mayor of the Borough and/or the Chief Financial Officer of the Borough (the "Mayor" and the "Chief Financial Officer," respectively) are hereby authorized to enter into the Purchase Contract with the Underwriter on behalf of the Borough in the form satisfactory to the Borough's bond counsel and upon terms satisfactory to the Chief Financial Officer, in consultation with the Borough's financial advisor, for the sale of the Refunding Bonds

to the Underwriter in accordance with the provisions of this resolution; *provided*, that the sale of the Refunding Bonds results in a net present value savings to the Borough of at least three percent (3%) of the par amount of the Bonds to be Refunded (as hereinafter defined) and otherwise in accordance with the terms provided in the approval of the Local Finance Board granted on March 14, 2012 for the refunding of the Prior Bonds (the "Bonds to be Refunded"). The signature of the Mayor or the Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals therefor.

Section 3. (a) The Refunding Bonds shall be issued in one or more series at one time or from time to time as determined by the Chief Financial Officer, in consultation with the Borough's financial advisor.

(b) The Refunding Bonds shall be issued in the aggregate par amount determined by the Chief Financial Officer to be necessary to pay costs of the 2012 Refunding Project, but in no event greater than \$13,500,000.

(c) The Refunding Bonds shall be dated the date of issuance of the Refunding Bonds, and shall bear interest at the rates per annum as set forth in the Purchase Contract, provided that such fixed interest rates on the Refunding Bonds shall not cause the interest rate on the Refunding Bonds to exceed 5.00%.

(d) The Refunding Bonds shall be numbered consecutively (i) from G-1 upward for each maturity of each series and issue of General Improvement Refunding Bonds, with such serial and/or term maturities as set forth in the Purchase Contract and (ii) from W-1 upward for each maturity of each series and issue of Water Improvement Refunding Bonds, with such serial and/or term maturities as set forth in the Purchase Contract.

(e) The Refunding Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Refunding Bonds of each series maturing in each year. Both principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Refunding Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of such interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Refunding Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any integral multiple thereof through book-entries made on the books and records of DTC and its participants, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000 or any integral multiple thereof.

(f) The Refunding Bonds shall mature in the principal amounts as set forth in the Purchase Contract, commencing December 15, 2012 (or such other date as shall be determined by the Chief Financial Officer) through and including December 15, 2018, and shall bear interest at the rates per annum as set forth in the Purchase Contract payable semiannually on the fifteenth day of June and December, commencing December 15, 2012 (or such other date as shall be determined by the Chief Financial Officer), until maturity or prior redemption, if applicable. The principal of and interest on the Refunding Bonds will be paid to DTC by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of DTC as listed on the records of DTC, as of each next preceding June 1 and December 1, unless such other record dates are approved by the Chief Financial Officer. The Refunding Bonds shall be executed by the manual or facsimile signatures of the Mayor and Chief Financial Officer under the official seal of the Borough (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Borough (the "Clerk").

(g) The Refunding Bonds may be subject to optional and mandatory sinking fund redemption on such terms as are provided in the Purchase Contract and are acceptable to the Chief Financial Officer in order to obtain the best possible interest rates and the most cost effective financing in consultation with the Underwriter and the Borough's financial advisor.

(h) The Refunding Bonds shall be designated as General Obligation Refunding Bonds of 2012 consisting of General Improvement Refunding Bonds and Water Improvement Refunding Bonds.

Section 4. The Refunding Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Refunding Bonds in accordance with the requirements of DTC:

No. G or W-___ \$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX

GENERAL IMPROVEMENT REFUNDING BONDS OF 2012
Or
WATER IMPROVEMENT REFUNDING BONDS OF 2012

Date of Bond:	Date of Maturity:	Rate of Interest:	CUSIP:
_____, 2012	December 15, 20__	_____%	_____

