

Regular meeting of the Mayor and Borough Council held on Monday, April 25, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Acting Mayor Kenneth P. Kelly, Sr. at 6:34 P.M. followed by a short prayer and salute to the flag.

#### STATEMENT OF NOTICE OF PUBLICATION

Municipal Clerk Farbaniec announced that this regular 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:

Roll Call: Councilpersons Bella, Eicher, Henry, Kelly, Perrette.

Absent: Mayor O'Brien and Councilman Buchanan.

Others Present: Business Admin. Bertrand  
C.F.O. Kronowski  
Municipal Clerk Farbaniec, Assistant Garbowski  
Engineer Cornell  
Attorney DuPont

#### PRESENTATIONS

Acting Mayor Kelly called forward VFW Post #4699 Commander Frank Straczynski, Ladies Auxiliary President Lorraine Rock, Poppy Chairman Frank Olszewski and Buddy Poppy Queen Kaitlyn Klosek forward and read the following Proclamation into record.

## Borough of Sayreville

### Proclamation

**WHEREAS**, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

**WHEREAS**, VFW Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans and the widows and orphans of deceased veterans; and

**WHEREAS**, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living".

**NOW, THEREFORE, I, Kenneth P. Kelly, Sr., Acting Mayor of the Borough of Sayreville**, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American Citizens.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 25<sup>th</sup> day of April, 2011 and the same duly attested by the Municipal Clerk.

/s/ Kenneth P. Kelly Sr.  
Acting Mayor

#### ATTEST:

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

Comments from Commander Straczynski, Auxiliary President Lorraine Rock, Poppy Chairman Frank Olszewski. They then sold the first Buddy Poppy to Acting Mayor Kelly and proceeded to sell them to the other municipal officials and audience.

Acting Mayor Kelly called forward the members of the Coast Guard Auxiliary then read the following Proclamation into Record:

## **Borough of Sayreville**

### **Proclamation**

**WHEREAS**, the Borough of Sayreville has its historical roots in the maritime trade along the Raritan River and its residents enjoy family recreational boating through the Borough's Boat Dock; and

**WHEREAS**, our nation's waterways are a precious natural resource that must be protected for generations to come; and

**WHEREAS**, the United States Coast Guard accident statistics show that between eight hundred and a thousand Americans lose their lives in recreational boating accidents; and

**WHEREAS**, many thousands of Americans, each year become injured as a result of recreational boating accidents or die due to drowning and more than 90 percent of these boating tragedies were found to be totally preventable by boater safety training and safe vessel inspections; and

**WHEREAS**, the most effective means for preventing drowning deaths is the proper use of personal flotation devices; and

**WHEREAS**, the United States Coast Guard Auxiliary is charged with the responsibility for providing recreational boating safety training and conducting free boating vessel safety inspections; and

**WHEREAS**, the Borough of Sayreville is home to the Sayreville Coast Guard Auxiliary Flotilla and provides active services both to our community as well as other surrounding communities.

**NOW, THEREFORE, I, Kenneth P. Kelly, Sr., Acting Mayor of the Borough of Sayreville**, do proclaim the week of May 22<sup>nd</sup> through May 28<sup>th</sup>, 2011 to be Safe Boating Week and commend the Sayreville Flotilla 2-1 of the United States Coast Guard Auxiliary as part of America's Volunteer Lifesaving Guardians for their efforts on behalf of our Borough and the recreational boating community in our area.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 25<sup>th</sup> day of April, 2011 and the same duly attested by the Municipal Clerk.

/s/ Kenneth P. Kelly, Sr., Acting Mayor

**ATTEST:**

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

Comments made by member of the U.S. Coast Guard Auxiliary, Sayreville Flotilla 2-1. They invited everyone to their Open House on May 21<sup>st</sup> where they will also be hosting a vessel examination station, where those who have trailerable boats can have their vessels inspected.

Councilwoman Eicher moved proclamations be approved on Roll Call vote. Seconded by Councilman Perrette.

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

### **OLD BUSINESS -**

Municipal Clerk announced that the next order of business is the discussion on the on Animal Shelter Services that was tabled from the last meeting for further discussion at this meeting.

Acting Mayor called upon the Business Administrator at this time.

Business Admin. Bertrand informed the council that we need to respond to the Borough of Helmetta one way or the other as to whether or not we were going to use their services as our shelter. He informed the council that we do have a proposal from Sayreville Pet Adoption Center however it does not include taking of feral cats and upon checking other centers we cannot find another center that will take feral cats.

Councilwoman Eicher questioned how we would be saving approximately \$27,000.

