

Combined Meeting of the Mayor and Borough Council held on Monday, March 12, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:30 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, Eicher, Henry, Novak, Perrette.

Absent: Councilman Buchanan

Others Present: Mayor Kennedy O'Brien
Municipal Clerk Farbaniec
Borough Engineer Cornell
Borough 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:

- ☒ Closed Session - January 23, 2012
- ☒ Mayor's Annual Address - January 27, 2012
- ☒ Receipt of Bids - January 31, 2012
-(Weber Avenue Storm Sewer Improvements)

Motion seconded by Councilman Henry.

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

- **PRESENTATIONS -**

- **BOARD OF EDUCATION - SCHOOL BUDGET PRESENTATION**

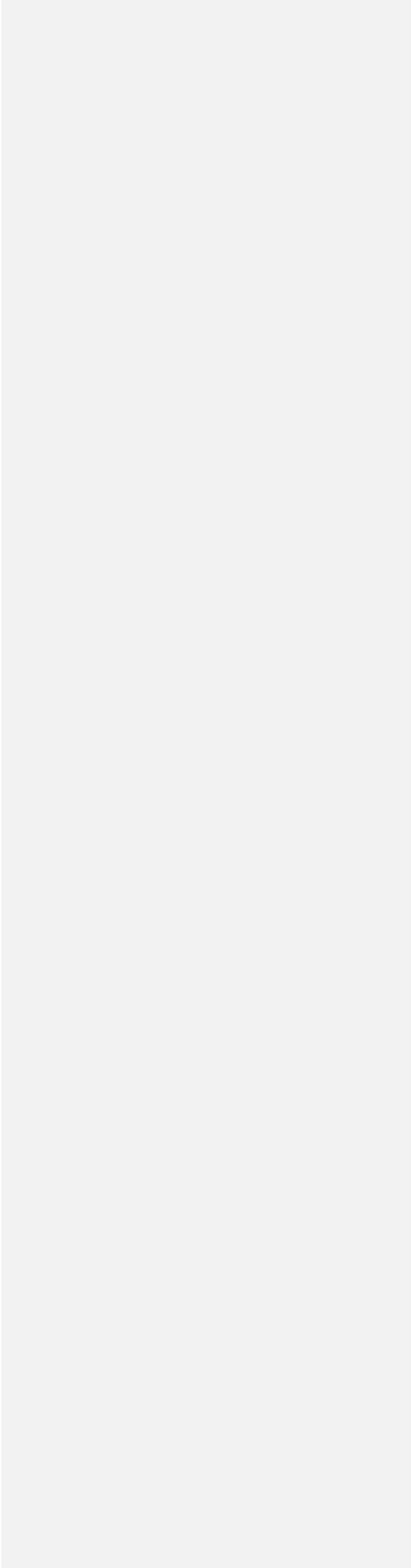
Mayor O'Brien introduced Dr. Frank Alfano, School Board Superintendent who would be giving the School Board Budget Presentation

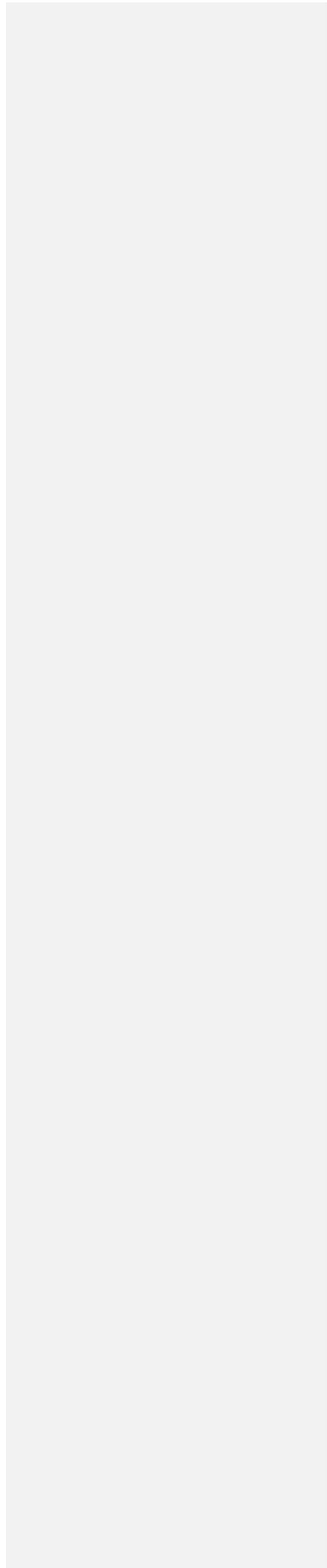
Dr. Alfano introduced:

Phyllis Batko, School Board President
Dan Balka, Trustee
Helen Bruno Ruccuia, Trustee
Emidio D'Andrea, Board Secretary/Business Admin
Eric Gluck Malloy

Councilwoman Eicher, rescued herself as she is employed by the Board of Education.

Councilwoman Eicher left the dais.





Dr. Alfano announced that the vote on the school budget is set for April 17, 2012 from 12 noon until 9:00 P.M.

Mayor asked if there were any questions from the governing body.

Councilman Henry asked Superintendent Alfano why the School Board did not change the election date from April to November.

Dr. Alfano said that he does not vote, but he believed the thought process was to continue to allow the residents to vote on the school budget.

Councilman Henry questioned funds the Board received last September.

Dr. Alfano responded that the funds he was referring to was the Federal Jobs Money and that the board would not be getting that this year.

Councilman Henry then asked how much the budget will be going up.

Dr. Alfano said that it was about one half a million more than last year.

No further questions. Mayor thanked Dr. Alfano and the members of the Board of Education.

The presentation concluded and Dr. Alfano thanked the governing body.

• **OLD BUSINESS**

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

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**

(Co. Bella, Public Safety Committee – Public Hearing March 12, 2012)

Mayor said that it had been requested that the Public hearing on Ordinance #179-12 be postponed until March 26, 2012. He stated that if there were any residents here tonight with questions they could meet with Sgt. Bartlinski to review their concerns.

Councilwoman Novak made a motion to postpone the public Hearing on Ordinance #179-12 until March 26, 2012. Seconded by Councilman Henry.

Roll Call: Ayes - Councilpersons Bella, Henry, Novak, Perrette.
Nay - None
Abstain – Councilwoman Eicher.

No further questions, Mayor asked for a motion.

NEW BUSINESS:

- a. Clerk to Report – (none)
b. Introduction of the following Ordinance(s):

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)

Councilman Perrette moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing to be held on March 26, 2012. Motion seconded by Councilwoman Novak.

Councilman Bella commented that he has concerns over the twenty-two million in bonding the borough would be looking at. Ten million of which is the Weber Avenue project.

Five and a half million for water & sewer projects, two and a half million for public works.

He said that he understands that these are all legitimate needs but he is concerned that this will fall on the backs of the taxpayers. He said that he would be voting in support for the budget to be introduction but still have major concerns.

Mr. Kronowski said that this is not a vote for the budget.

Municipal Clerk Farbaniec explained that this was the Introduction of Ordinance #180-12 establishing a CAP Bank.

Councilman Bella apologized and said that these remarks are on the budget.

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

c. Discussion on Resolution to be read in full.

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.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt street
Questioned the amount of the CAP.

that Mr. Kronowski said that this was not a Resolution. This was an Ordinance that was just introduced the public hearing is scheduled for March 26, 2012.

Mayor reminded Mrs. Kilcomons that this public portion was for Consent Agenda Resolutions only.

Mrs. Kilcomons questioned the amount of money that was included in the four tax appeal resolutions.

Mayor asked the Tax Assessor to come forward and respond.

Mr. Kupsch summarized all the reductions and settlements.

- John Rucki, Hendricks Court
- Questioned the dollar amount of revenue involved in these tax appeals.
Response made by the Tax Assessor.
- Mr. Rucki asked what the cost was to the tax payers for the professional fees involved, such as the cost of the appraiser, etc.
Response by the Tax Assessor.

No further questions.

Councilwoman Eicher made a motion to close the public portion and adopt the consent Agenda Resolutions on Roll Call vote. Motion seconded by Councilwoman Novak.

Roll Call: Ayes – Councilpersons Bella, Eicher, Henry, Novak, Perrette.
Nay - to Resolution #2012-89 made by Councilpersons Eicher
& Novak.

Councilman Bella said that the comments he made earlier apply to this portion of the meeting and the budget resolution.

RESOLUTION #2012-78

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

(Absent)
Councilman Daniel Buchanan

/s/ Mary J. Novak
Councilwoman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of March 12, 2012 in the amount of \$8,090,089.28
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

RESOLUTION #2012-79

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2011 Budget 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>		
Central Mailing and Postage (1100-102-2-9060) \$ 10,000		
Codification of Ordinances (1120-104-2-6220)	7,000	
Financial Administration (1130-110-2-2020)	6,000	
Planning Board (1180-155-2-5020)	9,000	
Board of Adjustment (1185-160-2-3123)		4,000
Employee Group Insurance (1220-205-2-8010)	119,000	
Police Department (1240-310-2-7110)	10,000	
(1240-310-2-7120)	10,000	
Police Dispatch		

(1250-314-1-1002)	20,000	
Road Department (1290-401-2-15040)	15,000	
Recycling Program (1305-503-2-9090)		15,000
Parks Maintenance (1375-705-2-11080)	20,100	
M.C.U.A (2455-520-2-16060)		
	<u>207,100</u>	<u>207,100</u>
	<u>\$ 226,100</u>	<u>\$ 226,100</u>

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-80
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
FEBRUARY 27, 2012 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 27, 2012 Council Meeting approving the following:

Application(s) for Bingo/Raffle Licenses:

- Application from **Sayreville Leprechauns** to conduct an Off-Premise Calendar Raffle on 13 dates from May 7-July 30, 2012, 2012 (RA:1741).
- Application from **St. Stanislaus Kostka HNS** to conduct an On-Premise 50/50 on April 20, 2012 (RA:1742)

Application for Special Permit for Social Affair received from St. Stanislaus Kostka HNS to serve beer and wine at a dinner (fundraiser) to be held on their property on April 20, 2012 from 5 P.M-8 P.M.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-81

WHEREAS, Isabella Leonardis has applied to the Mayor and Council for approval of a beauty shop license located at 811 Main Street, Sayreville, NJ;
and

WHEREAS, said application has been referred to the proper departments for investigation; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of said beauty shop;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is hereby authorized and directed to issue a license to Isabella Leonardis to operate a beauty salon t/a Isabella's Hair Salon, LLC located at 881 Main Street, Sayreville, NJ 08859.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-82

WHEREAS, Lakeview Developers Limited, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2009, 2010 and 2011 affecting **Block 254.01, Lot 2**; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **Lakeview Developers Limited**, duly recommend the following:

- **Appeal of 2009 assessment will not be changed;**
- **Appeal of 2010 be reduced to \$13,500,000**
- **Appeal of 2011 be reduced to \$12,950,000**
- **2012 assessment be reduced to \$12,000,000**

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-83

WHEREAS, First Industrial, LP, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2009, 2010 and 2011 affecting **Block 326.01, Lot 3**; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **First Industrial, LP**, duly recommend the following:

- **Appeal of 2009 assessment will not be changed;**
- **Appeal of 2010 be reduced to \$2,500,000**
- **Appeal of 2011 be reduced to \$2,500,000**
- **2012 assessment be reduced to \$2,200,000**

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-84

WHEREAS, **First Industrial, LP/New Land Associates, LP**, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2009, 2010 and 2011 affecting Block **326.01, Lot 4**; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **First Industrial, LP/New Land Associates, LP**, duly recommend the following:

- **Appeal of 2009 assessment will not be changed;**
- **Appeal of 2010 be reduced to \$2,500,000**
- **Appeal of 2011 be reduced to \$2,500,000**
- **2012 assessment be reduced to \$2,200,000**

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-85

WHEREAS, Sayreville Holding, LLC, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2009, 2010 and 2011 affecting **Block 441, Lot 1.01**; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **Sayreville Holding, LLC**, duly recommend the following:

- **Appeal of 2009 assessment will not be changed;**
- **Appeal of 2010 assessment will not be changed**
- **Appeal of 2011 be reduced to \$900,000**
- **2012 assessment be reduced to \$800,000**

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.
2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

(Pocket License)

RESOLUTION #2012-86

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE
TO RENEW P.R.C.L. #1219-33-043-005, SHRI HANS, LLC
FOR THE 2010/2011 AND 2011/2012 LICENSE TERMS**

WHEREAS, Shri Hans, LLC, is the holder of Plenary Retail Consumption License No. 1219-33-043-005 (the "Licensee"), issued by the Council of the Borough of Sayreville as the Issuing authority (the "Issuing Authority") for a "pocket license" in the Borough of Sayreville, New Jersey for the 2010/2011 and 2011/2012 license year; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc; and

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2010/2011 and 2011/2012 license terms; and

WHEREAS, on January 9, 2012, 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 a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 19-11-7259 for a three-year period, covering the 2010/2011, 2011/2012 and 2012/2013 license terms; 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 2010/2011, 2011/2012 and 2012/2013 license terms and to grant or deny said application in the reasonable exercise of its discretion;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED THAT Plenary Retail Consumption License Number 1219-33-043-005, Shri Hans, LLC (pocket license) is hereby renewed for the 2010/2011 and 2011/2012 license years.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License Certificate and that a certified copy of this Resolution be forwarded to the licensee and the Division of Alcohol Beverage Control.

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, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-87

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized and directed to execute a "Qualified Private Community Services Agreements" between the Borough of Sayreville and LaMer V LLC for costs associated with all eligible services and that this agreement shall be self renewing from the date of issue.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-88

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are

hereby authorized and directed to reinstate the salary for the Secretary to the Shade Tree Commission, in accordance with the Salary Ordinance currently in effect.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-89

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to execute a shared services agreement with the Borough of Helmetta, New Jersey for provision of Animal Control Activities. This agreement shall commence January 1, 2012 and terminate December 31, 2014.

BE IT FURTHER RESOLVED that this agreement shall contain a one-year renewal clause, subject to and providing that both parties have adopted resolutions authorizing the renewal of said Agreement prior to the termination date.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-90

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed execute an agreement for conversion of the existing Public Safety Radio System Equipment to Narrowband on 500mhz Smartnet Trunking with voter Receive sites to meet FCC compliance to R F Design & Integration, Inc. of Philadelphia, PA in the amount of \$47,190.00 through State Contract #53770.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-91

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Sayreville has been declared eligible to participate in the program by the Division of Local Government Services; and

WHEREAS, the local government wishes to decline participation in the self-examination of the 2012 Local Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Sayreville that the Borough requests that the Division of Local Government Services perform the review of the 2012 Local Municipal Budget.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-92

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to execute the necessary NJDEP and other outside agency permit applications associated with Improvements to the William Street Project.

/s/ William J. Henry, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-93

WHEREAS, on February 23, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "Public Works Building Repairs and Alterations"; and

WHEREAS, Certification as to Availability of Funds is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of March, 2012 that:

1. Contract for the "Public Works Building Repairs and Alterations" be awarded to JDS General Contracting, Inc., 304 Monmouth Road, Millstone, NJ 08510 on their bid price of \$212,340.00 appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Mary J. Novak, Councilwoman

(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-94

WHEREAS, N.J.S.A. 40A:4-8 provides that the Budget as advertised shall be read in full at the public hearing or that it may be read by its title only if:

1. At least one week prior to the date of the hearing, a complete copy of the approved budget, as advertised,

(a) shall be posted in a public place where public notices are customarily posted in the principal public building; and

(b) copies are made available to each person requesting same during said week during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sayreville that it is hereby declared that the conditions of N.J.S.A. 40A:4-8, 1(a) and (b), have been met and, therefore, the Budget for 2011 shall be read by title only.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-95
INTRODUCTION OF THE 2012 LOCAL MUNICIPAL BUDGET

Municipal Budget of the Borough of Sayreville, County of Middlesex for the Fiscal Year 2012.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the fiscal year 2012;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune in the Issue of March 16, 2012.

The Governing Body of the Borough of Sayreville does hereby approve the following as the Budget for the year 2012.

RECORDED VOTE:

ABSTAINED {None

AYES {Bella
{Eicher
{Henry
{Novak
{Perrette

ABSENT {Buchanan

Notice is hereby given that the Budget and Tax Resolution was approved by the Borough Council of the Borough of Sayreville, County of Middlesex, on March 12, 2012.

A Hearing on the Budget and Tax Resolution will be held at 167 Main St., on April 23, 2012 at 6:30 o'clock p.m. at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-57
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
FEBRUARY 13, 2012 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 13, 2012 Council Meeting approving the following:

- Approving Bingo and Raffle Applications received from:
 - a) Application from **Harry S. Truman School PTO, Inc.** to conduct a Bingo Games on March 23, 2012 (BA:469).
 - b) Application from **Lakeview Development Social Club** to conduct Bingo Games effective Feb. 2012-2014.
 - c) Application from **Camp Dill Foundation** to conduct On-Premise 50/50's on 28 various dates in 2012 (RA:1733).
 - d) Application from **Music Association for the Visually Impaired Students of New Jersey** to conduct an On-Premise Draw (Tricky Tray) Raffle on May 18, 2012 (RA:1734).
 - e) Application from **Wilson School PTO, Inc.** to conduct an On-Premise Draw (Tricky Tray (RA:1735), and On Premise 50/50 (RA:1736) on March 30, 2012.
 - f) Application from **Southwood School PTA** to conduct an On-Premise Draw (Tricky Tray #RA:1737) and an On-Premise 50/50 (#RA:1738) on April 20, 2012.
 - g) Application from **Sayreville Middle School PTO** to conduct an On-premise 50/50 (RA:1739) and an On-Premise Draw (Tricky Tray #RA:1740) on March 9, 2012.
- Approving application for Special Permit for Social affair received from FFLEBHMC to be held at Burkes Park on May 6, 2012.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2012-58

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2010 taxes in the amount of \$3,100.23 and 2011 taxes in the amount of \$6,860.40, effective July 14, 2010 due to the Approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 67, Lot 81, 49 Nickel Avenue.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2012-59

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to execute an Agreement with the County of Middlesex and the Borough of Sayreville authorizing the acceptance of the 2012 Municipal Alliance Grant award in the amount of \$36,442.00.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2012-60

WHEREAS, N.J.S.A. 39:10A-1, et seq, permits a municipality to sell abandoned, unclaimed and junk motor vehicles by public sale to the highest bidder after advertisement in a newspaper, circulating in the municipality with one publication at least five (5) days before the date of sale; and

WHEREAS, the Borough of Sayreville proposes to sell the vehicles listed below as abandoned/junk motor vehicles to the bidder(s) submitting the highest bid;

YEAR	MAKE	SERIAL #	MIN. BID
1995	Saturn	1G8ZG8281SZ196821	\$500.00
1999	Saturn	1G8ZK5278XZ124560	\$500.00
1997	Lincoln	1LNLM81W7VY601560	\$1,000.00
1999	GMC	1GKDT13W4X2540212	\$1,000.00
1997	Cadillac	1G6KE54Y3VU253971	\$1,000.00
1993	Honda	JHM CB7555PC000720	\$1,000.00
1997	Ford	1FALP52U2VA227641	\$1,000.00
1993	Ford	1FACP57U7PA132388	\$1,000.00
2001	Infiniti	JNKCA31A51T006023	\$1,000.00
1975	Mirrorcraft	MRR27377037596	\$1,000.00
1989	Oldsmobile	1G3NL14U2KM260556	\$1,000.00
1994	Ford	1FARP15J6RW315413	\$1,000.00
1997	Ford	1FALP13P9VW135818	\$1,000.00

1994	Mazda	1YVGE22C2R5160555	\$1,000.00
1993	Ford	1FMDU34X6PUC50615	\$1,500.00
1992	Toyota	2T1AE97A7NC164836	\$1,500.00
1996	Chevrolet	1GNCS13W6T229354	\$2,000.00
2000	Hyundai	KMHJG25F3YU168594	\$2,000.00
1999	Ford	1FTYR14V1XPA31232	\$2,000.00
1999	Pontiac	1G2NE52E9XM909973	\$2,000.00
2001	Kia	KNDJA723415016210	\$3,000.00
2003	Hyundai	KMHWF35H33A790817	\$3,000.00
1996	Ford	1FALP4044TF1903411	\$3,000.00
2003	Chevrolet	1G1ND52J43M593347	\$3,000.00
2000	Ford	1FAFP4046YF176064	\$3,200.00
1999	Jeep	1J4FF68S4XL520710	\$3,200.00
1995	Infiniti	JNKAY21D7SM206341	\$3,600.00
2002	Dodge	1B4HS38NX2F108640	\$4,000.00
1997	Mercury	2MELM74W6VX718913	\$4,000.00
1999	Mercury	1ZWFT61L4X5615573	\$4,000.00
2004	Saturn	5GZCZ63484S835020	\$5,000.00
2005	Toyota	2T1BR32E55C496550	\$5,000.00
2001	Acura	19UYA42691A001864	\$5,000.00
2008	Infiniti	JNKBV61FX8M261459	\$5,000.00
2002	Chevrolet	1GNDX03E52D272955	\$5,500.00
1998	Harley Davidson	1HD1FDLWY601627	\$6,500.00
2008	BMW (Motorcycle)	WB10591A98ZW17351	\$6,500.00
2005	Car Mate	5A3C820D45L001069	\$6,500.00
2002	Ford	1FTNS24L62HA82952	\$6,500.00
2007	Saturn	5GZCZ23D17S825894	\$7,000.00

WHEREAS, these vehicles may be inspected on any business day prior to the sale by contacting the Traffic Safety Bureau of the Sayreville Police Department between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday at the Sayreville Public Safety Complex, 1000 Main Street, Sayreville, New Jersey 08872 tel. No. (732) 525-5429, said vehicles are at various locations within the Borough of Sayreville and that information is to be obtained from the Traffic Safety Bureau; and

WHEREAS, the Borough of Sayreville reserves the right to remove any vehicle prior to the sale date, or reject any and all bids or to award in part or in whole, if deemed in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville that the vehicles listed herein are to be sold as follows:

- All items will be sold on an "as is, where is" basis.
- A **separate 25% deposit** is required to be submitted by posting cash or certified check **individually** for each vehicle being bid on.
- Each **individual** bid along with the deposit shall be **enclosed separately** in a sealed envelope, addressed and submitted to the Borough Clerk's Office of the Borough of Sayreville at 167 Main Street, Sayreville, NJ 08872, no later than 11:00 A.M. on Tuesday, March 13, 2012, bearing the name of the bidder and item being bid on.
- All vehicles must be paid in full and **removed within four (4) business days from date of sale.**
- In those cases where any of the aforementioned motor vehicles have been towed and stored by a private garage, the minimum bid price shall be adjusted to reflect the amount due and owing for towing and storage.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2012-61

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for PETZL EXO Hands Free Personal Safety/Escape System with In-Service Training.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2012-62

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for the following:

- HVAC Heating/Cooling System Upgrade
- Hook Lift Swap Loader Truck with Attachments

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2012-63

WHEREAS, the Mayor and Council of the Borough of Sayreville is in need of professional services for the "Senior Center Boiler Replacement Hazardous Abatement Service"; and

WHEREAS, the USA Architects Planners & Interior Designers, the Architect for this project has solicited informal price quotations and has recommended that the award be made to the lowest responsible bidder.

WHEREAS, Certification as to Availability of Funds" is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for the "Senior Center Boiler Replacement Hazardous Abatement Service" be awarded to Environmental Tactics, 64 Broad Street, Matawan, NJ 07747, who presented the lowest informal price quote in the amount of \$7,943.00 plus additional work shall be billed as presented in price quote.

/s/ Mary J. Novak, Councilwoman

(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-64

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant maybe made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for **calendar year 2011** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Borough Council to the efforts undertaken by the Borough of Sayreville and the requirements contained in the Recycling Act and the recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the Borough of Sayreville hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and **designates Elyse Barone, Municipal Recycling Coordinator** to ensure that the application and reports are properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-65

**AUTHORIZING DISCHARGE OF MORTGAGE ON
PROPERTY OF JOHN & IRENE MYTNICK
LOCATED AT 113 NORTH EDWARD STREET, SAYREVILLE**

WHEREAS, the Borough of Sayreville (the "Borough") holds a mortgage given by John & Irene Mytnick on property located at 113 North Edward Street, Sayreville; and

WHEREAS, the said mortgage was recorded on April 29, 1999 in the County of Middlesex, State of New Jersey, in Mortgage Book 05905 on Page 0314 on Page 0294; and

WHEREAS, this mortgage was given by John & Irene Mytnick as security for a loan given by the Borough pursuant to the Sayreville Community Development Block Grant (C.D.B.G.) Program; and

WHEREAS, this Mortgage has been paid in full or otherwise satisfied and discharged of record; and

WHEREAS, the CDBG consultant has recommended that the mortgage be cancelled.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville, that the mortgage covering property located at 113 North Edward Street, Sayreville, New Jersey, recorded in the Offices of the Middlesex County Clerk's Office on April 29, 1999 in Mortgage Book 05905, Page 0294, shall be cancelled of record; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a Discharge of Mortgage canceling the mortgage and modification of mortgage, and the CDBG Coordinator is hereby directed to file the executed Discharge of Mortgage with the Middlesex County Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-66

WHEREAS, the Borough of Sayreville has joined the Middlesex Regional Educational Services Commission (MRESC) Cooperative Pricing System for the purpose of participating in their Natural Gas Aggregation program and authorization is required for the MRESC to act as the agent for the Borough of Sayreville at the time of purchase.

BE IT AND IT IS HEREBY RESOLVED that I Wayne A. Kronowski, Acting Business Administrator for the Borough of Sayreville hereby authorize the MRESC to act as the "Agent" for the Borough of Sayreville for the purpose of executing a purchase agreement for Natural Gas.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-67
ACCEPTING FINAL WORK
AND AUTHORIZING FINAL PAYMENT
UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

Project: Improvements to South Pine Avenue

Contractor: S. Brothers, Inc.
PO Box 317
South River, NJ 08882

Balance Due: \$ 14,294.05

WHEREAS, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

WHEREAS, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

WHEREAS, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$107,205.34 and the approval of same as to form and sufficiency by the Borough Attorney.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-68

WHEREAS, on January 21, 2012 the Mayor and Council of the Borough of Sayreville received bids for "Weber Avenue Area Storm Sewer Improvements"; and

WHEREAS, the Certification as to Availability of Funds is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for the "Weber Avenue Area Storm Sewer Improvements" be awarded to Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 on their bid price of \$170,906.02 as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-69

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to continue with the preparation of project design and permit application process for the Weber Avenue Flood Relief project for a fee not to exceed \$85,000.00.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-70

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to prepare the necessary NJDEP Permit Applications for the Boehmhurst Avenue Ditch Cleaning Project for a fee not to exceed \$5,500.00.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-71

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Promotional Procedures:

NAME OF APPOINTEE: Kevin Kania
POSITION: Sewer Equipment Operator
DEPARTMENT: Water & Sewer
EFFECTIVE: February 29, 2012

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

/s/ Daniel Buchanan, Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-72

**RESOLUTION MEMORIALIZING THE APPOINTMENT
OF SAMUEL KLEIN & COMPANY AS MUNICIPAL AUDITOR
OF THE BOROUGH OF SAYREVILLE**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 13, 2012 meeting appointing the firm of Samuel Klein & Co. to serve as serve as statutory auditors for the Borough of Sayreville, in the County of Middlesex for the calendar year of 2012; and

BE IT FURTHER RESOLVED that pursuant to the requirements under the Local Public Contract Law, the following resolution be and is hereby adopted;

WHEREAS, there exists a need for the performance of a statutory audit for the year 2012 for the Borough of Sayreville, in the County of Middlesex; and

WHEREAS, funds are or will be made available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bidding must be publicly advertised;

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

1. The proper borough officials are hereby authorized and directed to execute an agreement with **Samuel Klein & Co.**

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, subject N.J.S.A. 40A: 5-11, which states that "No local unit shall be required to advertise for bids for any of the work performed pursuant to 40A: 5-4 (Annual Audit Required)".

3. A copy of this resolution, certified to be a true copy by the Borough Clerk shall be published as required by law, within ten days from the date of adoption.

BE IT FURTHER RESOLVED that the Borough Auditor is directed to prepare a written employment contract to be executed by the Auditors and the Borough which shall include the following: The rate to be charged for the entire 2012 Annual Audit Report pursuant to the terms of the contract to be executed by both parties; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized to forward a true copy of this resolution to **Samuel Klein & Co.**, 550 Broad Street, Newark, NJ 07102-4543.

/s/ Frank J. Bella, Councilman
(Admin. & Finance Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien
Municipal Clerk **Mayor**

RESOLUTION #2012-73

**RESOLUTION MEMORIALIZING THE APPOINTMENT
OF FREDERICK ROSELLI, ESQ, AS PUBLIC DEFENDER FOR
THE BOROUGH OF SAYREVILLE**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 13, 2012 meeting appointing the Frederick Roselli, ESQ. from the firm of Roselli & Roselli as Public Defender for the Borough of Sayreville, County of Middlesex, State of New Jersey for the calendar year of 2012;

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted there under fixing the compensation to be paid municipal employees for a term expiring on December 31, 2012.

/s/ Frank J. Bella, Councilman
(Admin. & Finance Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien
Municipal Clerk **Mayor**

RESOLUTION #2012-74

BE IT RESOLVED that the following person is hereby appointed to the following title and department:

NAME OF APPOINTEE: Yvonne Burdynski
POSITION: Senior Account Clerk
DEPARTMENT: Finance
EFFECTIVE: February 28, 2012

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-75

BE IT RESOLVED that the following person is hereby appointed to the following title and department:

NAME OF APPOINTEE: Katherine Elichko
POSITION: Cashier
DEPARTMENT: Collection of Taxes
EFFECTIVE: February 28, 2012

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-76

BE IT RESOLVED that the following person is hereby appointed to the following title and department:

NAME OF APPOINTEE: Jeanne Monte
POSITION: Keyboarding Clerk 1

DEPARTMENT: Office on Aging

EFFECTIVE: February 28, 2012

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

Novak

/s/ Councilwoman Mary J.

(Office on Aging, Liaison)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-77

WHEREAS, on February 11, 2010 the Mayor and Council of the Borough of Sayreville, received bids for "Heil Replacement Parts or Equivalent"; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for One (1) two (2) year term with no additional increase in price contained therein; and

WHEREAS, THC Enterprises, Inc., t/a Mid-Atlantic Waste Systems, Chester, PA 10913, has indicated their interest in extending their terms of the aforesaid contract for one (1) - two (2) year term;

WHEREAS, Certification as to Availability of Funds" is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for "Heil Replacement Parts or Equivalent" be extended for one (1) two (2) year term to THC Enterprises, Inc., t/a Mid-Atlantic Waste Systems, Chester, PA 10913, on their bid price of 4% Discount of Heil Parts List(#2009-2010) submitted, as appears on copy of bid documents attached.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
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 February 21, 2012
Seconded by Councilman Henry.

b) Councilman Perrette moved the following be approved tonight and memorialized at the next meeting.

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).

c) TAX ASSESSMENT APPEAL(S)

Received the following 2012 Tax Appeals from:

<u>Plaintiff/Petitioner</u>	<u>Block & Lot</u>	<u>Property Address</u>
Sayreville Plaza, LLC	439.01-0006	960 Rt. 9
881 Sayreville TIC, LLC	246 2.11	881 Main Street
Lorraine Munnia Mocco	251 1	850 Main Street
Verizon	439.01 5	934 Route 9
Gerdau Amersteel US, Inc.	246 1.07	Off Main Street
Gerdau Amersteel Sayreville, Inc.	246 1.05	Rear of Main Street
f/k/a New Jersey Steel & Structural Corp		
Tanisha Freeland	81 81	24 Embroidery St.
Ragaie Wahba & Mariam Aziz	32.05 37	27 Birch Terrace
Younan Family LP	412.0223	1145 Bordentown Avenue
Lorraine Munnia Mocco	251 1	850 Main Street
National Amusements, Inc.	273 1	8020 Rts 9 & 35
James & Margaret Yanuzzelli	34.12 46	36 Cori Street
Paul Figuerua	180 8.08	204 Pulaski Avenue

- Referred to the Tax Counsel.

- d) 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. Detailed plans were referred to the Construction Official for review and recommendation.**
- Borough Attorney asked that the matter be held over until the next meeting.

e) Committee Reports:

Wished all a Happy St. Patrick's Day.

• **PLANNING & ZONING** – Councilman Henry

a) Minutes- (none)

b) Received Notice to Adjacent Property Owner from:

- 1) EcolScience, Inc., informing the borough and adjacent residents of the environmental remediation activities currently underway at 3101 Bordentown Avenue, Block 31, Lot 1.

- **Receive & File**

c) Recommendation received from the Open Space Committee

to offer for sale to adjacent property owners, Block 356, Lots 51 & 52, Harding Ave. & Adams Place, with deed restrictions.

- **Referred to the Borough Attorney.**

⌘ (A request to purchase this property was received from Mr. Olsen, owner of Block 356, Lot 49 & 50, 103 Harding Ave., and was referred to the Open Space Committee on Nov. 14, 2011).

d) Committee Reports:

Councilman Henry said he received a letter from Mr. Konopka, a resident requesting permission to sell bait at the river road park. He asked that the Borough Attorney look into the matter and see if the ordinance could be modified to accommodate this resident.

Mayor suggested the Borough Attorney contact the Recreation Director to bid out the concession stand for such sales.

Councilwoman Eicher said that the Recreation Advisory Board reviewed this request at their last meeting and said that they were not interested in the sale of bait or anything else.

Mayor said that they could bring in revenue. Mayor asked Lisa if she had any objection for the attorney to handle this matter. None made.

• **PUBLIC SAFETY** – Councilman Bella

a) Minutes:

Councilman Bella moved the following minutes be received and filed:

- Board of Health – Feb. 2, 2012

Seconded by Councilwoman Novak.

b) Councilman Bella made a motion to approved the following application:

Application received from Drew Newcomb, Jr. for Regular Membership to Melrose Hose Co. No. 1 (from Associate Member).

Seconded by Councilwoman Eicher.

c) Councilman Bella requested approval for a request for the Melrose Hose Co. No. 1 to Travel with equipment to participate in a Wet Down at the Wallington Fire Dept. on June 9, 2012 from 4pm-9pm and a Parade on March 24, 2012 in Keyport at 12 noon. Seconded by Councilwoman Novak.

d) Councilman Bella moved the four request for canister fund raising events drive be approved for the intersection of Washington & Ernston Rds. Received from the following:

- Sayreville Boys Basketball – April 14, 2012, 10am-2pm
- Sayreville Golf Program – May 12, 2012, 10am-2pm
- Raritan Bay Explosion, Fast Pitch Softball (Sayreville AA)
- June 23, 2012 (rain date June 24) 10am-2pm
- Sayreville Bombers Touchdown Club –
- July 14, 2012 (rain date July 15), 10am-2pm

Seconded by Councilwoman Novak.

e) Committee Reports:

• **PUBLIC WORKS** – Councilwoman Novak

a) Minutes:

b) Request for Resolution authorizing CME Associates to prepare plans and specifications for One (1) Conventional Rear Loader Sanitation Truck and One (1) Automated Refuse Loader Body Arm Replacement at a cost not to exceed per \$1,700.00 each.

Motion to approve made by Councilwoman Novak. Seconded by Councilman Henry. Approved – Resolution 3/26/12

c) Request for Resolution authorizing the Borough to **contract with Goose Control**

Technologies, Metuchen, NJ as a result of quotes for the Goose Control Services

on Municipal Properties at a cost not to exceed \$12,000.00.

Motion to approve made by Councilwoman Novak. Seconded by Councilman Henry. Approved – Resolution 3/26/12

d) Committee Reports:

Councilwoman Novak reported that the Dept. of Public Works, in a cost saving effort was able to repair one garbage truck other than replacing it.

• **RECREATION** – Councilwoman Eicher

a) Minutes:- (none)

b) Request for Resolution authorizing the Borough to Contract with International

Fireworks of Douglasville, PA as a result of quotes for the Independence Day

Celebration to be held in Kennedy Park on June 30, 2012 (rain date July 1st). at a cost not to exceed \$12,500.00.

Motion to approve made by Councilwoman Eicher. Seconded by Councilwoman Novak. Approved – Resolution 3/26/12

c) Committee Report –

- Announcement: Annual Easter Egg Hunt Derby will be held on March 31, 2012 beginning at 10 am (rain or shine).

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

Councilwoman Novak also reported on an event at Our Lady of Victories - Sayreville Finest v Sayreville Bravest on April 16th at 7:30.

• **WATER & SEWER** –

a) Minutes (None)

b) Committee Reports: - Councilwoman Eicher reported progress on behalf of Councilman Buchanan.

• **MAYOR** – Kennedy O'Brien

a) Appointments –

Mayor O'Brien made the following appointment:
Library Board of Trustees – School Superintendent Designee
Richard Nemshick - 1 Yr. Term

b) Other Business

BUSINESS SESSION AGENDA – March 12, 2012

1. **NEW BUSINESS –**

2. **BUSINESS ADMINISTRATOR –**

I) Authorization to issue an RFP for Police Accreditation Mentoring.

Councilwoman Eicher asked that this item be held over until such time as she speaks with the Police Chief for more information.

Mayor asked if there were any objections to this request.
Councilwoman Novak said that she would be recusing herself from this matter.

No objections for the item to be held over.

3. **C.F.O.- Wayne Kronowski**

I) Transfer Resolution

II) Bill List Resolution

III) Sewer Rate Amendment.

Mr. Kronowski informed the council that if they were hoping for this item to help with the 2012 budget figure an ordinance would have to be introduced soon.

Mayor O'Brien asked the Clerk to get in touch with Co. Buchanan for further discussion at the next meeting for possible action.

IV) Resolution setting forth details of the Bond Refinancing.

Councilman Bella questioned the amount in the budget for down payments for this year's bonding. He also expressed his concerns on spending.

Response given by Mr. Kronowski. He also reminded the council that the capital budget is a plan. You may not necessarily get to all the items in that given year.

4. **ENGINEER -Jay Cornell**

I) Department of Public Works Building Repairs and Alterations – Receipt of Bids (Report Attached).

II) Old Bordentown Avenue Water Treatment Plant – Relocation of

MacArthur Avenue Water / Sewer Department – (Report Attached).

- Mayor asked that this item get moved along and list for further discussion at the next meeting.

III) 2012 Roadway Paving and Reconstruction project – Preliminary Cost Figures (Report Attached).

- Mayor asked that this list get posted to the web site.

5. **BOROUGH ATTORNEY - Michael DuPont**

I) Authorization to proceed with property Acquisition for the following projects:

- a) Main Street/White Oaks Drive Intersection Improvements
- b) Washington Road/MacArthur Avenue/Jernee Mill Road Intersection
- c) Main Street/Washington Road Water Transmission Main
- d) French Street Drainage Improvements
- e) Winding Wood Pump Station Replacement

Mayor asked if everyone was in favor of the Attorney proceeding with the acquisition of the properties.
No objections were made.

Councilwoman Novak asked if she could have the attorney prepare a report for residency preference. No objections were made.

PUBLIC PORTION

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

Those appearing were:

- John Rucki, Sayreville
-Commented on the School Board not moving their election date.
- Barbara Kilcomons, 22 Schmitt Street
- Commented that she is pleased that the School Board did not move the election. She would not like to see her vote being taken away from her.

- Questioned the items listed for the acquisition of property (Jernee Mill, MacArthur Ave. and French St & Albert St. property)

The Borough Engineer explained that there is a joint agreement that dates back to 2007 with the County for the improvements to Jernee Mill Road and MacArthur Avenue and as soon as the borough can acquire property County will proceed with the improvements. He went on to explain that the French Street & Albert Street property project dates back to 2002. That there is a plan to pipe that drainage ditch but we need to acquire property from the four adjacent property owners.

- She questioned the use of CME to prepare plans and specs for equipment.
Explained by Mayor O'Brien why we need to use a professional.

- Also questioned if Goose Control was an annual expense.
Mayor O'Brien and Councilwoman Novak explained geese control methods.

- She commented on the Mayor's annual message to the residents especially the spending freeze and the Ordinance to exceed the CAP, she felt this was uncalled for.

Mr. Kronowski explained the ordinance introduced would allow for the appropriation CAP to be exceeded by 1% not the Tax Levy CAP and that if it was not used the borough could bank it for the following year.

No further questions or comments. Council President Eicher made a motion to close the public portion. Seconded by Councilman Bella.

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:

Litigation

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/ Councilwoman Lisa Eicher

APPROVED:

/s/ Kennedy O'Brien
Mayor

Councilman Bella moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilwoman Eicher.

Roll Call: Voice vote, all Ayes. Carried.

Time: 7:47 PM

- **RECONVENE**
Councilwoman Eicher moved to reconvene the meeting. Seconded by Councilman Bella.

Roll Call: Voice Vote, all Ayes.

Time: 7:55 P.M.

ADJOURNMENT

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 7:55 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved

