

Regular and Business Session of the Mayor and Borough Council held on Monday, October 24, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:35 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 Bella, Buchanan, Henry, Kelly, Perrette.

Absent: Councilwoman Eicher (Excused Absence)

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

Absent: None

#### PRESENTATIONS -

- **RESOLUTION #2011-251**

In recognition of the retirement of Carla Sutherland.

Mayor O'Brien called forward Carla Sutherland and asked the council to congregate by the rail in order to present Ms. Sutherland with the resolution.

Mayor O'Brien read the following resolution into record before presenting it to Ms. Sutherland.

#### **RESOLUTION #2011-251**

**WHEREAS**, Carla Sutherland began her career with the Borough of Sayreville in 1972 as a substitute teacher and as a teacher of Social Studies and English at Sayreville War Memorial High School; and

**WHEREAS**, during her career at Sayreville War Memorial High School, Carla Sutherland received many accolades, including the prestigious Princeton University's Award for Distinguished Secondary School Teaching; and

**WHEREAS**, in 1989, Carla Sutherland served as Coach of the World Champion Odyssey of the Mind high school team; and

**WHEREAS**, in 1995, Carla Sutherland joined the administrative ranks of the school system culminating in the position of Assistant Superintendent of Schools; and

**WHEREAS**, in 2011, Carla Sutherland retired after a long and illustrious career devoted toward the welfare and enlightenment of our youth.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Council of Sayreville do hereby convey to Carla Sutherland heart-felt appreciation and commendation for her long-time service to education in the Borough of Sayreville and extend to her and her family our best wishes for many happy and healthy years.

/s/ Kennedy O'Brien, Mayor

/s/ Councilman Frank J. Bella

/s/ Councilman William J. Henry

/s/ Councilman Daniel Buchanan

/s/ Councilman Kenneth P. Kelly, Sr.

\_\_\_\_\_  
Councilwoman Lisa Eicher (Absent)

/s/ Councilman Nicholas J. Perrette

Comments made by Council President Kelly as he presented her with the Resolution.

Councilman Buchanan moved the resolution be approved on Roll Call vote. Seconded by Council President Kelly.

Roll Call: Voice Vote, all Ayes, carried.

- **PROCLAMATION** In recognition of the members of Sayre Woods Bible Church who unselfishly volunteered their time in the aftermath of Hurricane Irene to help the residents of the Borough of Sayreville.

Mayor asked if there was anyone present from the Sayre Woods Bible Church. No one came forward.

Mayor O'Brien read the following Proclamation into record.

### **PROCLMATION**

**WHEREAS**, Hurricane Irene devastated much of the northeast during the last week of August 2011; and

**WHEREAS**, there were areas in the Borough of Sayreville that Hurricane Irene left flooded and in dire emergency situations; and

**WHEREAS**, the foundation of a humane and just society is the people's willingness to work together for the common good; and

**WHEREAS**, self-sacrificing individuals from the Sayre Woods Bible Church mobilized and were a tremendous source of relief and comfort to many residents of the Borough of Sayreville during this difficult time.

**NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville,** do hereby recognize and acknowledge members of the Sayre Woods Bible Church who unselfishly volunteered their time in the aftermath of Hurricane Irene to help the residents of Sayreville.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 24<sup>th</sup> day of October, 2011 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C.  
Municipal Clerk

Council President Kelly moved the Mayor's Proclamation be approved on Roll Call vote. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. Carried.

Mayor stated that the next order of business would be a closes session.

- **EXECUTIVE SESSION ITEMS**

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 10 minutes to discuss the following matters:

Litigation  
Contract Negotiations

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/ Councilman Kenneth P. Kelly, Sr.

APPROVED:

/s/ Kennedy O'Brien  
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.

Time: 6:45 PM

- **RECONVENE**

Councilman Kelly moved to reconvene the meeting. Seconded by Councilman Perrette.

Time: 7:10 P.M.

**APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Councilman Kelly moved the following Minutes of the Mayor and Council be approved, subject to correction if necessary:

- June 23, 2011 - Bids (Labor & Equipment /Water Main, Sanitary & Storm Sewers)
- June 27, 2011 - Regular & Business Meeting
- June 27, 2011 - Closed Session
- July 11, 2011 - Regular & Business Meeting
- July 11, 2011 - Closed Session
- July 14, 2011 - Bids (Abandoned Vehicles)

Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

#### **OLD BUSINESS**

- a. Public hearing on the following Ordinance(s): None

#### **NEW BUSINESS:**

Introduction of the following Ordinance(s): (None)

#### **CONSENT AGENDA RESOLUTIONS**

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

No appearances.