He explained that we spend approximately \$39,000.00 with our previous animal control officer and the savings between using the Helmetta animal control officer and the savings of using other animal shelters the savings is approximately \$27,000. He further explained the amount we were spending per month with the other shelter and the cost savings from the other animal shelters we were using, but we cannot find another shelter to give us a quote on cat population sheltering so it is hard to give specific numbers without having this option in other quotes.

Councilman Bella asked if there was a firm date that Helmetta would be open and in operation.

Mr. Bertrand responded that they tell us that May 1<sup>st</sup> or because of inspections it could be a few days after.

Councilman Bella asked if it would be operational by May 31<sup>st</sup> including all staff and supplies needed to be operational. Mr. Bertrand stated that they would.

Councilman Henry asked about the cost factor between the animal control officer and the shelter.

Mr. Bertrand stated that Animal Control is \$18,000. Plus based on last year's figures of dogs and cats it would cost an additional \$22,000. for the shelter.

Further discussion on cost factors.

Councilman Bella made comments with regards to Dr. Chiosi's shelter and that they endorse the "trap, neuter and release program" and that our local board of health and county health inspector does not. He said that we really need a place to bring these animals to and with no other option at this time he supports Helmetta. He said that this contract is for 1 yr with an option so we may reconsider other options next year.

Councilman Perrette said that if a pet is picked up and has tags the owner is contacted and they try to return it so that the residents don't have to make the trip. But if they cannot be contacted they will be brought to the shelter.

Business Admin. agreed.

Discussion closed.

#### **NEW BUSINESS – None**

#### **ACTION ITEMS:**

- **Minutes of the Mayor and Council - None**
- **Public Hearing on Ordinance(s):**

At this time Acting Mayor Kelly opened the meeting to the public for questions or comments on ordinance #159-11.

No one appeared.

Councilman Bella moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Seconded by Councilwoman Eicher.

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

**ORDINANCE #159-11**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VIII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE**  
**TO AMEND SECTION 8-20 TO ADD FEES FOR CIVIL UNIONS**  
**AND DOMESTIC PARTNERSHIPS**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that Chapter VIII, Section 8-20 of the Revised General Ordinances of the Borough of Sayreville is hereby amended and supplemented as follows:

**8-20 RECORDS OF VITAL STATISTICS; BURIAL PERMITS; MARRIAGE LICENSE FEES.**

The following are available from the Sayreville Board of Health at the respective fees listed below:

a. Burial Permit	\$5.00
b. Death Certificate (certified copy)	\$10.00
c. Marriage License (\$25 to State; \$3 to Borough)	\$28.00
d. Birth Certificate (certified copy)	\$10.00
e. Marriage Certificate (certified copy)	\$10.00
f. Corrected copy of Death, Marriage, Birth Certificates	\$5.00
g. Domestic Partnership Certification (\$25 to State; \$3 to Borough)	\$28.00
h. Domestic Partnership Certificate (certified copy)	\$10.00
<b><i>i. Civil Union Certification (\$25 to State; \$3 to Borough)</i></b>	<b><i>\$28.00</i></b>
<b><i>j. Civil Union Certificate (certified copy)</i></b>	<b><i>\$10.00</i></b>

(Ord. #746-01, §2; Ord. #844-03, § 1; Ord. #876-04, § 1; Ord. #948-06, § 1; Ord. #966-06, § 1; Ord. #159-11)

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Eight General Licensing, Section 8-20 Records of Vital Statistics; Burial Permits; Marriage Licenses; Fees** of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
 Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
 Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esquire  
 Borough Attorney

**ORDINANCE #160-11**  
**AN ORDINANCE AMENDING ARTICLE III OF**  
**CHAPTER XXVI, LAND DEVELOPMENT, OF THE**  
**REVISED GENERAL ORDINANCES OF THE**  
**BOROUGH OF SAYREVILLE TO EXPAND**  
**THE SPECIAL ECONOMIC DISTRICT**

(Main Street)

Acting Mayor referred this ordinance to the Borough Attorney.

Borough Attorney Mike DuPont said that after discussions with the Borough Engineer and the attorney for the land owner, it is his recommendation that this Ordinance be carried until the next meeting. He said that it is his understanding that the attorney for the land owner will put on the record that there is no application pending or that there will be no application filed prior to or during the interim that this matter carried forth. He said that Mr. Lehrer is here on behalf of the land owner affected by this ordinance. He called for Mr. Lehrer's representation.