Registered Owner:*****Cede & Co.*****

Principal Amount:*****_____*****

THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX (the "Borough"), a political subdivision of the State of New Jersey, hereby acknowledges itself indebted and for value received promises to pay to the Registered Owner specified above or registered assigns, the sum specified above as the Principal Amount on the date specified above as Date of Maturity, upon presentation and surrender of this bond, and to pay to the Registered Owner hereof interest on such sum, from the Date of Bond specified above until the Date of Maturity specified above, at the Rate of Interest per annum stated above payable on June 15 and December 15 in each year, commencing December 15, 2012. Principal of this bond will be paid in lawful money of the United States of America upon surrender hereof at the office of the Borough's Chief Financial Officer in Sayreville, New Jersey (the "Paying Agent"). Interest on this bond will be payable by check or draft mailed to the registered owner hereof as shown on the registration books of the Borough (the "Bond Register") as of the first day of the month in which interest is to be paid.

All of the bonds, of which this bond is one, shall be initially issued as one fully registered bond for each maturity in the name of CEDE & CO., as registered owner and nominee for The Depository Trust Company ("DTC"). Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the bonds, payments of the principal of and interest on the bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the Blanket DTC Representation Letter executed by the Borough and DTC relating to the bonds. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

[The bonds of this issue are [not] subject to optional redemption prior to their stated maturities.][The bonds of this issue are subject to mandatory sinking fund redemption prior to their stated maturity, upon the surrender thereof and through selection by lot by the Borough by payment of the following sinking fund installments on December 15 in each year set forth below, at a redemption price which is equal to 100% of the principal amount thereof plus accrued interest to the redemption date, in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
-------------	-------------------------

Notice of redemption shall be given by the Borough by first class mail, postage prepaid, to the registered owner of any bond to be redeemed at the address shown on the registration books of the Borough not less than thirty (30) days nor more than sixty (60) days prior to the redemption date; provided, however, that failure to mail or to receive such notice, or any defect therein, shall not affect the validity of the proceedings for redemption.

If notice of redemption has been given by mail, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.]

This bond is transferable only upon the Bond Register by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Borough duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey, a refunding bond ordinance of the Borough finally adopted on March 26, 2012 and by a resolution adopted by the Borough on March 26, 2012.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms. This bond shall not be or be deemed to be a debt or liability of the State or a pledge of the faith and credit of the State.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

In the event the Borough determines that it is in the best interests of the beneficial owners of the bonds (the actual purchasers of the bonds) that they be able to obtain certificated bonds, the Borough may notify DTC of the availability of bond certificates. In such event, the Borough will issue, transfer and exchange bond certificates as required by DTC and others in appropriate amounts. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the Borough and discharging its responsibilities with respect thereto. In the event of such determination, if the Borough fails to identify another qualified securities depository as successor to DTC, the Borough will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the Borough to do so, the Borough will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any DTC Participant (participants of DTC) having

bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

IN WITNESS WHEREOF, THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the signature of the Clerk of the Borough, and this bond to be dated the Date of Bond specified above.

ATTEST: BOROUGH OF SAYREVILLE, IN THE
COUNTY OF MIDDLESEX,
NEW JERSEY

[SEAL]

_____ By: _____
Borough Clerk Mayor

By: _____
Chief Financial Officer

(REVERSE SIDE OF BOND FORM)

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

TEN COM - as tenants in common	UNIF GIFT MIN ACT
TEN ENT - as tenants by the entireties	____ Custodian____ (Cust) (Minor)
JT TEN - as joint tenants with right of survivorship and not as tenants in common	under Uniform Gifts to Minors Act _____ (State)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER
OF ASSIGNEE

(FOR COMPUTER RECORD ONLY)

(Please Print or Typewrite Name and Address of Transferee)

_____ the within bond, and all rights thereunder, and hereby irrevocably constitutes and appoints

_____ Attorney, to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Section 5. The Refunding Bonds shall have printed thereon a copy of the written legal opinion with respect to the Refunding Bonds that is to be rendered by the law firm of McCarter & English, LLP, complete except for the omission of its date. The Clerk is hereby authorized and directed to certify to the truth and correctness of the copy of such opinion by executing on each of the Refunding Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Clerk's office. Alternatively, each Refunding Bond may be accompanied by the signed legal opinion of McCarter & English, LLP or a copy thereof.