Councilman Kelly moved the Public Hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Seconded by Councilman Buchanan.

Comments: Councilman Bella said that there were some things that he does not agree with in Resolution #2011-249 so he would be supporting in only with conditional support.

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

#### **RESOLUTION #2011-240**

**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/ Kenneth P. Kelly, Sr.  
Councilman

\_\_\_\_\_  
Councilwoman Lisa Eicher (Absent)

/s/ Nicholas J. Perrette  
Councilman

**Bill list of October 24, 2011, in the amount of \$2,168,450.23  
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

**RESOLUTION #2011-241**  
**RESOLUTION MEMORIALIZING ACTION TAKEN ON**  
**CERTAIN COMMUNICATION ITEMS AT THE**  
**OCTOBER 11, 2011 COUNCIL MEETING**

**BE IT AND IT IS HEREBY RESOLVED THAT** this Resolution hereby memorializes action taken by the Governing Body at the October 11, 2011 Council Meeting approving the following:

- a) Approving Raffle applications received from Raritan Bay Cougars of Old Bridge, Inc. for an On-Premise Draw Tricky Tray and an On-premise 50/50 to be conducted on November 5, 2011 (RA:1717 & RA:1718)
- b) Approving Raffle applications from St. Stanislaus Kostka HAS to conduct the following games on December 4, 2011:
  - o -Off Premise 50/50 (RA1719);
  - o -On Premise Draw (#1720);
  - o -On Premise Non Draw (RA1721);
  - o -On Premise Draw/pull tabs (#RA1722).
- c) Approving Special Bingo License application received from Sayreville Senior Center to conduct Bingo Games on various dates for a period of two years, effective October 11, 2011 through October 11, 2013.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
 Municipal Clerk

/s/ Kennedy O'Brien  
 Mayor

**RESOLUTION #2011-242**

**WHEREAS**, Sayreville Bar Enterprise, LLC, Karen E. Benzer Chapter 7 Trust is the holder of Plenary Retail Consumption License #1219-33-040-005 in the Borough of Sayreville; and

**WHEREAS**, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2011/2012 license term; and

**WHEREAS**, on September 30, 2011, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 07-11-7145 for the 2011/2012 license term; and

**WHEREAS**, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2011/2012 license term and to grant or deny said application in the reasonable exercise of its discretion;

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-040-005 to the licensee for the 2011/2012 license term, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on September 30, 2011.

**BE IT FURTHER RESOLVED THAT** this Resolution shall take effect immediately and/or as required by law.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-243**

**BE IT AND IT IS HEREBY RESOLVED** that the proper borough officials are hereby authorized and directed to execute an agreement with Ceridian Benefit Services, Inc. for the provision of COBRA and HIPPA services for borough employees upon separation of employment, effective November 1, 2011.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-244**

**BE IT RESOLVED**, that USA Architects, Planners and Interior Designers, P.A., 20 North Doughty Avenue, Somerville, NJ 08876 is hereby authorized and directed to perform as Construction Managers for the Morgan First Aid Squad and Mickey Sedlak Recreation Center Elevator Projects at a fee not to exceed \$3,000.00.

/s/ Dan Buchanan, Councilman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-245**

**BE IT RESOLVED**, that USA Architects, Planners and Interior Designers, P.A., 20 North Doughty Avenue, Somerville, NJ 08876 is hereby authorized and directed to prepare plans and specifications as well as providing construction management services associated with the proposed Borough Hall - HVAC Heating/Cooling System Upgrades.

**BE IT FURTHER RESOLVED** and that USA Architects, Planners and Interior

Designers, P.A. shall be paid for said services at a fee not to exceed \$38,000.00.

/s/ Dan Buchanan, Councilman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-246**

**BE IT RESOLVED**, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for Misc. Water Department Supplies.

/s/ Kenneth P. Kelly, Sr., Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-247**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase, through State Contract #A79010, One (1) 2012 Chevy Tahoe SSV 4X4 Truck for the Borough of Sayreville, Fire Department, from Municipal Equipment Enterprises, 2511 Fire Rd. #B-8, Egg Harbor Twp., NJ 08234, at a total cost not to exceed \$30,780.31.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-248**

**WHEREAS** on February 24, 2011, the Mayor and Borough Council of the Borough of Sayreville received four (4) Request for Proposals for "On-Line Tax and Fee Payment Processing Services"; and

**WHEREAS**, the Mayor and Borough Council feel that it would not be in the best interest of the Borough to accept said proposals;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that all Proposals received on February 24, 2011 for "On-Line Tax and Payment Processing Services" be and the same are hereby rejected and the Borough Clerk is hereby authorized and directed to return all bid security.

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

**ATTEST:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

**BOROUGH OF SAYREVILLE:**

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-249**  
**RESOLUTION COMBINING BONDS AGGREGATING THE  
PRINCIPAL SUM OF \$6,218,000 AUTHORIZED BY SIX BOND  
ORDINANCES HERETOFORE ADOPTED TO FINANCE PART  
OF THE COST OF VARIOUS IMPROVEMENTS IN THE  
BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX,  
NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS  
AND PROVIDING FOR THE FORM, MATURITIES AND OTHER  
DETAILS OF SAID CONSOLIDATED ISSUE**

**WHEREAS**, the Borough Council of the Borough of Sayreville, in the County of Middlesex, New Jersey (the "Borough"), has heretofore adopted six bond ordinances authorizing bonds to finance part of the cost of various improvements in the Borough; and

**WHEREAS**, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$6,218,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said six ordinances into one consolidated issue in the aggregate principal amount of \$6,218,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY** that:

**Section 1.** There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinances:

**A.** \$712,000 bonds, being all of the bonds authorized by an ordinance numbered 103-09 and entitled:

"BOND ORDINANCE PROVIDING FOR VARIOUS PARK IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION"



heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

**B.** \$1,650,000 bonds, being a portion of the bonds authorized by an ordinance numbered 151-10 and entitled:

“BOND ORDINANCE PROVIDING FOR VARIOUS ROAD AND SIDEWALK IMPROVEMENTS FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

**C.** \$836,000 bonds, being all of the bonds authorized by an ordinance numbered 153-10 and entitled:

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$880,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$836,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 6.91 years.

**D.** \$285,000 bonds, being all of the bonds authorized by an ordinance numbered 154-10 and entitled:

“BOND ORDINANCE PROVIDING FOR THE WEBER AVENUE FLOOD RELIEF PROJECT - PHASE I IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

**E.** \$628,000 bonds, being all of the bonds authorized by an ordinance numbered 167-11 and entitled:

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$660,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$628,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 8.61 years.

**F.** \$2,107,000 bonds, being a portion of the bonds authorized by an ordinance numbered 168-11 and entitled:

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,370,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,257,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 9.58 years.

**Section 2.** The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$6,218,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The Bonds shall each be designated as “General Improvement Bonds of 2011” and shall be numbered with the prefix G from one consecutively upward or in such other manner as approved by the Chief Financial Officer of the Borough.

**Section 3.** The Bonds shall be dated December 1, 2011 and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the Bonds. Purchases of the Bonds will be made in book-entry form (without certificates) in the denomination of \$5,000 each or any integral multiple of \$1,000 in excess thereof.

The Bonds shall mature serially in numerical order on December 1 of each of the following years and in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2012	\$345,000	2017	\$690,000
2013	690,000	2018	690,000
2014	370,000	2019	690,000
2015	680,000	2020	690,000
2016	690,000	2021	683,000

The Bonds are subject to redemption prior to maturity.

**Section 4.** It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the Bonds are to be issued, taking into consideration the amount of the Bonds to be issued for said improvements or purposes, is 10.10 years.

**Section 5.** The Bonds shall bear interest from their date based on their outstanding principal amount at a rate or rates to be determined as hereinafter set forth in Section 7 of this resolution, payable semi-annually on the first day of June and December in each year until maturity, commencing on June 1, 2012, by check mailed on such interest payment date to the owners thereof registered as such as of each next preceding May 15 and November 15 on the registration books maintained by the Borough. Interest on the Bonds shall be calculated on the basis of a 360-day year consisting of twelve 30-day calendar months. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. The principal of the Bonds shall be payable upon presentation thereof at the office of the Chief Financial Officer of the Borough or a paying agent appointed by the Borough.

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 DTC Blanket Representation Letter executed by the Borough and DTC. 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.

