

Combined Meeting of the Mayor and Borough Council held on December 17, 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:**

Present: Councilpersons Bella, Buchanan, Eicher, Henry, Novak,
Perrette via conference phone call.

Absent: Councilman Perrette (participated via phone)

Others Present: Mayor Kennedy O'Brien
Business Administrator Daniel Frankel
CFO Wayne Kronowski
Municipal Clerk Theresa Farbaniec
Engineer Jay Cornell
Attorney Michael DuPont

Absent: None

Mayor called for a moment of silence for the victims, family members and friends involved in the tragic shooting at the Sandy Hook Elementary School in Newtown, Connecticut.

• **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Councilwoman Eicher moved the following minutes of the Mayor and Council be approved subject to correction if necessary:

- Receipt of Bids - October 2, 2012 (Rear Loader Sanitation Truck)
- Combined Meeting - October 9, 2012
- Executive Session - October 9, 2012
- Receipt of Bids - October 16, 2012 (Major Drive Water System Improvement)

Motion was seconded by Councilman Buchanan.

Roll Call: Voice vote, all Ayes. Carried.

PROCLAMATION-

Mayor Called upon Mrs. Brady and her winning Green Team from the Upper Elementary School for the presentation of the following Proclamation issued by the governing body congratulating the Samsel Upper Elementary School Administration, Staff and Students as this year's institution award recipient by the DEP and Association of NJ Recyclers as they were honored as the State's recycling leaders.

The students gave a brief presentation followed by the Mayor reading the following proclamation into record.

PROCLAMATION

WHEREAS, Recycling should be an integral part of everyone's life; and

WHEREAS, as we celebrate the 25th anniversary of the state's mandatory recycling law, recycling still remains one of the best ways for all of us to be actively engaged in protecting the environment and our natural resources; and

WHEREAS, New Jersey became the first state to require recycling with the passage of the New Jersey Statewide Mandatory Source Separation and Recycling Act in 1987; and

WHEREAS, the Christie Administration has developed policies to boost current recycling and adapt recycling strategies to match modern lifestyles; and

WHEREAS, the DEP promotes participation in recycling programs; and

WHEREAS, the administration, staff and students at Samsel Upper Elementary School in Sayreville have spearheaded a bottle cap recycling program, a composter recycling project and a waste-free lunch program. As a result of the waste-free lunch program, students are using more reusable containers and recycling their paper bags. The faculty also uses reusable lunch bags, coffee mugs and thermoses. The school's recycling efforts are paying off, with a dramatic increase in the amount of paper and cardboard recycled.

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, congratulate Samsel Upper Elementary School administration, staff and students as this year's institution award recipient by the DEP and Association of New Jersey Recyclers as they are being honored as the state's recycling leaders who serve as an inspiration for all of us to recycle as much as possible at home and at work.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 17th day of December, 2012 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien

Attest:

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

Councilman Buchanan moved the Mayor's Proclamation be approved on roll call vote. Seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes. Carried.

PRESENTATION-

- **Certificate of Recognition** presented to Ed Koskowski in recognition for his raising awareness to the destruction of Hurricane Sandy and its affects to the residents of Sayreville, as he ran/walked over 200 miles from High Point State Park to Cape May. As a result of the proceeds he presented the Mayor with a check in the amount of \$3,000.00.

- **Police Chief and School Superintendent Dr. Alfano**

Police Chief said that on behalf of himself and his department he expressed their sympathy to the parents and victims in Newtown Connecticut, stating what a tragedy occurred in this town and that it is one they do not want to see repeated and that is why he is here tonight. He wanted to assure everyone that the Sayreville Police Department and the Sayreville Board of Education, administrators and homeland security are doing all they can to ensure that our schools are a safe place to learn, have fun and enjoy themselves. He said that this plan has been going on for years. Starting in 2007 the Attorney General's office established mandate that the schools and police department work in conjunction and cooperation together to make sure that the schools are safe and we still do that. There are plans in place that are utilized every day. These plans get looked at and revised to make sure they are proper for us. They go through great lengths to train their officers, administrators and even students to make sure that everything is as safe as possible. The chief explained everything that gets looked at and updated constantly to the changing needs making sure that the schools are secure as possible which needs the appropriate balance through constant drills. This is all done in conjunction with Dr. Alfano, the administrators, teachers and their training. All employees get training and the students will tell you that they practice all types of drills. He assured everyone that everything that needs to be done is being done for our school system. He recommended that the parents speak to their children and monitor what they are watching on tv and be aware that they will have reactions to what happened. He explained what and how they should ask questions. He reminded everyone that there is plenty of different types of media giving information and asked that they use them. He suggested everyone sign on with NIXLE, police department web site the borough web site and facebook as information is key.

Dr. Alfano addressed the council and public stating that Mr. Eck and himself have been working on these issues for approx. 10 years. He implored to everyone that their number one priority is the safety of the children and there is nothing more important. He stated that this was a horrific act and has effected all of us. He commented on what the teachers and staff of that school did and they acted instinctively. They did things because they care about those children and because they were trained. He expressed that because of the Chief, Barry Eck, the Administrators and the Governing Body the children of Sayreville are safe and will do everything possible to make it even safer.

Barry Eck, OEM Director re-caped what the chief and Dr. Alfano said – He reminded everyone that our teachers are with our children more than we are. He reviewed the drills and how perfect they have become over the years, they are trained.

Mayor asked Mike Macagnone to speak on behalf of the Board of Education.

Mr. Macagnone said that he has the utmost confidence in the chief, his patrols and Mr. Eck to keep our schools safe. He agreed that we are doing the best we can with these schools being built in the 1970's and were designed to let people in and out and they are doing the best they can to keep them secure. He said that the new schools now are looked at by the

Dept. of Homeland Security. He outlined that at tomorrow's Board of Education Meeting they will be going over the same issues for the public.

Mayor thanked them for their presentation and comments.

- **SAIC representative Simon Carlisle to present proposal for FEMA oversight.**

- The topic will be Long Term Recovery Operation with FEMA
Mr. Simon Carlisle explained their company's background and their involvement with other communities nationally during and after disasters. He explained the proposed program and services they can provide Sayreville during the long term disaster recovery and fielded questions of the council.
He also explained their involvement with the clean-up process thus far.