Section 6. The law firm of McCarter & English, LLP is hereby authorized to arrange for the printing of the Refunding Bonds. The Mayor or the Chief Financial Officer are hereby authorized and directed to sell, execute and deliver the Refunding Bonds to the Underwriter upon receipt of payment therefor, including interest accrued from their dated date to the date of delivery thereof, if any.

Section 7. The Borough hereby approves the preparation and the distribution of the Preliminary Official Statement on behalf of the Borough in the form approved or to be approved by the Chief Financial Officer. Such Preliminary Official Statement may be distributed in electronic form. Such Preliminary Official Statement may be "deemed final" for purposes of Rule 15c2-12 of the SEC on behalf of the Borough by the Mayor or the Chief Financial Officer. The Official Statement shall be prepared in final form in connection with the issuance of the Refunding Bonds, and the Mayor or the Chief Financial Officer is hereby authorized to execute any certificates necessary in connection with the distribution of the Official Statement. The Mayor and the Chief Financial Officer are also hereby authorized to execute and deliver the Official Statement on behalf of the Borough, with such changes therein and any supplements thereto as counsel may advise and the person executing the same may approve, such approval to be evidenced by such person's execution thereof. Official Statements shall be delivered to the Underwriter within the earlier of seven business days following the sale of the Refunding Bonds or to accompany the Underwriter's confirmations that request payment for the Refunding Bonds.

Section 8. The Mayor and the Chief Financial Officer are hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 9. In the event that DTC may determine to discontinue providing its services with respect to the Refunding Bonds or is removed by the Borough and no successor securities depository is appointed, the Refunding Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000 or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000 or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Refunding Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 10. The Borough hereby covenants (a) to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to the Refunding Bonds and (b) not to take any action or fail to take any action that would cause interest on the Refunding Bonds to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code or to become an item of tax preference under Section 57 of the Code. Upon the date of issuance of the Refunding Bonds, being the date of delivery thereof to DTC on behalf of the

Underwriter and the payment by the Underwriter of the purchase price therefore in accordance with the Purchase Contract, the Chief Financial Officer is hereby authorized and directed, as of such date of issuance, to execute and deliver a Tax Certificate with respect to the exclusion of interest on the Refunding Bonds from gross income for federal income tax purposes, including, inter alia, the status of the Refunding Bonds as other than "private activity bonds" within the meaning of Section 141 of the Code and as other than "arbitrage bonds" within the meaning of Section 148 of the Code.

Section 11. The Refunding Bonds are being issued to fund the 2012 Refunding Project. The Chief Financial Officer shall take all steps necessary to effect the 2012 Refunding Project, including, without limitation, taking all necessary action to redeem the Bonds to be Refunded.

Section 12. The Borough hereby appoints Amboy Bank to act as escrow agent (the "Escrow Agent") in connection with the 2012 Refunding Project. The Escrow Agent is hereby authorized and directed to pay all costs of issuance in connection with the sale of the Refunding Bonds up to the maximum amounts set forth in the Local Finance Board Application filed in connection with the approval of the issuance of the Refunding Bonds.

Section 13. The Chief Financial Officer is hereby authorized, if necessary, to arrange for, and to accept, on behalf of the Borough, a commitment for a bond insurance policy for the Refunding Bonds on terms and conditions acceptable to the Chief Financial Officer in order to obtain the best possible interest rates and the most cost effective financing in consultation with the Borough's financial advisor and the Underwriter.

Section 14. The Mayor and the Chief Financial Officer are hereby severally authorized and directed to execute and deliver the Financing Documents, substantially in the forms submitted to the Borough, with such changes thereto as the Mayor or the Chief Financial Officer, in his sole discretion after consultation with the Borough Attorney and the Borough's bond counsel and financial advisor, shall determine to be necessary, desirable, useful or convenient in order to effect the financing of the 2012 Refunding Project or any other transaction contemplated hereby and thereby, which changes shall be dispositive evidenced by the execution and delivery thereof.