Appearances:

Jeffrey Lehrer, from the firm of DeFransesco, Bateman announced that he represents the sole property owner affected by this ordinance, Lorraine Mocco. He said that they appreciate the council considering carrying this ordinance until such time as they have an opportunity to meet with the borough's planner and engineer to see if there could be some adjustments made to the ordinance that would be mutually beneficial.

Borough Attorney DuPont stated that it was his understanding that they would provide representation on the record that as a condition to the borough carrying this ordinance that your client has no intention of filing any application during the interim of this ordinance being scheduled for public hearing.

Mr. Lehrer replied that there is no plan to file any application and that the planner and borough will work in good faith toward making some adjustment.

Borough Attorney DuPont reiterated so that everyone understands that we are giving Ms. Mocco the opportunity to correct some details that she believes affects her property adversely. He said that it is his understanding through her counsel that she has no problem with the ordinance in general but there are some details that may affect her ability to develop it. So, on that condition that during the time the ordinance is carried they could go back to the engineer, planner and that this would be carried until the next council meeting of May 9, 2011.

Councilman Henry made a motion that this Ordinance be carried until May 9, 2011.

Motion seconded by Councilman Perrette.

Roll Call: All Ayes.

Councilman Bella asked Mr. Lehrer if he expects to have this resolved by the May 9<sup>th</sup> meeting.

Mr. Lehrer said that they were close but if not done he had hoped that the Council would entertain another adjournment.

- **Communications & Report of Committee**

**Communications** (reviewed on April 11, 2011 Agenda Meeting).

Councilwoman Eicher moved the Consent Agenda Communications be received on Roll Call Vote. Seconded by Councilman Henry.

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

- **ADMINISTRATION & FINANCE** – Co. Perrette

### **APPLICATION FOR BINGO/RAFFLE LICENSES**

Received from:

- a) St. Stanislaus Kostka R.C. Church to conduct:
- On-Premise Non-Draw Raffles on June 22, 23, 24 & 25, 2011 (#1699).
  - On-Premise Non-Draw (Money Wheel) Raffles on June 22, 23, 24 & 25, 2011 (#1700)
- b) Sayreville Little League to conduct:
- Off-Premise Draw Raffle on June 5, 2011 (#1701). - a & b Approved.

### **APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR**

- St. Stanislaus Kostka Church for June 22, 23, 24, & 25 2011 from 4:30pm to 1:00 am on school grounds, 221-225 MacArthur Ave., Sayreville

### **TAX ASSESSMENT APPEALS**

2011 Direct Tax Appeal and Complaint was received covering the properties listed below:

<u>Plaintiff</u>	<u>Block/Lot</u>	<u>Address</u>
Ricciardi, Anthony R. & Ricciardi, Rudo Carl & Lucille Pasewark	154.01/45	90 Main St.
Lakeview Developers Limited	34.06/17	47 Richards Dr.
Sayreville Associates	254.01/2	Kulas Ln./Swider Dr.
WJS	330.03/1.05	115 Kennedy Blvd.
Inocencia Dominguez	423/2.01	2028 Highway 35
980 Highway 9, LLC	414/1.02	835 Bordentown Ave.
Raymond & Ann Mazanec	439.01/8.02	980 Rt. 9
Kenmore Inniss	350/21	7 Wilbur Terr.
Suresh Patel	366/7	143 Jackson Ave.
Beth Magnani	136.15/24	8 Kania Ct.
Alana, Inc.	67/32, 33, 34	48 Furman Ave.
Alana, Inc.	279/1	6330 Main St.
Alana, Inc.	279/2	541 Oak St.
Sayreville Holding, LLC	276/9	7090 Highway 35 & 9
The Moorehouse-Speedwell, LP	441/1.01	986 Rt. 9
John Nashed	31/1	3101 Bordentown Ave.
Witold & Henryka Rychter	248.07/14	11 Kimball Dr. W.
Gertrude Spezzi	32.53/2	32 Singer Ct.
Sayreville Plaza, LLC	371/1.2	281 Johnson Ln.
Enchante Realty Associates, LLC	439.01/6	960 Rt. 9
Gallery Motel Inc.	326.01/2	500 Kennedy Dr.
PJ Development Group, LLC	423/2	2020 Highway 35 N.
SAJJ, LLC	277/9.02	7089 Highway 35&9
DCH Investments, Inc.	278/1	1 Victory Plaza
Francisco & Susan Crespo	413/5	955 Rt. 9
Lisa Kileen	210.G/3	18 Senna Dr.
Robert Kileen	545/181.01	1 Second St.
Robert Krohn	379.02/10	23 Latham Cir.
Mayan Shah	451.02/11	5 Wiczorkowski Ave.
Jay Banasiak	94.01/1	23 Ridge Ave.
James Ortiz	531/65.09	11 Watson Rd.
Henry & Maureen Smolinski	447.05/3	14 Fielek Terr.
Jacek & Janina Srodon	421/1.03	505 Orchard Pl.
367-9 New Street, LLC	368.06/1	30 Chatham Sq.
MCA Realty Group, LLC	453/3	
Bhattacharyulu Dittakavi	13/1	
Syed Imtiaz Ali	449.08/103	125 Overhill Dr.
Samuel H. Howarth	34.10/7	44 Kierst St.
18 Tiger Lily LLC	32.15/5	9 Eric Ct.
13 Windsor LLC	210.03/30.18	18 Tiger Lily Ct.
	229.03/1	13 Windsor Ct.