**Section 6.** The Bonds shall be signed by the Mayor and the Chief Financial Officer of the Borough, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual signature of the Clerk of the Borough.

**Section 7.** The Chief Financial Officer of the Borough be and he hereby is authorized and directed to offer the Bonds for public sale through the submission of electronic proposals and to determine in his discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The "Notice of Sale" shall comply in all respects with the applicable statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions,

modifications or deletions as determined by the Chief Financial Officer of the Borough. The Notice of Sale or a summary thereof as permitted by applicable law shall be published in The Bond Buyer and such other newspaper published in the County of Middlesex, New Jersey and circulated in the Borough as the Chief Financial Officer of the Borough may select at least once at least seven (7) days prior to the date of public sale.

**Section 8.** The Bonds and the registration provisions endorsed thereon shall be in substantially the following form with such changes and modifications as may be required or necessary for the delivery thereof:

**(FORM OF BOND)**

No. G-\_\_

**BOROUGH OF SAYREVILLE,  
in the County of Middlesex, New Jersey**

**GENERAL IMPROVEMENT BONDS OF 2011**

**Date of Bond:** December 1, 2011

**Principal Amount:**\_\_\_\_\_

**Date of Maturity:** December 1, 20\_\_

**CUSIP:**\_\_\_\_\_

The **BOROUGH OF SAYREVILLE**, in the County of Middlesex, New Jersey, a municipal corporation of the State of New Jersey, (the "Borough") hereby acknowledges itself indebted and for value received promises to pay to **CEDE & CO.** or registered assigns, the sum specified above as the Principal Amount on the date specified above as the 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 \_\_\_\_\_ per centum (\_\_\_%) per annum payable on June 1, 2012 and thereafter semi-annually on the first day of December and June in each year. Principal of this bond will be paid in lawful money of the United States of America, upon surrender thereof at the office of the Chief Financial Officer of the Borough in Sayreville, New Jersey or any paying agent appointed by the Borough. Interest on this bond will be payable in lawful money of the United States of America by check mailed on such interest payment date to the registered owner hereof as shown on the books of the Borough on the fifteenth day of the month preceding the month in which interest is 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 DTC Blanket 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 maturing prior to December 1, 2018 are not subject to redemption prior to maturity. The bonds of this issue maturing on or after December 1, 2018 are subject to redemption prior to maturity at the option of the Borough, in whole at any time, or in part in inverse order of their maturity and by lot within a maturity if less than all of the bonds of such maturity are to be redeemed, on December 1, 2017 or on any interest payment date thereafter, upon notice of redemption 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. The bonds subject to redemption shall be redeemed at the redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed 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 books of the Borough kept for that purpose 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, series, designation, maturity and interest rate as the surrendered bond. The Borough and any paying agent of 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 of the Borough 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 resolution of the governing body of the Borough entitled: "Resolution combining bonds aggregating the principal sum of \$6,218,000 authorized by six bond ordinances heretofore adopted to finance part of the cost of various improvements in the Borough of Sayreville, in the County of Middlesex, New Jersey into one consolidated issue of bonds and providing for the form, maturities and other details of said consolidated issue," adopted October 24, 2011 and certain bond ordinances referred to therein. The Bonds are intended to be treated as "Qualified Tax-exempt Obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest).

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 appoint a paying agent for the bonds and the paying agent 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 appoint a paying agent for the bonds and the paying agent will issue, authenticate and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the Borough to do so, the Borough will appoint a paying agent for the bonds and the paying agent will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any 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** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal (or facsimile thereof) to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of the Borough Clerk, and this bond to be dated the 1<sup>st</sup> day of December, 2011.

**ATTEST:**  
**[SEAL]**

**THE BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Financial Officer

The following abbreviations, when used in the inscription on 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  
TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with  
right of survivorship  
and not as tenants in common

UNIF GIFT MIN ACT  
\_\_\_\_ Custodian \_\_\_\_\_

(Cust) (Minor)  
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 first page of the within bond in every particular, without alteration or enlargement or any change whatever.

#### CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough of Sayreville, in the County of Middlesex, New Jersey **HEREBY CERTIFIES** that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of bonds of which the within bond is one is available for inspection at the Office of the Borough Clerk and a copy thereof may be obtained by the registered or beneficial owner hereof upon request.

\_\_\_\_\_  
Borough Clerk

**Section 9.** The Chief Financial Officer of the Borough is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of McCarter & English, LLP (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of the Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of the Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

**Section 10.** Upon the date of issue of the Bonds, being the date of delivery of the Bonds to DTC on behalf of the Winning Bidder (as defined in the Notice of Sale) and the payment of the purchase price thereof in accordance with the Notice of Sale, the Chief Financial Officer of the Borough is hereby authorized and directed to execute and deliver a Tax Certificate with respect to the exclusion of interest on the Bonds from gross income of the holders thereof for Federal income tax purposes, including, inter alia, the status of the Bonds as other than “private activity bonds” within the meaning of section 141 of the Internal Revenue Code of 1986, as amended (the “Code”) and the status of the Bonds as other than “arbitrage bonds” within the meaning of section 148 of the Code.

**Section 11.** The proceeds of the Bonds shall be applied in the amounts and for the purpose provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purpose and then outstanding.

**Section 12.** The Mayor and the Chief Financial Officer of the Borough are hereby authorized and directed, as applicable, to approve, “deem final” in accordance with Rule 15c2-12 of the Securities and Exchange Commission and execute the Preliminary Official Statement of the Borough issued in connection with the Bonds, the Official Statement of the Borough issued in connection with the Bonds, the Notice of Sale, the Continuing Disclosure Certificate and the DTC Blanket Representation Letter and their use in connection with the sale of the Bonds and are further authorized, as is the Clerk of the Borough, to execute all documents, including the Official Statement, the Notice of Sale, the Continuing Disclosure Certificate and the DTC Blanket Representation Letter, necessary for the sale and delivery of the Bonds.

**Section 13.** The Borough Council hereby designates the Chief Financial Officer of the Borough to award the Bonds in accordance with the Notice of Sale and the provisions of the Local Bond Law and the Chief Financial Officer of the Borough is hereby directed to report to the Borough Council at the meeting next succeeding the date when any award of the Bonds pursuant to this resolution is made.

**Section 14.** The Bonds are hereby designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986,



as amended (the "Code") (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax exempt interest). The Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Bonds.

**Section 15.** The Borough hereby covenants to comply with the provisions of the Code applicable to the Bonds and covenants not to take any action that would cause the interest on the Bonds to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code or cause interest on the Bonds to become an item of tax preference under Section 57 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Bonds does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code or become an item of tax preference under Section 57 of the Code.

**Section 16.** The Borough hereby authorizes the Chief Financial Officer, the Borough Clerk, Bond Counsel, the Auditor and any other professionals of the Borough to proceed with the sale of the Bonds, including the drafting of any documents necessary therefor.

**Section 17.** The Borough hereby delegates to the Chief Financial Officer the authority to postpone the public sale of the Bonds in accordance with the Notice of Sale and the provisions of the Local Bond Law.

**Section 18.** This resolution shall take effect immediately.

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

**ATTEST:**

/s/ Theresa A. Farbaniec  
 Municipal Clerk

**BOROUGH OF SAYREVILLE:**

/s/ Kennedy O'Brien  
 Mayor

**(Exhibit A – SEE FILE)**

**RESOLUTION #2011-250**  
**EMERGENCY APPROPRIATION – NJS 40A:4-48**

**WHEREAS**, an emergency has arisen with respect to Hurricane Irene and, no adequate provision was made in the 2011 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

**WHEREAS**, the total amount of the emergency appropriations created by this resolution is \$ 177,000.00 and three (3) percent of the total operating appropriations in the budget for 2011 is \$1,307,829.68 and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2011,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for Hurricane Irene for Salaries and Wages in the amount of \$95,600.00 and Other Expenses in the amount of \$81,400.00.
2. That said emergency appropriations shall be provided in full in the 2012 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2011-251**  
**(read into record at the beginning of the meeting)**

***RESOLUTION READ IN FULL***

**RESOLUTION #2011-252**

**BE IT AND IT IS HEREBY RESOLVED THAT** the proper borough officials are hereby authorized and directed to execute an agreement for the provision of Health Benefits with Horizon Blue Cross and Blue Shield of New Jersey for the period covering November 1, 2011 through December 31, 2012 at a rate of one (1%) percent over the rates in the previous contract.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

Councilman Perrette moved the Resolution be adopted on Roll Call vote.  
Seconded by Councilman Buchanan.

Councilpersons Bella, Buchanan, Henry, Kelly, Perrette, all Ayes. Carried.

### **COMMUNICATIONS/COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette

- a) **Minutes:**

**Councilman Perrette moved the following minutes be received and filed:**

- Board of Education - October 4, 2011  
Seconded by Councilman Kelly.

- b) Received the following **application(s) for Raffle Licenses:**

- Raffle applications from Dwight D. Eisenhower Elementary School PTO, to conduct an Off-Premise Draw Raffle (#RA1723) and an On-Premise Draw Tricky Tray (#RA1724) on December 2, 2011.  
- **Approved/Resolution Memorializing Action-11-14-11.**

- c) **Reports:**

**Councilman Perrette moved the following reports be received and filed:**

- Municipal Clerk's Report for the month of September, 2011.  
Seconded by Councilman Kelly.

**- Water Analysis Report**

-Filed with the Municipal Clerk a Petition from the residents of William Street Flood Committee requesting the Council move forward with Phase I of the proposal for emergency repairs as outlined by the Borough Engineer.

- **PLANNING & ZONING** – Councilman Henry

- a) **Minutes-**

**Councilman Henry moved the following minutes be received and filed:**

- Planning Board - September 7, 2011
- Middlesex County Planning Board - September 13, 2011  
Seconded by Councilman Kelly.

- b) **Notice of Hearing(s) before the Board of Adjustment** at their October 26, 2011 meeting beginning at 7:30 PM on the following applications:

- **Shree Bhaktinidhi, Inc (Temple Redevelopment Project)**, for an Application for interpretation of the Land Development Ordinance on their proposal to construct a religious parsonage (living residences) containing not more than twelve units on Block 208, Lot 1.02 & 1.02, **717 Washington Road.**
- **Communication Infrastructure Corp. for an application for a Variance & minor site plan approval for the installation of two (2) four (4') foot**

**Parabolic dish antennae** with a height of 155' on an existing 269' tower with the installation of an equipment shelter on a platform within the existing compound located at Block 333.03, Lot 1.01, **515 Raritan St.**

- **Andrew & Debra Wallentine** for a Use Variance for the construction of a Lawn and Garden Center located on Block 59.02, Lot 1.08, Hartle Street.
- **Albert Chamberlaian** for a Variance for a fence encroachment along Iroquois Drive on property known as Block 343.01, Lot 10, **1 Mohawk Lane.**

Board of Adjustment hearing on November 22, 2011 at 7:30 P.M.

- **Garden State Green Energy, Inc.** for a Use Variance to permit the recycling of used motor oil by separating out impurities and recycling the oil product in the Industrial Zone for premise known as Block 25, Lot 1.01, **287 Cheesequake Rd.**  
**- Receive & file.**

Councilman Henry reported progress.

- **PUBLIC SAFETY** – Councilman Bella

- a) **Minutes**

**Councilman Bella moved the following minutes be received and filed:**

- Board of Health - September 8, 2011  
Seconded by Councilman Buchanan.

- b) Request for **coin toss** at the intersection of Ernston & Washington Roads received from:

- President Park Fire Co. No. 1 on November 25, 2011, from 10 a.m. - 2 p.m.

- Sayreville Leprechauns Pop Warner Football & Cheerleading on November 5,

2011, from 10 a.m. -2 p.m. at the intersection of Ernston Rd &

Washington Rd **AND** Jernee Mill Rd. & Washington Rd.

- **Both request approved/Resolution Memorializing Action-11-14-11.**

- c) **Reports:**

**Councilman Bella moved the following reports be received and filed:**

- Police Chief's Report for the month of September, 2011.
  - Municipal Court's Report for the month of September, 2011.
  - County Board of Health for the month of September, 2011.
  - Registrar's Report for the month of September, 2011.
  - Fire Prevention Report for the month of September, 2011.
- Seconded by Councilman Henry.

Councilman Bella then asked the Business Admin. for on an update on the Time & Attendance Program.

Mr. Bertrand reported that he is trying to confirm that their program has a good interface with our Payroll Processing Center, ADP. He also wants to be sure that we would be getting what was demonstrated to us for the money.

Councilman Bella stated that although this program began in the Police Dept. he does not feel it should come under Public Safety.

Councilman Bella further reported progress.

- **PUBLIC WORKS** – Councilman Buchanan

- a) **Minutes**

**Councilman Buchanan moved the following minutes be received and filed:**

- o Rent Leveling Board – October 11, 2011
  - Seconded by Councilman Henry.

**b) Rent Leveling Board requesting an amendment to Ordinance 12-6.3** adding a bottom cap of 2% rent increase. Proposed change is enclosed for review.  
**- Referred to the Borough Attorney to prepare ordinance for possible introduction.**

**c) Reports:**

**Councilman Buchanan moved the following reports be received and filed:**

- Buildings & Grounds for the months of August & September, 2011.
  - Parks for the months of August & September, 2011.
  - Road Department for the months of August & September, 2011.
  - Garages Services for the months of August & September, 2011.
  - Sanitation Department for the months of August & September, 2011
- Seconded by Councilman Kelly.

Councilman Buchanan asked for an update on the alarm and repairs to the Weber Avenue Pump Station.

Mr. Bertrand responded that DPW Director Bernie Bailey is working on the alarm system with contractor, AC Schultes. He said that as far as the repairs go to the alarm system goes, they are working on attaching our existing back-up alarm system with the existing phone system. He then reported that the storm sewer lines were viewed with cameras, but they did not get as many done as we would have liked. He said that they found large pieces of debris in the pipe (such as house cinderblocks) and they are trying to figure out where they came from.

- **RECREATION** – Councilman Buchanan reported on behalf of Councilwoman Eicher.

**a) Minutes** (none)

**b) Reports:**

**Councilman Buchanan moved the following reports be received and filed:**

- Recreation Director's Report for the month of September, 2011.
- Seconded by Councilman Kelly.

Councilman Buchanan reported on various recreation events.

**WATER & SEWER** – Councilman Kelly

**a) Minutes**

**Councilman Kelly moved the following reports be received and filed:**

- Commission on Aging - September 16, 2011
- Seconded by Councilman Perrette.

**b) Reports:**

**Councilman Kelly moved the following reports be received and filed:**

- Water & Sewer Director's Report for the month of September, 2011.
- Seconded by Councilman Buchanan.

Councilman Kelly commended the men and women of the Water and Sewer Department for their outstanding effort on behalf of the residents of the borough.

Councilman Kelly also reported on the Veteran's Day Services on November 11, 2011.

- **MAYOR** – Kennedy O'Brien

### **BUSINESS SESSION AGENDA – October 11, 2011**

1. **NEW BUSINESS**

2. **OLD BUSINESS**

Business Admin. Bertrand reported on the progress of the new phone system.

2. **BUSINESS ADMINISTRATOR - Jeffry Bertrand**

**Administration & Finance:**

- a. Authorization to renew the Horizon Blue Cross Blue Shield for the provision health care coverage for all full-time Borough employees for the period of November 1, 2011 through December 31, 2012 at a total increase for this period of 1.0% over the existing rates.

**- Resolution read in full and adopted tonight.**

- b. Review of a request for the use of the skate park facility in Kennedy Park for a photo shoot for a clothing designer. The requesting company has offered \$4,000 as a donation for improvements to the park to offset the inconvenience of the park closure for the day. The request date of closure is October 31, 2011.

**-Request rescinded.**

- c. Special Event Applications received from

- **New Road School** for a Fall Festival to be held on Sat. October 29, 2011 Located on their property, 3071 Bordentown Ave. No expenses to be incurred by the borough.

- **Shri Dwarkadhis Temple** religious events on October 23, 24, 25, 26, 27 and November 5, 2011, located on their property, 7174 Washington Road. Any expenses incurred will be bill to the Temple.

- **New Road School** has no impact, so therefore a resolution is not necessary.

- Mayor asked if there was any objection to a resolution approving the Shri Dwarkadhis Temple's application. None made. Mayor requested the attorney prepare the resolution.

**Public Works:**

- a. Authorization to purchase a Refuse Cab & Chassis from Mid-Atlantic Waste Systems, the lowest responsible bidder in the amount of \$145,965 as a result of a public bid.

**- Resolution.**

- b. Update on the Borough's solar conversion project and requested authorization to publish an RFP for the Solar Equipment, It's Installation and Maintenance.

- Resolution authorizing the RFP for Solar equipment, installation and maintenance.

Business Admin. Mr. Bertrand also suggested that a group of council people such as the Public Works Chairman, the Chairman of the Admin. & Finance Comm. and one other to meet and review the locations and project details for a quicker interaction with the governing body.

**Write In:**

- c. Reported on the deplorable condition of Gondek Drive and suggested that it be added as an alternate to the Road Improvement Bid, to get an idea of what

the cost would be to repair it and if we can afford to fix it we should move ahead and fix it now.

Mayor asked if there were any objections. None made.

**Recreation:** none

**Water & Sewer:** none

**Public Safety:**

- a. Authorization to purchase of 175 new pagers for the volunteer Fire Department from WPCS International, in the amount of \$86,222.50 through state contract number #53804.  
**- Resolution.**
- b. Authorization to purchase 13 sets of personal protective gear equipment (bunker gear) from Skylands Area Fire Equipment & Training, in the amount of \$30,304.95 through state contract #76359.  
**- Resolution.**

**Planning & Zoning:** none

**Personnel:**

- a. Police Department – Traffic Safety
  1. Authorization to hire 2 school part-time (per-diem) crossing guards.  
**- Resolution.**
3. **C.F.O.- Wayne Kronowski**
  - Transfer **Resolution (possible)**
  - Bill List **Resolution**

Business Admin. said that there was one item they forgot to list on Friday's Agenda. He said that he sent out an e-mail to everyone regarding the RFP's the Borough received for Financial Advisor. He reported on receiving and reviewing three R.F.P.s and he and Wayne recommend N.W. Financial.

C.F.O. Kronowski said that he reviewed the compensation figures and found that their proposal was the low bidder with a proposal of \$6,218.00 which covered the bond sale. He reported that if there are any problems there will be an hourly rate charged. He said they are experienced in the field and have no problem recommending them.

Councilman Perrette commented on how they would be paid.

Mr. Kronowski asked if there needs to be a formal resolution. Borough Attorney stated that it is under the threshold and 3 quotes were received it can be done by motion.

Councilman Perrette moved that we contract with N.W. Financial Group, LLC for Financial Advisor services for bond refinancing. Seconded by Councilman Kelly.

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

4. **ENGINEER -Jay Cornell**

- Dunkin Brands, Inc., Site Plan – Bond Release Request (Report in Packet).  
**- Resolution** refunding bond.

- Weber Avenue Flood Relief Project – Status of Project (Verbal Report)  
Mr. Cornell reported that they were previously authorized to have soil borings completed and to design the interim wall. He said that has been completed and they submitted plans to the Army Corp for review. He said that the next step in the process is to submit the permit applications to various outside agencies. These are permits that are needed for the project. He said that he needs a Resolution authorizing the Mayor, Clerk and his office to sign those applications on behalf of the borough.  
- **Resolution.**

Councilman Perrette asked about the status of the White Oaks Drive Traffic Light Improvement project.

The Engineer deferred this question to the Attorney.

Borough Attorney stated that they have begun the condemnation process. All of the offers went out to the property owners and some have responded and some have not. They are in the process of taking the next step.

5. **BOROUGH ATTORNEY - Michael DuPont**

6. **PUBLIC PORTION**

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

Those appearing were:

- Michael D'Addio, 13 Zaleski Drive, also SERA member  
He asked the Mayor if he was aware that there are 26 convicts living in the Circle Inn and the Knights Inn as part of a half-way house.

Mayor responded Yes.

Mr. D'Addio went on to say that he was concerned about the development in the area and the safety of our residents.

Mayor asked that he state his questions and he would have the Police Chief address them.

Mayor informed the public that when there is an on-going investigation he personally chooses not to be included in the details of the investigation because of his concerns about confidential information getting leaked out and the investigation becoming compromised. So as Mayo, he is made aware of the situation he allows the police department conduct their investigation and is briefed thoroughly on the situation the plan and strategy when it is carried out.

Police Chief came forward and addressed Mr. D'Addio's concerns. He stated that he has been aware for a few weeks now that there are 26 parolees residing in the Circle Motor Inn or the Knights Inn. He said that he would not call them convicts. These are people that have gone through their process and have been rehabilitated. He said that he does not want to go into detail beyond that but it is something they are addressing and will continue to do so until the situation is to their satisfaction.

There being no further questions or comments Councilman Kelly moved to close the Public Portion. Seconded by Councilman Perrette

Roll Call: Voice Vote, all Ayes.



**ADJOURNMENT**

No further business.

Councilman Kelly made a motion to adjourn. Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 7:40 P.M.

SIGNED:

\_\_\_\_\_  
Theresa A. Farbaniec, Municipal Clerk

12/12/11  
Date Approved