Section 15. The Chief Financial Officer shall take all steps necessary (a) to call all of the 2004 Bonds to be Refunded on or after May 15, 2012 at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date; (b) to call all of the 2005 Bonds to be Refunded on or after May 15, 2012 at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date; (c)

to call all of the 2006 Bonds to be Refunded on December 15, 2012 at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date; (d) to call all of the 2007 Bonds to be Refunded on November 1, 2013 at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date; (e) to call all of the 2008 Bonds to be Refunded on October 1, 2014 at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date; and (f) for the investment of the proceeds of the Refunding Bonds necessary to arrange for such redemption. The Mayor or the Chief Financial Officer shall enter into an Escrow Deposit Agreement with the Escrow Agent in order to provide for the deposit in escrow and the investment of the Refunding Bond proceeds for the purpose of redeeming all of the Bonds to be Refunded on behalf of the Borough. The Borough hereby authorizes the Escrow Agent, the Financial Advisor or the Underwriter to subscribe, if necessary, on behalf of the Borough, for United States Treasury Time Deposit Securities – State and Local Government Series, to be issued as entries on the books of the Bureau of Public Debt, Department of the Treasury, in the amount as shall be required by the terms of the Escrow Deposit Agreement. Such subscription shall be made by the Escrow Agent or the Underwriter pursuant to the provisions of the Department of the Treasury Circular, Public Debt Series No. 3-72, current revisions.

Section 16. The Borough will act as Paying Agent for the Refunding Bonds so long as no term bonds are utilized by the Underwriter. In the event that term bonds are utilized by the Underwriter, the Chief Financial Officer is hereby authorized to select a bank to serve as Paying Agent for the Bonds.

Section 17. The Borough hereby ratifies all actions, if any, taken by the Mayor, the Chief Financial Officer, the Underwriter, the Borough's financial advisor and bond counsel to the Borough prior to the date of adoption of this Resolution in connection with the 2012 Refunding Project.

Section 18. All prior resolutions of the Borough or portions thereof inconsistent herewith, if any, are hereby repealed.

Section 19. The Chief Financial Officer is hereby directed to report to the Borough Council at the meeting next succeeding the date of execution of the Purchase Contract the particular terms of the award of the Refunding Bonds made pursuant to this Resolution.

Section 20. The Chief Financial Officer, in his sole discretion, after consultation with the bond counsel and the Borough's financial advisor, shall make such investment decisions with respect to the Refunding Bond proceeds or other monies available for investment at the direction of the Borough under the Financing Documents, so long as any such investments conform with applicable law.

Section 21. The Borough hereby appoints Samuel Klein and Company to act as verification agent in connection with the 2012 Refunding Project.

Section 22. This resolution shall take effect immediately.

/s/ Nicholas Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette
 - a) Councilman Perrette moved the following minutes be received and filed:
 - o Board of Education March 6, 2012
Seconded by Councilwoman Novak.
 - b) **Received the following application(s) for Bingo/Raffle Licenses:**
(Applications available upon request and are on file in the Clerk's Office)
 - **St. Stanislaus Kostka R.C. Church** to conduct
 - a) Off-premise 50/50 on June 23, 2012 #RA:1744.
 - b) On-Premise 50/50 on June 20, 21, 2, 23, 2012 #RA:1745
 - c) On-Premise Draw (Pull Tabs) on June 20, 21, 22, 23, 2012 #RA:1746
 - d) Off-Premise Draw on June 23, 2012 #RA: 1747
 - e) Off-Premise Draw on June 23, 2012 #RA:1748
 - f) On-Premise Non Draw (money wheel) on
June 20, 21, 22, 23, 2012 RA:1749
 - g) On-Premise Non Draw (wheels) on June 20, 21, 22, 23, 2012 RA:1750
 - **Sayreville Little League** to conduct an Off-premise Draw Raffle on June 10, 2012 (RA:1751).