After the presentation the Mayor said that it would be incumbent upon the Borough to interview several companies offering these services before contracting with one.

Mayor asked if all were in agreement with this process. Councilman Henry's concern was that the process moves quickly.

- **PRESENTATION OF PLAQUES TO OUTGOING COUNCILMAN FRANK BELLA AND COUNCILMAN NICHOLAS PERRETTE.**

At this time Mayor O'Brien presented Councilman Frank Bella with a plaque signed by the governing body.

- ❖ **COUNCILMAN FRANK BELLA FOR HIS DISTINGUISHED SERVICE AS A MEMBER OF THE SAYREVILLE BOROUGH COUNCIL FROM 2010 THRU 2012.**

Councilman Bella thanked the Mayor and Council expressing that he enjoyed his time as a councilman and although it has been confrontational at times he felt that he has always done what was best for the people of Sayreville. He said that he feels that he is leaving with his head held high and that he did some good for the town. Thank you.

- ❖ **COUNCILMAN NICK PERRETTE FOR HIS DISTINGUISHED SERVICE AS A MEMBER OF THE SAYREVILLE BOROUGH COUNCIL FROM 2010 THRU 2012.**

Councilman Perrette thanked the people of Sayreville. He said that he lives in a great town and it has been his honor to serve. He said that he will still be available for questions and help that may be needed. He thanked everyone who works for Sayreville and the people that live in Sayreville. He said that he is so proud to have served and hoped that he made a difference. Thank you.

The Mayor went on to say that there have been over 400 families who were removed from their homes due to the storm and about 100 families from Winding Woods are back in and about 300 or so Sayreville proper residents are still affected. He said how important it was when filing your FEMA Application you MUST ALSO file a SBA Loan application. Both of these applications have to be filed together, before January 1st.

CLOSED SESSION – (none)

OLD BUSINESS

- a) Public Hearing on the following Ordinance(s):

Mayor O'Brien opened the meeting to the Public for questions or comments on **Ordinance #203-12.**

There were no appearances:

Councilwoman Novak moved the Public Hearing be closed, the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilman Buchanan.

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

ORDINANCE # 203-12

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO NEW JERSEY NATURAL GAS COMPANY TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF NATURAL GAS DISTRIBUTION FACILITIES ON PUBLIC PROPERTY IN THE BOROUGH OF SAYREVILLE IN ORDER TO FURNISH NATURAL GAS SERVICE TO BLOCK 49.01, LOT 1

SUMMARY

An Ordinance granting municipal consent to New Jersey Natural Gas Company to extend natural gas service and its facilities in the Borough of Sayreville in order to provide natural gas services to the site known as Block 49.01, Lot 1 (832 Red Oak Lane) and owned by Red Oak Power, LLC.

WHEREAS, the Borough of Sayreville ("Borough"), Middlesex County, New Jersey is desirous of New Jersey Natural Gas Company ("Company") providing natural gas services to the site known as Block 49.01, Lot 1 (Red Oak Lane area) and owned by Red Oak Power, LLC; and

WHEREAS, the Company is a regulated public utility corporation of the State of New Jersey presently seeking the municipal consent of the Borough to permit said Company to extend natural gas service and its facilities in the Borough; and

WHEREAS, the Company has requested the consent of the Borough to lay, maintain and operate its conductors, mains, metering stations and pipes, together with the appurtenances thereto in the public roads, streets and public places and restore such public roads, streets and public places, free from all charges to be made for said privilege (except fees for road opening permits shall be paid), provided that said pipes shall not in any way unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property; and, the Borough desires and permits the Company to construct and maintain such required facilities on and along roads, streets and public places in the Borough at locations necessary to provide natural gas service to Block 49.01, Lot 1 to be agreed to between the Borough and the Company; and

WHEREAS, the Company has agreed that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the roads, streets, or public places shall be restored to the same condition as existed prior to the opening thereof; and the Company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner.

WHEREAS, it is deemed to be in the best interest of the citizens of the Borough with regard to the entire municipality to provide this consent.

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

Section I: That the Borough hereby grant to the Company, its successors and assigns, for a term of fifty (50) years, the municipal consent without charge therefore, (except fees for road opening permits shall be paid) as the same may be required in order to permit the said Company to add to, extend, operate and maintain said natural gas facilities on public property in order to provide natural gas service to Block 49.01, Lot 1. The privilege granted herein shall include the construction, installation and maintenance of facilities, including, but not limited to, a metering station, on and along the Borough's roads, streets and public places at locations as the Borough shall designate from time to time.

Section II: That a certified copy of this Ordinance, upon final passage, shall be sent to the Company.

Section III: That the consent granted herein shall be subject to the Company complying with the applicable Borough, State of New Jersey Statutes and any New Jersey administrative agency's rules and regulations which apply to the subject matter of this Ordinance; and, that the Mayor and the Clerk of the Borough be authorized to execute the documents and agreements necessary to effectuate the municipal consent and to protect the rights of the public involved.

Section IV: This ordinance shall not take effect until it is approved by the Board of Public Utilities of the State of New Jersey.

Section V: All Ordinances and parts of Ordinances inconsistent herewith are hereby modified to achieve consistency with the foregoing municipal consent.

Section VI: Severability and Effectiveness Clause

If any sentence, paragraph or section of this ordinance, or the application thereof to any persons or circumstances shall be adjudged by a Court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this ordinance.

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

ATTEST:

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

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Mayor O'Brien opened the meeting to the Public for questions or comments on **Ordinance #204-12.**

There were no appearances:

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

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

ORDINANCE # 204-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER X OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
CHAPTER X – PERSONNEL POLICIES
(Residency Requirements)

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, State of New Jersey, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

10-1 – Personnel Policies

10-1.1 General Policies

d. Notwithstanding any other rules or regulations, the Borough shall give first preference in the hiring of new personnel to applicants residing within the Borough.

e. All personnel hired on or after the adoption of this section shall be required to maintain residence within the Borough unless specifically exempted by State Statute.