4 Charles LLC	406/60	4 Charles St.
Heritage at Towne Lake LLC	136.15/76	Baist Dr./Batko Ct.
Billy Gonzalez	218/4	21 Boehmhurst Dr.
Ricci & Carmen Melendez	447.03/22	18 Driftwood Dr.
LaMer V, LLC	449/10.03	Mother Lot
LaMer V, LLC	449/6.51	6203 Fernandez Court
LaMer V, LLC	449/6.51	6206 Fernandez Court
LaMer V, LLC	449/6.51	6301 Fernandez Court
LaMer V, LLC	449/6.51	6302 Fernandez Court
LaMer V, LLC	449/6.51	6303 Fernandez Court
LaMer V, LLC	449/6.51	6305 Fernandez Court
LaMer V, LLC	449/6.51	6304 Fernandez Court
LaMer V, LLC	449/6.51	6307 Fernandez Court
LaMer V, LLC	449/6.51	6401 Fernandez Court
LaMer V, LLC	449/6.51	6402 Fernandez Court
LaMer,V, LLC	449/6.51	6403 Fernandez Court
LaMer V, LLC	449/6.51	6404 Fernandez Court
LaMer V, LLC	449/6.51	6405 Fernandez Court
LaMer V, LLC	449/6.51	6406 Fernandez Court
LaMer V, LLC	449/6.51	6306 Fernandez Court

- Refer to Tax Counsel

**THERESA A. FARBANIEC, RMC**  
**MUNICIPAL CLERK**

Requesting an advancement of an employee in the Clerk's Office to the position of Assistant Municipal Clerk, without backfilling the vacancy. (Resolution Required)

- Approved/Resolution.

- PLANNING & ZONING – Co. Henry
- PUBLIC SAFETY – Co. Bella

**ENGINE CO. NO. 1**

Request to travel to Cheesequake State Park to attend Middlesex County Tanker Task Force Drill on May 15, 2011, from 7:30 am to 1:30 pm.

- Approve.

**SAYREVILLE EMRGENCY SQUAD**

a) Requesting permission to hold its 75<sup>th</sup> Anniversary Celebration parade on May 22, 2011 at 9:00 am from old squad building, 167 Main St., down Pulaski Ave., down Washington Rd., to new squad building. -

Approved pending Traffic Safety approval.

b) Requesting permission to hold their annual door to door fund drive during the month of May.

- Approved.

**AMERICAN LEGION AUXILIARY LENAPE UNIT 211**

Permission to offer Memorial Poppies to the residents of Sayreville from May 1 to May 31, 2011.

- Approved.

**SAYREVILLE LEPRECHAUNS**

Request permission to conduct a coin toss/collection to collect funds for the organization on May 14, 2011, from 8:00 am to 1:00 pm at the intersections of Ernston Rd. and Washington Rd., and Jernee Mill Rd. and Washington Rd.

- Approved.

**MIDDLESEX COUNTY ASSOCIATION OF REALTORS**

Request permission to conduct a coin toss/collection to collect funds for Embrace Kids Foundation on May 21, 2011, with a rain date of May 22, 2011 from 10:00 am to 4:00 pm at the intersection of Ernston Rd. and Washington Rd.

- Approved.

## REPORT OF CHAIR.

- PUBLIC WORKS – Co. Buchanan
- RECREATION – Co. Eicher

**SAYREVILLE RECREATION COMMITTEE**

Resignation of member Stanley Synarski.

- Receive & File.

- WATER & SEWER – Co. Kelly
- BUSINESS ADMINISTRATOR'S AGENDA/REPORT

**Administration & Finance:**

- a. Authorization to execute a mortgage subordination between the borrower, Ms. Rochelle Ligato of 8 Henry St., Sayreville; the lender, Amboy Bank; and the Borough as the creditor. The subject property, designated as Block 107 Lot 4 was improved through federally funded CDBG Owner Occupied Housing Rehabilitation Program. The proposed action meets CDBG and Borough program guidelines.  
- Resolution.