- Sayreville Senior Center, St. Stan's Club to conduct on premise 50/50 on April 17; May 15; June 19; July 17; Aug 21; Sept 18; Oct. 16; Nov. 20; Dec. 12, 2012 and Jan. 15; Feb. 19 and March 19, 2013 – RA:1752

- Sayreville Senior Citizen Tuesday Club to conduct on premise 50/50 on April 10; May 8; June 12; July 10; Aug 14; Sept 11; Oct. 9; Nov. 13; Dec. 13, 2012 and Jan. 8; Feb. 12 and March 12, 2013 – RA:1753

- Sayreville Senior Citizen Thursday Club to conduct on premise 50/50 on April 12 May 10; June 14; July 12; Aug 9; Sept 13; Oct. 11; Nov. 8; Dec. 13, 2012 – RA:1754

- St. Stanislaus Kostka Rosary Altar Society to conduct an Off-Premise 50/50 on September 2, 1012 RA:1755

- Our Lady of Victories HSA to conduct an Off-Premise 50/50 on June 9, 2012 #RA:1756.

c) Application for Special Permit for Social Affair received from St. Stanislaus Kostka Church to serve beer and wine at annual Parish Carnival to be held on their property on June 20, 21, 22, 23, 2012 April 20, 2012 from 4:30 P.M. to 12:30 A.M.

- b & c Approved-Resolution Memorializing Council's Action on April 9, 2012.
Seconded by Councilwoman Novak.

d) TAX ASSESSMENT APPEAL(S)

Received the following 2012 Tax Appeals from:

<u>Plaintiff/Petitioner</u>	<u>Block & Lot</u>	<u>Property Address</u>
Paul Figueroa	Block 180 Lot 8.08	204 Pulaski Ave.
Fine Realty LLC	Block 441 Lot 2.01	984 Route 9
Skytop Gardens, Inc.	Block 449.07 Lot 4	Back Section #2
Skytop Gardens, Inc.	Block 449.07 Lot 4.01	Front Section
Michael Kaliczynski	Block 169.04 Lot 21	61 Weber Ave
Pradyuman Jhala	Block 449.08 Lot 101	7 Jason Ct.
Arthur Utter	Block 169.31 Lot 6	38 Weber Ave.
Sayreville Shopping Plaza	Block 368.07 Lot 1,2	2909 Washington Rd.
Hillside Estate	Block 10 Lot 2	Bordentown Amboy Tnpk.
Satish Prarapagiri	Block 449.08 Lot 102	7 Mioduski Ct.
Linic LLC	Block 440 Lot 2.04	977 Rt. 9
Mohammad & Saima Asim	Block 212.05 Lot 19.11	11 Begonia Ct.
Rite Aid of NJ, Inc.	Block 335.01 Lot 3	3553 Washington Rd.
Mary Skwara	Block 169.31 Lot 12	50 Weber Ave.
Ronald Kuhn	Block 169.31 Lot 1	28 Weber Ave.
Frank & Marian Olchaskey	Block 169.31 Lot 14	54 Weber Ave
Joseph Beninato, Inc.	Block 539 Lot 96	85-87 First St.
Joseph Beninato, Inc.	Block 447.17 Lot 3	60 Eugene Blvd.
Joseph Beninato, Inc.	Block 444.04 Lot 18	11 Center Ave.
Michael & Halina Brodziak	Block 413.03 Lot 3	20 Eugene Blvd.
Dennis Kessler, Irving Tripp & Edwin Larsen	Block 542 Lot 210	210 Cliff St.
Noemi Rodriguez	Block 449 Lot 6.04	50 Upperbrook Ct.
Roseanne Nizolek	Block 462 Lot 60	175 Gabriel Terr.
Ajaykumar Damania	Block 169.05 Lot 8	101 Weber Ave.
Charles Woods	Block 169.41 Lot 6	70 Weber Ave.

(Copies available upon request)

- Referred to Tax Counsel

e) Application for a **Place to Place Transfer of PRCL #1219-33-022-003 Stock Enterprise, Inc., t/a Colosseum**, 7090 Rt. 35, to open bar downstairs, upstairs and upstairs deck. Application & Sketch of Licensed premises attached.