10-2 APPOINTMENTS

10-2.3 Preference to Borough Employees and Residents

Provided they are qualified for the positions for which they have applied, preference shall be given in appointments to vacancies and new positions, first to employees of the Borough and second to persons who are residents of the Borough at the time of their appointment. The Mayor and Council may by ordinance provide that all officers and employees shall be residents of the Borough.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter X**, entitled **Personnel Policies**, of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect such 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/ Mary J. Novak, Councilwoman
(Sponsor)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

NEW BUSINESS:

- a. Introduction of the following Ordinance(s): (none)

CONSENT AGENDA/RESOLUTIONS

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

Those appearing were:

- Frank Mazzaroni, William Street
Resolution #2012-303, felt that the borough should move forward with the repairs to William Street, as stated in this resolution.

Councilman Buchanan asked that Resolution #2012-314 be held.
Clerk said that there needs to be a motion.

Councilwoman Eicher made a motion to Table Resolution #2012-314.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry.

Nays: Councilpersons Novak, Perrette.

Clerk announced that the motion passed tabling Resolution #2012-314.

No further questions or comments.

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

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

RESOLUTION #2012-291

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

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

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

/s/ Kennedy O'Brien
Mayor

/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

/s/ Mary J. Novak
Councilwoman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of December 17, 2012, in the amount of \$14,928,829.95
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

RESOLUTION #2012-292

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2012 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Human Resources (1105-108-1-1002)	\$ 10,000	\$
Annual Audit (1135-111-2-2010)	10,000	
Tax Collector (1145-125-2-9010)	2,000	9,000
(1145-125-2-9011)	3,000	
Board of Adjustment (1185-160-2-3123)		2,000
Construction Code (1195-330-1-1301)		2,000
(1195-330-2-3120)	1,000	
(1195-330-2-9060)	1,000	
Group Insurance (1220-205-2-8020)	36,500	
Police (1240-310-1-1002)		10,000
School Crossing Guards (1240-315-1-1201)	25,000	
Police Dispatch (1250-314-1-1002)	50,000	
Fire Department (1265-301-2-10110)		20,000
Road Department (1290-401-1-1002)		30,000
Garbage & Trash Removal (1305-501-1-1002)		80,000
Shade Tree Commission (1300-180-2-2030)		500
Public Building & Grounds (1310-150-1-1002)	20,000	
(1310-150-2-11080)		20,000
Vehicular Maintenance (1315-550-1-1002)	50,000	
(1315-550-2-18310)		10,000
Commuter Parking (1414-414-2-1)		10,000

Electricity (1430-930-2-18150)	20,000	
Telephone (1440-940-2-18310)		5,000
(1440-940-2-18311)		5,000
Gasoline (1460-415-2-9160)		70,000
Public Employees Retirement System (1471-4010-2-1)	25,000	
	<u>\$263,500</u>	<u>\$263,500</u>

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

ATTEST: _____ BOROUGH OF SAYREVILLE

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

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RESOLUTION #2012-293

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$3,750.00, which item is now available as a revenue from the New Jersey Division of Highway Safety Click It or Ticket Program ; and

SECTION 2.

BE IT FURTHER RESOLVED that the sum of \$3,750.00 be and the same is hereby appropriated under the caption of:

"Click It or Ticket Program"

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Highway Safety, in the amount of \$3,750.00.

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

ATTEST: _____ BOROUGH OF SAYREVILLE

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

RESOLUTION #2012-294

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$40,278.56, which item is now available as a revenue from the New Jersey Department of Transportation Highway Safety Fund program; and

SECTION 2.

BE IT FURTHER RESOLVED that the sum of \$40,278.56 be and the same is hereby appropriated under the caption of:

"N.J.D.O.T. Highway Safety Program-Safe Corridors"

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Department of Transportation, in the amount of \$40,278.56.

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

ATTEST: _____ BOROUGH OF SAYREVILLE

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

RESOLUTION #2012-295

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

BE IT FURTHER RESOLVED that matching funds in the sum of \$2,000.00 required by the aforementioned grant will be provided from the appropriation within 2012 Current Fund the above is the result of funds from the Middlesex County the 2012 Current Fund Budget Entitled "Matching Funds \$2,000,00".

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-297

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$8,030.65 which item is now available as a revenue from the New Jersey Division of Criminal Justice Body Armor Grant; and

SECTION 2.

BE IT FURTHER RESOLVED that the sum of \$8,030.65 be and the same is hereby appropriated under the caption of:

"Body Armor Grant"

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Criminal Justice in the amount of \$8,030.65.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-298

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and he hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and his signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and he hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amounts as he may determine at not less than par and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 8. The Borough intends to issue the Notes in order to finance the cost of the special emergency appropriation for the purposes of providing funds for the response to the extraordinary expenses resulting from damage caused to streets, roads and other public property by Hurricane Sandy. The Borough expects that the maximum principal amount of notes which will be issued to finance such costs is \$2,500,000. If the Borough incurs any such costs prior to the issuance of the Notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the Notes.

SECTION 9. The Notes may be renewed from time, but at least 1/5 of such Notes, and the renewals thereof, shall mature and be paid in each year so that all Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of the adoption of this resolution.

SECTION 10. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.

SECTION 11. This resolution shall take effect immediately.

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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Exhibit A

No. 2012-__ CUSIP _____

UNITED STATES OF AMERICA STATE OF NEW JERSEY

BOROUGH OF SAYREVILLE
in the County of Middlesex, New Jersey

SPECIAL EMERGENCY NOTE

The BOROUGH OF SAYREVILLE, a municipal corporation of the State of New Jersey (the "Borough"), for value received promises to pay to the bearer of this Note, or if it be registered other than to bearer, to the registered owner hereof, in lawful money of the United States of America, the sum of _____ DOLLARS (\$_____) together with interest thereon from the date hereof at the rate of _____ per centum (___%) per annum, on _____, 201_, upon presentation and surrender of this Note at the office of the Chief Financial Officer of the Borough, Sayreville, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the "Notes") kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey, and two resolutions adopted by the Borough Council of the Borough. This Note is a Special Emergency Note. This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding one year.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of th

IN WITNESS WHEREOF, the BOROUGH OF SAYREVILLE, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the ____ day of December, 2012.

ATTEST: (SEAL) _____ CLERK OF THE BOROUGH COUNCIL	BOROUGH OF SAYREVILLE _____ MAYOR _____ CHIEF FINANCIAL OFFICER
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CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough Council of the Borough HEREBY CERTIFIES that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of notes of which the within note is one is available for inspection at the Office of the Chief Financial Officer of the Borough and a copy thereof may be obtained by the owner hereof upon request.

CLERK OF THE BOROUGH COUNCIL

REGISTRATION CERTIFICATE

It is hereby certified that the within note is registered as to principal and interest as follows:

Date of Registry by	Name of Registered Holder	Registered
_____	_____	_____
_____	_____	_____

RESOLUTION #2012-301

RESOLUTION OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 AND 40A:4-48 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM HURRICANE SANDY; AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES IN THE AMOUNT OF \$100,000 TO FUND THE EMERGENCY APPROPRIATION; AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE

WHEREAS, an emergency has arisen with respect to Hurricane Sandy and no adequate provision was made in the 2012 budget for the aforesaid purpose; and

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain expenses incurred as a result of Hurricane Sandy requiring the appropriation of funds of the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Borough"), in the amount of \$100,000; and

WHEREAS, N.J.S.A. 40A:4-46 provides that it shall be lawful to make such appropriation for a purpose which was not foreseen at the time of adoption of the budget and which is necessary to protect or promote the public health, safety, morals or welfare or to provide temporary housing or public assistance prior to the next succeeding fiscal year; and

WHEREAS, the total amount of the emergency appropriations, including the emergency appropriation authorized by this resolution is \$100,000, which is less than three percent (3%) of the total current and utility operation appropriations made in the budget for 2012; and

WHEREAS, N.J.S.A. 40A:4-51 authorizes the Borough to issue emergency notes in order to fund an emergency appropriation; and

WHEREAS, the Borough hereby desires to make an emergency appropriation and authorize emergency notes in order to fund such appropriation;

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

SECTION 1. Pursuant to N.J.S.A. 40A:4-48, an emergency exists as a result of Hurricane Sandy which requires a supplementary appropriation be made by the Borough.

SECTION 2. An emergency appropriation is hereby made in the amount of \$100,000 expenses related to (a) running a shelter for the temporary housing of residents of the Borough and (b) emergency personnel required in order to protect and promote the public health and safety of the residents of the Borough. The \$100,000 appropriated herein is sufficient to fund the emergency.

SECTION 3. The emergency appropriation set forth herein shall be provided for in full as a deferred charge in the 2013 budget of the Borough, except to the extent, if any, that provision for paying, funding or refunding the emergency appropriation or financing the purpose of the expenditures pursuant thereto shall previously have been made by authorization of bonds pursuant to N.J.S.A. 40A:2-3.

SECTION 4. Due to the state of emergency declared by Governor Christie, said emergency appropriation is requested to be excluded from the Borough's "CAP" under the Local Budget Law.

SECTION 5. That Emergency Notes (the "Notes") in an amount of \$100,000 are hereby authorized to be issued. The Notes shall be issued in one series and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue and maturity, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey (the "Local Budget Law"). The Notes shall be entitled "Emergency Notes, Series 2012" or any other designation determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer").

SECTION 6. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 7. That the Chief Financial Officer be and he hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and his signature upon the Notes shall be conclusive as to such determinations.

SECTION 8. That the Chief Financial Officer be and he hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amounts as he may determine at not less than par and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 9. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 10. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 11. That the Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 12. The Borough intends to issue the Notes in order to finance the cost of the emergency appropriation for the purposes of providing funds for the response to Hurricane Sandy. The Borough expects that the maximum principal amount of notes which will be issued to finance such costs is \$100,000. If the Borough incurs any such costs prior to the issuance of the Notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the Notes.

SECTION 13. The Notes may be renewed from time, but the Notes (and any renewals thereof) shall mature on or before December 31, 2013.

SECTION 14. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.

SECTION 15. This resolution shall take effect immediately.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

Exhibit A

No. 2012-__

CUSIP _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

BOROUGH OF SAYREVILLE
in the County of Middlesex, New Jersey

EMERGENCY NOTE, SERIES 2012

The BOROUGH OF SAYREVILLE, a municipal corporation of the State of New Jersey (the "Borough"), for value received promises to pay to the bearer of this Note, or if it be registered other than to bearer, to the registered owner hereof, in lawful money of the United States of America, the sum of _____ DOLLARS (\$____) together with interest thereon from the date hereof at the rate of _____ per centum (___%) per annum, on _____, 2013, upon presentation and surrender of this Note at the office of the Chief Financial Officer of the Borough, Sayreville, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the "Notes") kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey, and a resolution adopted by the Borough Council of the Borough. This Note is an Emergency Note. This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding past December 31, 2013.

December 17, 2012

Combined Meeting

538

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of the State of New Jersey.

IN WITNESS WHEREOF, the BOROUGH OF SAYREVILLE, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the ___ day of December, 2012.

ATTEST: BOROUGH OF SAYREVILLE
(SEAL)

CLERK OF THE BOROUGH COUNCIL

MAYOR

CHIEF FINANCIAL OFFICER

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough Council of the Borough HEREBY CERTIFIES that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of notes of which the within note is one is available for inspection at the Office of the Chief Financial Officer of the Borough and a copy thereof may be obtained by the owner hereof upon request.

CLERK OF THE BOROUGH COUNCIL

REGISTRATION CERTIFICATE

It is hereby certified that the within note is registered as to principal and interest as follows:

Date of Registry	Name of Registered Holder	Registered by
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

AFFIDAVIT OF CHIEF FINANCIAL OFFICER OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS TO EMERGENCY APPROPRIATION

I, Wayne A. Kronowski, the Chief Financial Officer of the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Borough"), hereby certify as of December 17, 2012 that:

1. Hurricane Sandy caused extensive damage to the residents and the facilities of the Borough.
2. The purpose of the emergency appropriation is to provide funds which were needed to promote the public's health and safety, including without limitation, running a shelter for the temporary housing of residents of the Borough and providing additional emergency personnel.
3. Hurricane Sandy began on October 29, 2012.
4. The Borough has awarded and/or placed purchase orders placed in connection with this emergency appropriation.

/s/ Wayne A. Kronowski
Chief Financial Officer

RESOLUTION #2012-302

WHEREAS, on November 20, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "Ernstons Road Sidewalk Improvement"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 17th day of December, 2012 that:

1. Contract for the "Ernstons Road Sidewalk Improvements" be awarded to A-Team Concrete, Inc., 104 George Street, South River, NJ on their bid price of \$113,389.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities and the concurrence of the award of contract by the New Jersey Department of Transportation.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-303

WHEREAS, on November 20, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "Improvements to William Street"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 17th day of December, 2012 that:

1. Contract for the "Improvements to William Street" be awarded to CRC General Contractors, Inc., 137 ½ Washington Avenue, Belleville, NJ on their bid price of \$589,286.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Mary I. Novak, Councilman
(Public Works Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-304

WHEREAS, on November 27, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "One (1) New Pumper Fire Truck"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 17th day of December, 2012 that:

1. Contract for the "One (1) New Pumper fire Truck" be awarded to Pierce Fire & Safety, 2600 American Drive, Appleton, WI on their bid price of \$590,767.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/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 #2012-305

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Painting of the Ernston Road Water Tank and the Construction of a Booster Pump Station and that he be paid for said services at a fee not to exceed \$75,000.00.

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

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-306

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Electrical Modifications to the South River Pump Station and that he be paid for said services at a fee not to exceed \$18,500.00.

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

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

(Pocket License)

RESOLUTION #2012-307
RESOLUTION OF THE COUNCIL OF THE
BOROUGH OF SAYREVILLE TO RENEW
P.R.C.L. #1219-33-040-006, KAMLESH H. PATEL
FOR THE 2012-2013 LICENSE YEAR

WHEREAS, Kamlesh H. Patel, is the holder of Plenary Retail Consumption License No. 1219-33-040-006 (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 2012-2013 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 2012-2013 license term; and

WHEREAS, on October 26, 2012, Michael I. Halfacre, 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. 09-12-7832 for a one-year period, covering the 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 2012/2013 license term and to grant or deny said application in the reasonable exercise of its discretion;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED THAT Plenary Retail Consumption License Number 1219-33-040-006, Kamlesh H. Patel (pocket license) is hereby renewed for the 2012-2013 license year.

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 the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street
P. O. Box 087
Trenton, New Jersey 08625-0087

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

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

ATTEST: _____ BOROUGH OF SAYREVILLE

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

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RESOLUTION #2012-308
A RESOLUTION AUTHORIZING THE SALE OF
CERTAIN REAL PROPERTY, DESIGNATED AS
BLOCK 356, LOTS 51 & 52, AT PRIVATE SALE TO THE
HIGHEST BIDDER FROM AMONG THE OWNERS OF REAL
PROPERTY CONTIGUOUS TO EITHER LOT, OR, IN THE
ALTERNATIVE, OFFERING THE PROPERTIES FOR SALE
TO THE HIGHEST BIDDER

WHEREAS, the Borough of Sayreville is the owner of real property identified as Block 356, Lots 51 & 52, on the Tax Map of the Borough of Sayreville (hereinafter collectively the "Properties"); and

WHEREAS, the properties are vacant land and remain unused by the Borough; and

WHEREAS, the properties are not needed for any purpose by the Borough of Sayreville; and

WHEREAS, N.J.S.A. 40A:12-13(a) authorizes a municipality to sell real property owned by the Borough not needed for public use to a private person, if such sale is made to the highest bidder following public auction or the receipt of sealed bids; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) permits a municipality to sell real property not needed for public use to an owner of real property contiguous to the municipally owned property by private sale for not less than the fair market value of the real property, where such property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) requires that, when there is more than one owner of real property contiguous to the municipally owned property, the property be sold to the highest bidder from among such owners; and

WHEREAS, Lot 51 and 52 are each less than the minimum size required for development under the municipal zoning ordinance and without any capital improvement thereon; and

WHEREAS, the Borough has determined to sell the Properties together to one purchaser; and

WHEREAS, the Borough has determined that the fair market value of the properties is Eight Thousand (\$8,000.00) Dollars; and

WHEREAS, Robert Olson, the property owner of 103 Harding Avenue, in the Borough of Sayreville, and one of the adjacent owners of the subject property, submitted a bid of \$10,001.00; and

WHEREAS, the Borough of Sayreville accepted the bid of adjacent property owner, Robert Olson; and

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

SECTION I

Sale to Adjacent Property Owners Authorized.

Sale by the Borough of the Properties by private sale to the highest bidder from among the owners of real property contiguous to the Properties, pursuant to N.J.S.A. 40A:12-13(b)(5) is hereby authorized for a sum of Ten Thousand and One (\$10,001.00).

SECTION II

Conditions of Sale

A. Bidders are advised to conduct their due diligence prior to bidding. The Borough makes no representations as to the quality or marketability of its title to the Properties, and shall not be liable for any costs, fees, expenses, labor or time required to quiet title. The Borough will deliver an executed Deed to the purchaser in full satisfaction of the Borough's obligations.

B. The sale of the Properties shall be subject to imposition of deed restrictions prohibiting any and all new improvements on the Properties and prohibiting further subdivision of the Properties as outlined in Ordinance #199-12.

C. The purchaser shall bear all costs involved in the sale of the Properties, including the Borough's attorney's fees incurred in the negotiation and execution of the sale, and resolution of any issues that may arise between the acceptance of a bid for purchase of the property and the conclusion of the closing, and all closing costs incurred by the Borough.

D. The Borough has not utilized the services of a real estate broker, and shall not be responsible for any portion of any commission alleged to be due any real estate broker or authorized representative. All such costs shall be born exclusively by the purchaser.

E. The Properties shall be sold as is, and the Borough shall accept no responsibility or liability for any costs or expenses resulting from any latent or patent conditions of the Properties. Bidders are advised to conduct their due diligence prior to bidding.

F. The Borough reserves the right to reject all bids where the highest bid is not accepted or as may be in the best interest of the Borough.

G. If the successful bidder does not execute a contract of sale with the Borough within thirty (30) days following presentation of the contract for execution, the bidder's deposit shall be forfeited. Closing shall be scheduled for no later than ninety (90) days from the execution of a contract of sale.

H. All bids pursuant to N.J.S.A. 40A:12-13(a) must be accompanied by cash or certified check payable to the Borough in the amount of ten (10%) percent of the amount bid.

I. The sale shall be subject to the final approval of the governing body.

SECTION III

Authorization to Take Steps Necessary to Effectuate Sale.

The Borough Clerk, Borough Administrator, Mayor, and Borough Attorney are hereby authorized to take all steps necessary, and sign all documents required, to effectuate the sale of properties in accordance with the terms and conditions of this Resolution. Any advertisement for bids shall list all the Conditions of Sale set forth above.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012 - 309

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 CONTRACT WITH GTBM FOR AN ELECTRONIC TICKETING SYSTEM

WHEREAS, the Governing Body of the Borough of Sayreville acknowledges the need for the Borough of Sayreville to institute an Electronic Ticketing System in its' police vehicles; and

WHEREAS, the Governing Body of the Borough of Sayreville, after receiving various bids for Electronic Ticketing Systems has found that the services offered by GTBM best meet the needs of the Borough of Sayreville; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are authorized and directed to execute a contract with GTBM for an Electronic Ticketing System.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012 -310

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE AUTHORIZATION TO AWARD A CONTRACT TO PSE&G FOR THE INSTALLATION OF "GREEN SOLUTIONS" TO THE DEPARTMENT OF PUBLIC WORKS BUILDING, THE BOROUGH OF SAYREVILLE SENIOR CENTER AND CONSTRUCTION OFFICE.

WHEREAS, the Governing Body of the Borough of Sayreville acknowledges any and all measures for "green living" should be instituted in any and all properties owned by the Borough; and

WHEREAS, the Governing Body of the Borough of Sayreville deemed that the Department of Public Works and the Borough of Sayreville Senior Center and Construction Offices are viable locations to institute "Green Solutions"; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that on November 26, 2012 the Borough Council authorized Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk to execute a Contract with PSE&G for the installation of energy efficient measures at the Department of Public Works Building, Borough of Sayreville's Senior Center and Construction Offices.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

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RESOLUTION #2012 - 311

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE AUTHORIZATION TO AWARD A CONTRACT TO ASHBRIIT ENVIRONMENTAL FOR DEBRIS REMOVAL ANDSCIENTIFIC APPLICATIONS INTERNATIONAL CORP. FOR TASK MONITORING SERVICES

WHEREAS, the Governing Body of the Borough of Sayreville acknowledges that Super Storm Sandy left behind a huge quantity of vegetative debris in the Borough; and

WHEREAS, the Governing Body of the Borough of Sayreville deemed the hiring of AshBritt Environmental essential for the clean-up of said debris; and

WHEREAS, the Governing Body of the Borough of Sayreville also recognizes that it might be essential to the Borough to have help with additional trash pick-up; and

WHEREAS, the Governing Body of the Borough of Sayreville also recognizes that the hiring of Science Applications International Corp (SAIC) for Task Monitoring Services to oversee AshBritt Environmental debris removal was essential in order to comply with FEMA regulations; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that on November 26, 2012 the Borough Council authorized AshBritt Environmental to be awarded a contract for removal of storm debris at the estimated cost of \$105,000.00 and if necessary, authorized AshBritt Environmental to pick-up additional trash as needed per its State approved contract rate.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien

RESOLUTION #2012 - 312

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 CONTRACT WITH THE CENTRAL JERSEY JOINT INSURANCE FUND

WHEREAS, the Governing Body of the Borough of Sayreville acknowledges the need for the Borough of Sayreville to be protected through the purchase of liability insurance; and

WHEREAS, the Governing Body of the Borough of Sayreville, after reviewing membership documents and by-laws of the Central Jersey Joint Insurance Fund, and have deemed the Central Jersey Joint Insurance Fund the best choice to provide liability insurance to the Borough of Sayreville.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are authorized and directed to execute a Contract the Central Jersey Joint Insurance Fund for the purchase of liability insurance for the Borough of Sayreville.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-313

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

NAME OF APPOINTEE: Stephen Bakalchuk
POSITION: Laborer
DEPARTMENT: Public Works
EFFECTIVE: 12/26/12,
pending the results of background check

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-314-Tabled

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

NAME OF APPOINTEE: Kevin Pignataro
POSITION: Laborer
DEPARTMENT: Public Works
EFFECTIVE: 12/26/12,
pending the results of background check

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.

Mary J. Novak, Councilwoman
(Public Works Committee)

RESOLUTION #2012-315

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

NAME OF APPOINTEE: James Revel III
POSITION: Laborer
DEPARTMENT: Public Works
EFFECTIVE: 12/26/12,
pending the results of background check

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-316

WHEREAS, the Borough Clerk is in receipt of applications for renewal of licenses for the year 2013 covering the following:

- Barber & Beauty Shops
- Junkyards
- Private Horse Stable Operator
- Taxi Cab Owner/Operator
- Temporary Trailer

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council that applications for license renewals for the year 2012 for the aforementioned be and the same are hereby approved, subject to the completion of the proper paperwork.

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

BUSINESS SESSION

COMMUNICATIONS/COMMITTEE REPORTS

• **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Minutes & Departmental Reports:

Councilman Perrette moved the following Minutes and/or Reports be Received & Filed:

1. Municipal Clerk's report for the month of November, 2012.

- Motion seconded by Councilman Henry.

b) Received the following application(s) for Bingo/Raffle Licenses:

(Applications available upon request and are on file in the Clerk's Office)

- Sayreville War Memorial High School Choral Parents Association to conduct an on premise 50/50 Raffle (#RA:1781) and an On Premise Draw (Triky Tray #RA1782) on Feb 8, 2013.

- Application to amend Raffle License received from St. Stanislaus Kostka Church to change date to March 2, 2013 (RL:1762A).

- Application of Dwight D. Eisenhower PTO to conduct an On-Premise 50/50 and Tricky Tray on January 25, 2013 (RA:1779 & RA: 1780).

- Approve/Disapprove

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- c) Request from Joseph J. Kupsch, Tax Assessor to retain the services of an expert appraiser, Peter E. Sockler of Sockler Realty Services Group to provide complete summary appraisal reports for trial for six upcoming tax court matters.
-Approved/Clerk to Prepare Resolution.

d) Committee Reports:

- 1) Wished everyone a Merry Christmas and Happy New Year

- Signed off at 7:35 PM.

• **PLANNING & ZONING** – Councilman Henry

a) Minutes & Departmental Reports:

Councilman Henry moved the following Minutes/Reports be Received & Filed:

1. Construction Official's Report for the month of Nov. 2012.
2. Board of Adjustment Minutes of Sept. 26 & Nov. 28, 2012
3. Planning Board Minutes of October 17, 2012
4. Middlesex County Planning Board of October 9, 2012

- Motion seconded by Councilwoman Novak Henry.

b) Notice to Adjacent Property Owner –

- Application submitted by Bob Downey to convert Retail space to a bar facility (4 seats) which requires a Use Variance and Use and Parking Variance to convert existing storage area to retail, Block 92, Lot 148.01, 388 Washington Rd.
- Receive & File.

- Application submitted by Bhakti-Nidhi Temple, Inc. for a use variance and build variance and other relief to permit the construction of parsonage housing adjacent to the proposed Hindu Temple, premises at Lots 1.02 & 1.03, Block 208.

- Receive & File.

- Councilman Henry said that the Temple has been part of our community for quite some time and hopes that they continue to grow. He suggested that possibly our borough attorney could talk to them about the possibility of swapping land, which would give them the room to build something big, with better access. Something concussive to traffic flow and not be restrictive to with the rail road tracks, the high school, post office and the KOC.

c) Application received from Riverside Supply for the placement of **one (1) temporary office trailer** on 6 Washington Road, Block 62.02, Lot 3.

-Approved/Clerk to Prepare Resolution.

d) Received the Planning Board's response to Mayor & Council regarding recommendations made in a report received from the Zoning Review Board.

e) Committee Reports:

1. Councilman Henry thanked Councilman Bella and Councilman Perrette stating that it was a pleasure working with them and wished them luck.

• **PUBLIC SAFETY** – Councilman Bella

a) Minutes & Departmental Reports:

Councilman Bella made a motion to have the following reports/minutes be received and filed:

1. Fire Prevention Officer's report for the month of Nov. 2012.
2. Municipal Court Administrator's report for the months of October & November, 2012.
3. Board of Health & Registrar's report for the months of October & November, 2012.
4. Board of Health Minutes of October 4, 2012.

- Motion seconded by Councilman Buchanan.

b) Committee Reports:

1. Councilman Bella said that it has been an honor and a privilege to sit up here and work for the people of Sayreville. He said that he has enjoyed working with all of the council members. He thanked his colleagues and the people.

• **PUBLIC WORKS** – Councilwoman Novak

a) Minutes & Departmental Reports:

Councilwoman Novak made a motion to have the following reports/minutes be received and filed:

1. DPW-Parks Division, Garages Services, Sanitation and
 2. Recycling Coordinator reports for the month of October, 2012
 2. Rent Leveling Board Minutes of November 13 & Dec. 11, 2012
 3. Commission on Aging Minutes of Sept. 21 & Oct 19, 2012
- Motion seconded by Councilman Buchanan.

b) Correspondence received from the MCUA extending the deadline until Jan. 18, 2013 to return Middlesex County Landfill Disposal Agreements for the Borough of Sayreville.

- Need authorization to execute a Solid Waste Disposal Agreement for a three-year period at the rates proposed and offered in said agreement.

-Approved/Clerk to Prepare Resolution.

c) Committee Reports:

1. Councilwoman Novak wished Councilman Bella well. She said that it has been a pleasure working with him And hopes that he remains active. She also wished Councilman Perrette well and that it was a pleasure sitting next to him this past year.

• **WATER & SEWER** – Councilman Buchanan

a) Councilman Buchanan made a motion to have the following minutes/reports be received and Filed:

1. Water & Sewer Department Reports for the month of November, 2012.
- Motion was seconded by Councilwoman Novak.

b) Request for Authorization to extend the contract for Pump Maintenance and Well Redevelopment Services for an additional one year period with no additional cost to the borough.

-Approved/Clerk to Prepare Resolution.

c) Authorization for the Borough Clerk to advertise for the receipt of bids for Miscellaneous Water Department Supplies.

-Approved/Clerk to Prepare Resolution.

d) Committee Reports:

1) Reported that the Water Operating Plant on MacArthur Avenue was damaged during hurricane sandy and it had been previously discussed to revamp the old Water Treatment Plant to house these facilities there. There will be further discussion on this issue at the beginning of the year. Thanked Co. Bella for his service and wished him the best in his future and hoped that he would continue to be active in the borough. He also said that it has also been a pleasure working with Councilman Perrette, although they did not always see eye to eye, but they worked together when needed to. He wished everyone a Merry Christmas and Happy New Year.

• **RECREATION** – Councilwoman Eicher

a) Councilwoman Eicher moved the following minutes/reports be received and filed:

1. Recreation Director's reports for the months of October & November, 2012.
- Motion was seconded by Councilwoman Novak.

b) Committee Reports:

1. Thanked Jerry Ust and the Recreation Dept. for their participation in - the collection and distribution of toys.
2. Wished Councilmen Bella and Perrette the best in the future .
3. Thanked everyone who donated their time at the Relief Center, stating that there were over 1,000 and some are repeat helpers at the relief center.
4. Commented about the monies collected for Sayreville Storm Relief Victims and her concern about the distribution of the money.
5. Wished everyone a Merry Christmas and Happy New Year, Hanukkah and Kwanza-whatever holiday you may celebrate.
6. Congratulated the Sayreville Bomber Football Team on their three time State Championship.

- **MAYOR** – Kennedy O'Brien

1. Mayor commented that Sayreville had one terrible year and it was remarkable how everyone pulled together. He said that it was a remarkable demonstration of good neighbors, local heroes, from our first responders and up. He reminded everyone that these firemen were swimming in this cold dark dirty water mixed with raw sewerage to peoples houses to rescue them. Without complaint it was their duty. They are terrific people and residents. He also commented on the 1,000 people or so that donated their time. Good neighbors that watched out over each other. He said that he asked Catholic Charities to come to Sayreville to do a damage assessment. He said that Kimberly who has worked for Catholic Charities for years stated how remarkable Sayreville is.
2. Wished everyone a Merry Christmas and hoped for a better healthier New Year.

- **BUSINESS ADMINISTRATOR** – Daniel Frankel

- a. Review and discussion on the execution of an Easement and **Easement Agreement with Competitive Power Ventures, Inc.** and the Borough of Sayreville for the construction, maintenance, operation, repair, replacement and removal of electrical transmission lines and pipeline(s) and related facilities.

- Mr. Frankel recommended that the borough hire an appraiser to appraise this property and create value.

- Borough engineer stated that he would not be able to appraise this property as he is working on this project in Woodbridge, so it would be a conflict. He indicated however that this would be an alternate route. They are currently looking at a route that would run through the Woodbridge, Edison vicinity. The second option would be putting in a line under the river to tie into River Road.

Mayor asked if anyone had any comments. None

-Approval granted for appraisal.

- b. Authorization to enter into an Inter-local services agreement with the County of Middlesex for 2013 Public Health Services. Reso. for January 14, 2013)

-Approved/Municipal Clerk to prepare Resolution.

- c. Personnel – Executive Session.

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

- a. Transfer Resolution

- b. Bill List Resolution

- c. 2013 Temporary Budget Resolution

- d. Resolution Adopting Cash Management Plan and Designating Depositories

- e. Resolution Establishing Petty Cash funds for 2013

- f. 2013 Budget Preparation Update

- **ENGINEER -Jay Cornell**

- a. Ernston Road Sidewalk Improvements – Receipt of Bids (Report Attached)
- On tonight's Consent Agenda
- b. Improvements to William Street – Receipt of Bids (Report Attached)
- On tonight's Consent Agenda
- c. Purchasing of a New Pumper Fire Truck – Receipt of Bids (Report Attached)
- On tonight's Consent Agenda
- d. Purchasing of a New Rescue Boat and Trailer – Receipt of Bids (Verbal Report)
- No bids received, will re-advertise next year.
- e. Leasing of One (1) Location for Antennae Space on the Pulaski Avenue Water Storage Tank – Receipt of Bids (Verbal Report)
- No bids received, will re-advertise next year.

- **BOROUGH ATTORNEY - Michael DuPont**

- **PUBLIC PORTION**

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

Those appearing were:

- John LaPatriello, 3rd St., Sayreville
Questioned the rumors about combining the Sayreville Senior Center with the Recreation Dept.
-Councilman Henry responded that they are looking for ways to save money, but nothing had been decided.

Mr. LaPatriello asked if they would have the opportunity to be consulted on any such merger.

- Mayor O'Brien asked that the governing body make this promise to the Seniors.
- Councilman Bella said that this discussion goes back to the previous Director at the Senior Center and the Business Administrator and that at that time he made the recommendation that the two departments merge. That recommendation was never acted on. This was a cost savings recommendation to eliminate a director.
- Mayor said that back then the decision to do this was due to some vacancies and since that time they were filled so there would not be any cost savings. He asked the governing body to consult with the Sayreville Senior Center before any decision is made on this merger.
- Councilman Henry felt that it would be a great idea, but this was just in the exploratory stage.
- Councilwoman Eicher said that these items would be discussed during the budget process next year and it will be transparent. Nothing is happening yet.
- Mayor called for a straw vote of all those in favor in discussing any possible merger of the Sayreville Senior Center with any department in the borough and that the Seniors will be consulted and be part of the process.

Straw Vote: Councilpersons Bella, abstain as he would not be here next year.

Buchanan, Ayes;
Eicher, Ayes;
Henry, Ayes;
Novak, Ayes.

John LaPatriello said that the Senior Center is not secure.

- Mayor asked that the Police Chief speak with Mr. LaPatriello.

- Fran O'Connor, 84 Weber Avenue

Thanked Councilmen Bella and Perrette for their service and for Councilman Perrette's help on the Weber Avenue Committee.

Fran stated that she believes that Sayreville and the residents are in need of an outside agency to help us file and move along with the paperwork and buyout process. She said that her fear at this point is that there will be arguments raised with the Army Corps project and duplication of services. She said that these issues are already being raised. Ms. O'Connor felt that it was critically important that someone find out if we can move forward with this buy-out process without it being considered a duplication of the Army Corps project. She requested that someone from the borough send a letter confirming that this is not going to come down to a duplication of services. Because the worst that could happen is that the borough spend the money on a buy-out and this be dragged out for someone in the Federal Government to say sorry but Sayreville is ineligible and preclude us from participation in the hazard mitigation grant process.

-Mayor asked the Borough Attorney to send a letter to the two senators and congressman.

Mr. DuPont asked that she contact him in the morning.

- Charles Wojtaszek, Fire Chief
Thanked the resident and council for allowing him to serve as Fire Chief and wished everyone a very Merry Christmas.
- Lillian Lucas, Quaid Avenue
She complained that no one has been out to Quaid Ave. to clean the road after the storm and requested another street light because the road was very dark.
- Mayor asked the DPW go out and clean the roadway and that we apply to JCP&L for a survey of lighting in that area.

Mrs. Lucas asked if the Main Street By-Pass would be moving forward. As Brookside Ave. creek is not cleaned on a regular basis and affects their living and felt that the Main Street By-Pass would move it forward.

- The Borough Engineer responded that the borough has authorized the re-submission of the project so it is moving forward.

Mrs. Lucas questioned if they are changing the flood zones.

-The Engineer said that just this past week the State did issue new maps for construction. So if your house was damages and is going to be reconstructed as a result of the storm they have new elevations that they are recommending be followed for the reconstruction. Those maps were issued on Saturday and representative of FEMA will be coming to the borough to explain the process.

- Sharon _____ Quaid Avenue
She said that previous to the storm she was not in a flood zone but is now and asked if she will now be required to purchase flood insurance.
-Mayor said that she can also talk with the engineer and suggested that she have flood insurance.
Ms. Sharon then said that she agreed with Ms. Lucas about the ditch and that the ditch is also creating a mosquito problem.

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

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION - None

ADJOURNMENT

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:15 PM

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

3/11/13
Date Approved