**Public Works:**

- a. Authorization to begin the process to vacate Borough owned land located between Luke, Parker, Woodland, and South Pine Avenue otherwise known as Block 511 Lot 761.01 and Block 511 Lot 762.01. This is land locked property and therefore is of no use to the Borough.  
- Refer to Open Space.
- b. Status report on the installation of the traffic light at Main Street and White Oaks Dr.
- c. Authorization to execute an Inter-local Service Agreement with the Middlesex County Improvement Authority for the continuation of the Yard Waste Recycling and Marketing Services for a two year period from April 1, 2011 through March 31, 2013. The associated rates under this agreement have been reduced by approximately 5% across all three waste categories.  
- Resolution.

**Recreation:** none

**Water & Sewer:** none

**Public Safety:** none

**Planning & Zoning:** none

**Personnel:** none

• C.F.O. WAYNE A. KRONOWSKI

1. Bill Resolution
2. 2011 Municipal Budget Adoption

• BOROUGH ATTORNEY AGENDA/REPORT

• BOROUGH ENGINEER AGENDA/REPORT

1. Ernston Road / Bordentown Avenue Intersection Improvements – Status of Project (Verbal Report).

FOR YOUR INFORMATION

• ADMIN. & FINANCE

• PLANNING & ZONING

TOWNSHIP OF EDISON

Legal notice and the amendment to the Master Plan for review, to be reviewed at their Planning Board’s meeting on April 14, 2011 at 7:30 pm, in Council Chambers, 100 Municipal Blvd., Edison 08817

- Receive & File.

SAYREVILLE PLANNING BOARD

Resolution(s) memorialized on April 6, 2011

(a) K-Land No. 59, LLC, a/k/a Towne Lake West, Preliminary and Final Amendment Major Subdivision Plan.

- Receive & File.

SAYREVILLE PLANNING BOARD

Resolution(s) Memorialized on October 6, 2010.

a) Lockwood Marina LLC, 1825 Highway 35, Block 538; Lots 13,17,18 - Preliminary & Final Major Site Plan.

• PUBLIC WORKS

• PUBLIC WORKS

• ENVIRONMENTAL

• PUBLIC SAFETY

• RECREATION

<u>MINUTES</u>		<u>Rec. &amp; File</u>
Board of Health	-	March 3, 2011
Planning Board	-	March 16, 2011
Sayreville Commission for Disabled-		March 1, 2011

• **Reports of Committee:**

Admin. & Finance Committee

Councilman Perrette moved the following reports be received and filed:  
1) Municipal Clerk’s Report for the month of March, 2011.

Seconded by: Councilman Henry.

Planning & Zoning Committee

Councilman Henry moved the following Reports be received and filed:  
1) Construction Official’s Report for the month of March, 2011.

Seconded by: Councilman Bella.

**Public Safety Committee**

Councilman Bella moved the following Reports be received and filed:

- 1) Municipal Court's Report for the month of March, 2011.
- 2) Fire Prevention Reports for the month of March, 2011.
- 3) Board of Health Reports for the month of March, 2011.

Seconded by: Councilman Henry.

**Recreation Committee & Public Safety Committee – Co. Eicher**

Councilwoman Eicher moved the following reports be received and filed:

- 1) Recreation Director's Report for the months of February and March 2011.

Seconded by Councilman Perrette.

**Public Works Committee**

Councilman Henry moved the following reports be received and filed:

- 1) Parks Department Report for the month of March, 2011.
- 2) Garage Services Report for the month of March, 2011.
- 3) Sanitation Department Report for the month of March, 2011.
- 4) Road Department Report for the months of March, 2011.
- 5) Building and Grounds Reports for the month of March, 2011.

Seconded by Councilman Perrette.

**Water & Sewer/Environmental - Kelly**

Council President Kelly moved the following reports be received and filed:

- 1) Water & Sewer Director's Report for the month of March & April, 2011.
- 2) Office on Aging Department Report for the month of March, 2011.

Seconded by: Councilman Perrette.

- **CONSENT AGENDA RESOLUTIONS:**

Acting Mayor Kelly the meeting to the Public for questions or comments on Consent Agenda Resolutions.

No appearances.

Councilwoman Eicher made a motion to close the Public Hearing and approve the Consent Agenda Resolutions on Roll Call Vote. Seconded by Councilman Perrette.

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

**RESOLUTION #2011-99**

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

<b>NAME OF APPOINTEE:</b>	Rebecca Garbowski
<b>POSITION:</b>	Assistant Municipal Clerk
<b>DEPARTMENT:</b>	Admin. & Finance
<b>EFFECTIVE:</b>	April 26, 2011

**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 Department of Personnel.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

**RESOLUTION #2011-100**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A SUBORDINATION AGREEMENT WITH ROCHELLE LIGATO TO WAIVE THE PRIORITY OF THE BOROUGH OF SAYREVILLE'S MORTGAGE**

**WHEREAS**, the Borough of Sayreville, ("Creditor") the holder of a mortgage on the property located at 8 Henry Street, Sayreville, New Jersey, designated on official tax assessment maps as Block 107, Lot 4 ("Premises") in the amount of Twenty One Thousand, Three Hundred and Seventy Three Dollars (\$21,373.00) has been requested by Rochelle Ligato, (Borrower) to waive the priority of its lien in favor of a New Mortgage; and

**WHEREAS**, the Borough of Sayreville ("Creditor") has agreed to subordinate the priority of its lien in favor of the New Mortgage; and

**BE IT AND IT IS HEREBY RESOLVED** Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the Subordination Agreement with Rochelle Ligato ("Borrower") dated the 28<sup>th</sup> of March, 2011.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

**RESOLUTION #2011-101**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials are hereby authorized and directed to execute an Interlocal Services Agreement between the Borough of Sayreville and the Middlesex County Improvement Authority covering the continuation of Yard Waste Recycling and Marketing Services for a two year period commencing on April 1, 2011 and ending on March 31, 2013.

/s/ William J. Henry, Councilman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

**RESOLUTION #2011-102**

**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.

\_\_\_\_\_  
Mayor - Absent

/s/ Frank J. Bella  
Councilman

/s/ William J. Henry  
Councilman

/s/ (Absent)  
Daniel Buchanan, Councilman

/s/ Kenneth P. Kelly, Sr.  
Councilman

/s/ Lisa Eicher  
Councilwoman

/s/ Nicholas J. Perrette  
Councilman

**Bill list of April 25, 2011, in the amount of \$1,955,038.60  
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

**RESOLUTION #2011-103**

**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 Shelter Services. This agreement shall commence May 1, 2011 and terminate December 31, 2011. Furthermore the agreement shall contain a two (2) additional one (1) year renewals, subject to mutual consent by both municipalities.

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

**ATTEST:****BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

- **RESOLUTION READ IN FULL:**

**Budget Amendment Resolution**

**RESOLUTION #2011-104**  
**BOROUGH OF SAYREVILLE**  
**2011 BUDGET AMENDMENT**

**WHEREAS**, the Local Municipal Budget for the year 2011 was approved on the 14<sup>TH</sup> day of March, 2011; and

**WHEREAS**, the Public Hearing on said budget has been held as advertised; and

**WHEREAS**, it is desired to amend said approved Budget,

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Sayreville, County of Middlesex that the attached amendments to the approved Budget of 2011 be made:

**RECORDED VOTES**

<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>	<u>Absent</u>
Eicher Henry Kelly Perrette	Bella	None	Buchanan

**BE IT FURTHER RESOLVED**, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for the Certification of the 2009 Local Municipal Budget so amended.

**BE IT FURTHER RESOLVED**, that this amendment, in accordance with the provision of N.J.S. 40A:4-9, be published in the Home News Tribune in the issue of April 28, 2011 and that said publication contain notice of public hearing on said amendment.

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

**ATTEST:**

/s/ Theresa A. Farbaniec  
Municipal Clerk

**BOROUGH OF SAYREVILLE**

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

Budget Amendment  
Resolution #2011-104

Borough of Sayreville  
2011 Budget Amendment  
General Revenues

	<u>From</u>	<u>To</u>
1. <b>Surplus Anticipated</b>	3,244,000.00	3,284,000.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services		
<b>Total Surplus Anticipated</b>	<u>3,244,000.00</u>	<u>3,284,000.00</u>
3. <b>Miscellaneous Revenues</b>		
Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenue Offset with Appropriations		
Safe Housing Grant	0.00	4,500.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenue Offset with Appropriations:	<u>178,360.44</u>	<u>182,860.44</u>
Section G: Special Items of general Revenues Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:		
<b>Total Miscellaneous Revenues</b>	<u>20,820,613.44</u>	<u>20,865,113.44</u>
5. <b>Sub Total General Revenues (Item 1,2,3 and 4)</b>	<u>25,364,613.44</u>	<u>25,409,113.44</u>
6. <b>Amount to be raised by Taxes for Support of Municipal Budget</b>		
a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	26,660,743.00	24,702,862.51
b) Addition to Local District School Tax	0.00	0.00
c) Minimum Library Tax	<u>0.00</u>	<u>1,730,329.49</u>
<b>Total Amount to be raised by Taxes for Support of Municipal Budget</b>	<u>26,660,743.00</u>	<u>26,433,192.00</u>
7. <b>Total General Revenues</b>	<u>52,025,356.44</u>	<u>51,842,305.44</u>

**Borough of Sayreville  
2011 Budget Amendment  
General Appropriations**

	<u>From</u>	<u>To</u>
<b>A. Operation Within "CAPS"</b>		
Legal Services		
Other Expenses	525,000.00	465,000.00
Group Insurance Plan for Employees	5,045,880.00	5,122,364.00
Office on Aging		
Salaries & Wages	229,500.00	164,500.00
Utility Expenses and Bulk Purchases		
Telephone	218,500.00	158,500.00
Total Operation{Item 8(A)} within "CAPS"	<u>33,902,873.00</u>	<u>33,794,357.00</u>
Total Operations Including Contingent - Within "CAPS"	33,935,873.00	33,827,357.00
Detail:		
Salaries and Wages	18,900,093.00	18,835,093.00
Other Expenses	<u>15,035,780.00</u>	<u>14,992,264.00</u>
<b>E. Deferref Charges and Statutory Expenditures- Municipal Within "CAPS"</b>		
Contribution to: Public Employees' Retirement System	848,721.00	1,035,108.00
Police and Firemen's Retirement System of NJ	<u>1,951,335.00</u>	<u>2,174,297.00</u>
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	3,664,056.00	4,073,405.00
(H-1)Total General Appropriations for Municipal Purposes within "CAPS"	<u>37,612,609.00</u>	<u>37,913,442.00</u>
<b>(A) Operations - Excluded from "CAPS"</b>		
Group Insurance Plan for Employees	574,120.00	497,636.00
Contribution to:		
Public Employees' Retirement System	186,387.00	0.00
Police and Firemen's Retirement System of NJ	222,962.00	0.00
<b>Public &amp; Private Programs Offset by Revenues</b>		
Private Revenue Offset with Appropriations		
Safe Housing Grant	0.00	6,500.00
Total Public & Private Programs Offset by Revenues	187,471.44	193,971.44
Total Operations - Excluded from "CAPS"	<u>6,303,862.44</u>	<u>5,824,529.44</u>
Detail:		
Salaries and Wages	58,533.00	58,533.00
Other Expenses	<u>6,245,329.44</u>	<u>5,765,996.44</u>

(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>12,311,953.44</u>	<u>11,832,620.44</u>
(O) Total General Appropriations- Excluded from "CAPS"	<u>12,311,953.44</u>	<u>11,832,620.44</u>
(L) Subtotal General Appropriations{(Items (H-1) and (O))	<u>49,924,562.44</u>	<u>49,746,062.44</u>
(M) Reserve for Uncollected Taxes	<u>2,100,794.00</u>	<u>2,096,243.00</u>
9. Total General Appropriations	<u>52,025,356.44</u>	<u>51,842,305.44</u>

/s/ Nicholas J. Perrette

APPROVED:

/s/ Kenneth P. Kelly, Sr.  
Acting Mayor

**BOROUGH OF SAYREVILLE  
COMPUTATION OF APPROPRIATION:  
RESERVE FOR UNCOLLECTED TAXES AND  
AMOUNT TO BE RAISED BY TAXATION  
IN 2011 MUNICIPAL BUDGET**

		Year 2011	Year 2010
1. Total General Appropriations or 2011 Municipal Budget Statement Item 8 (L) (Exclusive of Reserve Uncollected Taxes)	80015-	49,746,062.44	xxxxxxxx
2. Local District School Tax- School Budget	Actual 80016- Estimate* 80017-	60,730,712.00	xxxxxxxx
3. Vocational School Tax-	Actual Estimate*		xxxxxxxx
4. Regional School District Tax-	Actual Estimate*		xxxxxxxx
5. Regional High School Tax- School Budget	Actual 80018- Estimate* 80019-		xxxxxxxx
6. County Tax	Actual 80020- Estimate* 80021-	17,648,241.00	xxxxxxxx
7. Special District Taxes (Minimum Library Tax)	Actual 80022- Estimate* 80023-		xxxxxxxx
<b>8. Total General Appropriations &amp; Other Taxes</b>	<b>80024-01</b>	<b>128,125,015.44</b>	
9. Less Total Anticipated Revenues from 2011 in Municipal Budget (Item 5)	80024-02	25,409,113.44	
10. Cash Required from 2011 Taxes to Support Local Municipal Budget and Other Taxes	80024-03	102,715,902.00	
11. Amount of Item 10 Divided by <u>99.00%</u> Equals Amount to be Raised by Taxation (Percentage used must not exceed the applicable percentage shown by Item 13, Sheet 22)	[820024-04] 80024-05	104,812,145.00	
<b>Analysis of Item 11</b>			* May not be stated in an amount less than actual tax of year 2010
Local District School Tax (Amount Shown on Line 2 Above)	60,730,712.00		
Vocational School Tax (Amount Shown on Line 3 Above)			** Must be stated in the amount of the proposed budget submitted by the Local Board of Education to the Commissioner of Education
Regional School District Tax (Amount Shown on Line 4 Above)			January 15, 2011 (Chap. 136, P.L. 1978).
Regional High School Tax (Amount Shown on Line 5 Above)			Consideration must be given to calendar year calculation.
County Tax (Amount Shown on Line 6 Above)	17,648,241.00		
Special District Tax (County Open Space Tax) Amount Shown on Line 7 Above			
<b>Tax in Local Municipal Budget</b>		<b>26,433,192.00</b>	
<b>Total Amount (See Line 11)</b>		<b>104,812,145.00</b>	
12. Appropriation-"Reserve for Uncollected Taxes" Budget Statement Item 8 (M) (Item 11, Less Item 10)	80024-06	2,096,243.00	
<b>Computation of "Tax in Local Municipal Budget"</b>			Note:
Item 1 - Total General Appropriations		49,746,062.44	The amount of
Item 12-Appropriation; Reserve for Uncollected Taxes		2,096,243.00	anticipated revenues
Sub-Total		51,842,305.44	(Item 9) may never
Less: Item 9-Total Anticipated Revenues		25,409,113.44	exceed the total of
<b>Amount to be Raised by Taxation In Municipal Budget</b>	<b>80024-07</b>	<b>26,433,192.00</b>	Items 1 and 12.

Councilman Bella asked if the budget is still being worked on and if they were going to see actual Budget Expenditure figures for 2010.

Mr. Kronowski responded that he has those figures prepared and will get them distributed before the next budget workshop.

Mr. Kronowski then stated that the Public Hearing on the Budget Amendment will be at the next meeting.

Councilwoman Eicher made a motion to adopt the Budget Amendment as read. Seconded by Councilman Perrette.

Comments:

Councilman Bella commented on a NY Times/CBS Poll showing that the people believe the government is heading in the wrong direction and that there is dissatisfaction with the President, Congress, democrats and republicans alike, and that the government is not responsive. He said that his job is to represent the people not to decide what line items should be cut, that is the job of the Business Administrator and C.F.O. and asked them to do so. After his remarks he said that he would be voting no.

Councilman Henry stated that he will be voting to approve the amendment, with the understanding that the Business Administrator and C.F.O. will continue to work on this budget and get it down another penny or two if possible. He asked that every line item be looked at. He felt after the last budget meeting that there could be more cuts.

Councilman Perrette stated that he believes that the budget is in very capable hands of Mr. Bertrand and Mr. Kronowski. He said that he looks to them for guidance on what can be cut, changes, etc. He reminded everyone the terrible year the borough had last year with last minute cuts from the State and how they were able to come up with 2.3 million dollars in savings and they accomplished that as well as working with the Board of Education in reducing their budget, which in turns reduces the burden on the taxpayer. He explained that they cut this year's proposed budget from five cents to four cents and how much that would mean to the taxpayers. He said that this year's budget figure is even lower than last year's budget and that he is comfortable with cutting this budget from the five cents to four cents.

Roll Call: Councilpersons Bella Nay;  
Eicher Ayes;  
Henry Ayes;  
Kelly, Ayes;  
Perrette, Ayes.

- **INTRODUCTION OF ORDINANCE(s): (none)**

- **PUBLIC PORTION**

Acting Mayor Kelly opened the meeting to the public for any and all questions or comments.

There were no appearances.

Councilwoman Eicher moved to close the Public Portion. Seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION ITEMS - (None)**

- **ADJOURNMENT**

No further business.

Councilwoman Eicher made a motion to adjourn. Motion seconded by Councilman Bella.

Roll Call: Voice vote, all Ayes.

Time: 6:27.

SIGNED:

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Theresa A. Farbaniec, Municipal Clerk

7/19/11  
Date Approved