- Objection received from police department. Hearing scheduled for April 23, 2012.

f) Received 12:18 Special Ruling from the Director of ABC, **authorizing the Governing Body to consider the renewal of Plenary Retail Consumption License #1219-33-011-008 held by Ethan H. LLC** (pocket license) for the 2011/2012 license term.

- Resolution.

g) Committee Reports:

Councilman Perrette moved the following reports be received and filed:

- Municipal Clerk's Report for the month of February, 2012.

Seconded by Councilman Buchanan.

h) Solar Energy Issue – Councilman Perrette stated that they find that this is no longer fiscally feasible for the borough and will abandon the plan.

• **PLANNING & ZONING** – Councilman Henry

a) Minutes-

Councilman Henry moved the following minutes be received and filed:

- Housing Authority - February 14, 2012

Seconded by Councilman Buchanan.

b) Authorization to have Borough Attorney update and prepare amendments to the Borough's Swimming Pool Ordinance as recommended by the Director of Code Enforcement .

- Approved / Boro Att'y to prepare ordinance for introduction.

c) Received application for a Trailer License submitted by Brian Lourenco to locate one (1) temporary storage trailer on property known as 1970 Rt. 35, (Abyss property).

- Resolution.

d) Received Notice to Adjacent Property Owner from:

-Applications before the **Zoning Board on March 28, 2012:**

Raceway Realty, LLC seeking approval for use variance, bulk variance, design waiver and preliminary and final major site plan approval for premises known as block 444.03, Lot 4.02 & 5, 198 Ernston Road.

- Applications before the **Planning Board on April 4, 2012:**

Twin Boro Physical Therapy seeking approval of Preliminary and Final Major Site Plan approval with bulk variance to allow for the construction of a Physical Therapy facility on property known as Block 371, Lot 1.01, 3276 Washington Road.

- Receive & File

e) Request to purchase borough owned property received John DiNatale owner of 15 Kendall Drive, Block 32.03, Lot 9. Requesting to purchase small strip of property adjacent to the rear of his home known as Block 32.03, Lot 1.01.

- Refer to Open Space

f) Request received from Main Street Homeowners Association for the **release of Engineer Inspection and Escrow fees** associated with the construction of a new club house.

- Refer to the Engineer.

g) Received the following **Planning Board Resolutions** which were **Memorialized on March 7, 2012:**

- Camelot at Towne Lake (aka Heritage at Towne Lake) Amended Preliminary and Final Major Site Plan Approval Block 136.15, Lot 76.

- **Receive & File**

h) Committee Reports:
Committee Reports:

Councilman Henry moved the following report be received and filed:

- Construction Official's report for the month of February, 2012.

Seconded by Councilwoman Eicher.

He requested an RFP be prepared for the request to sell bait at the River Road Waterfront park.

Mayor said that he asked the Recreation Director to handle this and that it would be no just for a truck but for the use of the Gazebo.

He suggested that the Mayor call the Governor for help in securing the One-Million dollars for the Weber Avenue flood victims.

Mayor said that this is a Legislative issue. He felt we weren't ready to make such a request at this time. He said that last Friday the Governor's representative to the Mayor was here in Central Jersey. He visited and he toured the area with him. He also had very high praise for Fran O'Conner. The Mayor asked Fran O'Conner to explain the process for securing any money.

- Frank O'Conner, 84 Weber Avenue.
She indicated that at this point we are waiting for a response to a letter that was written to the DEP from the Borough of Sayreville asking what measures need to be taken for the money to be de-authorized from where it is and it to be authorized for Sayreville. She said that Assemblyman Wisniewski's office told us that this is the first step we should take in order to secure the money for Sayreville. Once we receive a response from them then we will know which way to go from there.

• **PUBLIC SAFETY** – Councilman Bella

a) Minutes: (none)

b) Application for Regular Membership to

- President Park Fire Co. No. 1 (from Associate Member) received from: Thomas Parsons.

- Sayreville Engine Co. No. 1 received from Robert R. Reed, IV

- **Approved.**

c) Requests to conduct canister fundraising events at the intersection of Washington & Ernston Rds. received from the following:

- Melrose Hose Co. No. 1 – April 28, 2012, 10am-2pm

- **Approved.**

d) Committee Reports:

Councilman Bella moved the following reports be received and filed:

- Fire Prevention report for the month of February, 2012.

- Municipal Court Administrator's Report for the month of February, 2012.

- Board of Health, County & Registrar's reports for the month of Feb., 2012.

Seconded by Henry.

- **PUBLIC WORKS** – Councilwoman Novak
 - a) **Minutes: (none)**
 - b) Request for the release refundable portion of Road Opening permit fees posted by Cruz Contractors, LLC, covering Road Opening Permit #5200, subject to the Borough Attorney’s approval of the required Maintenance bond posted.
- Resolution.
 - c) **Councilwoman Novak made a motion to authorize the clerk to cancel the receipt of Bids for One (1) Hook Lift Swap Loader Truck** scheduled for March 29, 2012 and upon the receipt of revised Specifications she be authorized to re-advertise.
Motion seconded by Councilman Buchanan for action be taken tonight.
Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, Novak, All ayes.

Clerk will prepare a memorializing resolution for the next meeting.

d) Committee Reports:

- Councilwoman Novak made a motion to receive and file the following reports:
 - Parks for the month of January & February, 2012;
 - Recycling Coordinator for the month of February, 2012;
 - Garage Services for the month of February, 2012;
 - Sanitation Department for the month of February, 2012;
- Seconded by Councilman Buchanan.

Councilwoman Novak reported having received a letter from a Staff Sergeant Toby Tirrito, a Sayreville resident and an active member of the New Jersey National Guard, requesting permission to form a Clean-up Sayreville Committee in conjunction with Earth Day. If so he also requested that they be provided with buckets and access to fort Grumpy for disposal.

Mayor said that this should be coordinated with the Recycling Coordinator and Environmental Commission and that if these two organizations were in agreement if there was council approval.

Councilman Henry said that he would not have a problem provided that there was no liability issues.

Councilwoman Novak then requested authorization to have the borough attorney to prepare whatever would be necessary for the borough to revert back to residency preference for the hiring process.

Attorney DuPont requested authorization to review this matter with the Labor Counsel to get a better understanding of what steps would be necessary and to discuss the NAACP Ruling before he can make a recommendation.

Mayor suggested that is what he do. He also asked that Mr. Merryman provide input as to whether or not this would trigger a Federal lawsuit.

- **WATER & SEWER** – Councilman Buchanan
 - a) **Minutes** (None)
 - b) **Committee Reports:**
Councilman Buchanan made a motion to receive and file the following reports:
 - Water & Sewer Director’s Report for the month of February, 2012.
Seconded by Councilman Henry.

- **RECREATION** – Councilwoman Eicher
a) **Minutes:- (none)**

b) Committee Report –

Councilwoman Eicher made a motion to receive and file the following reports:
- Recreation Department report for the month of February, 2012.
Seconded by Councilman Buchanan.

Reports: Councilwoman Eicher then reported on various programs and events being sponsored by the Recreation Dept.

Council President Either made a motion appointing Raritan Bay Medical Center as the Borough's Occupational Health Services Provider . Motion seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Bella, Eicher, Henry, Novak, Perrette, all Ayes.

Council President Eicher commented on the Relay for Life Program.

- **MAYOR** – Kennedy O'Brien

a) **Appointments**

-Recycling Commission

Term	Kathleen Tirpak	- Recycling Commission member	-	1 Year
Term	Stanley Klimek	- Recycling Commission Member	-	1 Year
Term	Dara Zaleski	- Recycling Commission Member	-	1 Year

Councilman Buchanan moved the Mayor's Appointments. Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes.

Mayor said that he received a complaint from a resident from Old Spye Road regarding dumping on a vacant piece of property. He contacted the zoning officer and was able to get the property cleaned up. He then said that he would be requesting the Chief of Police to erect a 'No Dumping' sign attached to a fine and the fine would go toward the clean-up of the property.

Councilman Bella asked what the status was in allowing Mr. Malara to serve on the Human Relations Commission.

Attorney DuPont said that it is a requirement that they be residents of Sayreville.

Mayor asked that he serve as the Mayor's designee.

Councilman Bella thought that the ordinance needed to be amended.

b) Other Business

BUSINESS SESSION AGENDA – March 26, 2012

1. **NEW BUSINESS –**

2. **BUSINESS ADMINISTRATOR –**

I) Authorization to renew the Residential Maintenance Grant for the year 2012. (funded with Older Americans Act Funds).

- Resolution.

II) Review of **Special Event Permit Applications** received from:

- St. Stanislaus Kostka RC Church – Church Carnival to be held on church property on June 20, 21, 22 & 23, 2012.

No expenditures of borough funds required. All security, traffic control & police personnel that may be necessary is contracted by St. Stan's.

- Triple Threat Ministries, Basketball Event to be held at Borough Hall basketball courts on Aug 18, 2012. \$1,000.00 required by the Recreation Department to cover cost of personnel, etc. Certificate of Insurance is also required.

- **Resolution.**

Mayor requested Banners be hung in lieu to advertising for the Memorial Day parade.

C.F.O.- Wayne Kronowski

I) Bill List Resolution

II) Sewer Rate Amendment –

CFO Kronowski and Co. Buchanan explained the need for the ordinance.

Discussion followed regarding the fees being tacked on to the tax bill as opposed to an sewer user Ordinance.

Councilman Buchanan suggested listing the Ordinance for Introduction at the next meeting and in the interim the committee will meet to discuss any alternatives.

Mayor asked if there would be any objections in having an ad in the Old Bridge, Sayreville, South Amboy Chamber of Commerce Booklet. He suggested a full page ad for \$300.00. There were no objections. He asked the Clerk to put the ad together and send it to Greg Camerato, President of the Chamber of Commerce.

ENGINEER -Jay Cornell

I) Old Bordentown Avenue Water Treatment Plant – Relocation of MacArthur Avenue Water / Sewer Department – (Report Attached).

BOROUGH ATTORNEY - Michael DuPont (none)

PUBLIC PORTION

At this time Mayor O'Brien opened the meeting to the public for any and all issues.

Those appearing were:

- Zigmund Dombrowski, 32 Weber Avenue
Expressed his concerns about the property behind Weber Avenue being a mess. He gave pictures to the council for review. He then asked why piles of dirt was removed from that property a few years back.
He asked who SERA was and how they acquired the property behind their homes.

Response made by Mayor O'Brien and also told Mr. Dombrowski that Co. Henry and Co. Bella sit on SERA and bring the issued before the Board.

- Mrs. Strek, 140 McCutcheon Avenue
Questioned the person Co. Novak mention earlier regarding the clean-up of Sayreville and how they would be going about collecting donations. Co. Novak said that they would not be collecting money. They would be looking for trash bags, cans, etc.
- John DeNoteli, Kendall Drive
Questioned his request to purchase or use of borough Owned property behind his home. Mayor responded that that item was listed on the agenda tonight and was referred to the Open Space Committee.

No further questions or comments. Councilwoman Novak made a motion to close the public portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION ITEMS**

Mayor O'Brien announced that the Council will be going into Closed Session and do not expect any action to be taken when we reconvene.

Attorney DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 5 minutes to discuss the following matters:

Personnel

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

NOW, THEREFORE BE IT RESOLVED that the public be excluded and this resolution shall take effect immediately.

/s/ Lisa Eicher, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

Councilman Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman Henry.

Roll Call: Voice vote, all Ayes. Carried.

Time: 8:49 PM

- **RECONVENE**

Councilwoman Novak moved to reconvene the meeting. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

Time: 8:55 P.M.

ADJOURNMENT

No further business.

Councilwoman Novak made a motion to adjourn. Motion seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes.

Time: 8:55 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved