

**Combined Meeting
of the
Township Council
of the
Township of Old Bridge**

March 24, 2008

A Combined Meeting of the Township Council of the Township of Old Bridge was held on March 24, 2008 in the Municipal Complex. The meeting was called to order at 7:30 p.m. by President Testino, who invited all to participate in a salute to the flag which was followed by a short prayer.

Moment of Silence.

President Testino requested a moment of silence in honor of those presently serving in the Armed Forces.

Stella Ward, Deputy Township Clerk, announced that pursuant to Section 5 of the Open Public Meetings Act this meeting has been advertised in the Home News and Tribune and that the next public meeting would be held on Monday, April 7, 2008 at 7:30 p.m. in the municipal complex.

Roll call by Deputy Clerk Ward showed the following answering present: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino. Councilwoman Panos was absent.

Minutes.

**RESOLUTION NO. 126-08
APPROVAL OF MINUTES**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

the following minutes are hereby approved:

February 11, 2008 - Combined Meeting

Moved by Councilman Butler, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
 President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

Presentation.

Certificates were presented to the Robin Special Olympics Speed Skating Team for a competition held on January 28 and 29, 2008 at the Mennen Arena.

Bill List.

**RESOLUTION NO. 127-08
BILL LIST**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Business Administrator has the responsibility of approving all vouchers subject to preaudit and control; and

WHEREAS, the Director of Finance is responsible for the preaudit, the disbursement of all monies and the control over all expenditures to ensure that the budget appropriations are not exceeded; and

WHEREAS, the finance committee of the Township Council has satisfied themselves in respect to the bill listing of March 24, 2008 that there exists a detailed bill or voucher supporting each payment and there is indication that goods or services have been received or rendered.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge that the bill listing of March 24, 2008 as approved by the Business Administrator after preaudit and control by the Director of Finance and after review by the finance committee be spread on the minutes in the amount of \$2,043,280.84 (Accounts Payable).

Moved by Councilman Butler, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 128-08
BILL LIST**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Business Administrator has the responsibility of approving all vouchers subject to preaudit and control; and

WHEREAS, the Director of Finance is responsible for the preaudit, the disbursement of all monies and the control over all expenditures to ensure that the budget appropriations are not exceeded; and

WHEREAS, the finance committee of the Township Council has satisfied themselves in respect to the bill listing of March 24, 2008 that there exists a detailed bill or voucher supporting each payment and there is indication that goods or services have been received or rendered.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge that the bill listing of March 24, 2008 as approved by the Business Administrator after preaudit and control by the Director of Finance and after review by the finance committee be spread on the minutes in the amount of \$906,550.34 (Payroll)

Moved by Councilman Butler, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 129-08
BILL LIST**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Business Administrator has the responsibility of approving all vouchers subject to preaudit and control; and

WHEREAS, the Director of Finance is responsible for the preaudit, the disbursement of all monies and the control over all expenditures to ensure that the budget appropriations are not exceeded; and

WHEREAS, the finance committee of the Township Council has satisfied themselves in respect to the bill listing of March 24, 2008 that there exists a detailed bill or voucher supporting each payment and there is indication that goods or services have been received or rendered.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge that the bill listing of March 24, 2008 as approved by the Business Administrator after preaudit and control by the Director of Finance and after review by the finance committee be spread on the minutes in the amount of \$20,425.96 (Overtime)

Moved by Councilman Butler, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

Preliminary public comment.

Mr. Seewald encouraged the Township Council to reconsider their vote on the Lombardi Field.

Mr. Rao encouraged the residents of the Township of Old Bridge for vote in the forthcoming Board of Education election.

Ordinance for Second Reading.

**TOWNSHIP OF OLD BRIDGE
ORDINANCE NO. 2008-06**

AN ORDINANCE OF THE TOWNSHIP OF OLD BRIDGE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP OF OLD BRIDGE NO LONGER NEEDED FOR PUBLIC USE AND SETTING TERMS OF SUCH SALE (BLOCK 25000, LOT 10.11 – VAN TINES LANE)

BE IT ORDAINED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey as follows:

Section 1. Purpose

The Township of Old Bridge is the apparent owner of certain properties known as Block 25000, Lot 10.11, on the Tax Map of Old Bridge. This land is no longer needed for public use and the Township Council desires to authorize the sale of the property at auction in accordance with all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) subject to the conditions listed herein.

Section 2. Authorization to Conduct Auction: Sale Price

The Township Administrator is hereby authorized to conduct an open public sale at auction to the highest bidder in accordance with N.J.S.A. 40A:12-13. The minimum price for the interest which is authorized to be sold under this ordinance is as follows:

Address	Block/Lot	Minimum Bid
39 Van Tines Road	Blk. 25000/Lot 10.11	\$290,000.00

Section 3. Notice of Sale

The Township Clerk shall cause the Notice of Sale and Public Notice to be provided in accordance with the statute.

Section 4. Other Terms and Conditions of Sale

1. The Township of Old Bridge makes no warranty concerning the marketability or the insurability of title to the said parcel. In the event title of the Township of Old Bridge to the said parcel, or portion thereof, is not marketable or insurable at regular rates by a reputable title insurance company licensed to do business in the State of New Jersey, a successful bidder's sole remedy shall be the right to demand the return of any deposit paid to the Township of Old Bridge.

2. At least fifteen (15) days prior to the date of settlement, the successful bidder will provide the Township Attorney with the following:

- a) Preliminary report of title with legal description; and
- b) Current survey.

3. At least ten (10 %) percent of the minimum sales price shall accompany the bid which may be by personal check. The balance of the bid price or purchase price shall be cash, certified or official bank check, payable at the time of transfer of title, but in no event later than ninety (90) days after the date of the land sale, except, in the event that the Township Attorney certifies to the Township of Old Bridge that questions of title exist, in which event payment shall be made within one hundred twenty (120) days after the date of land sale, unless further extended by resolution of the Township Council.

4. In the event the successful bidder shall fail to pay the balance as herein provided, the payment made at the time of sale shall be retained by the Township of Old Bridge as liquidated damages for the non-performance of said bidder. The Township of Old Bridge shall be entitled to rescind the prior bid approval and terminate any and all rights of the designated bidder in said property.

5. This property is being sold "as is". The seller does not make any claims or promises about the conditions or value of any of the property included in this sale. The successful bidder has inspected the property and relies on this inspection and any rights which may be provided for elsewhere in this ordinance.

6. The Township of Old Bridge reserves the right to reject any and all bids, including the highest bid.

7. The purchaser shall be responsible for terminating any and all existing tenancies.

8. The closing of title shall occur no sooner than ninety (90) days after the successful bid has been accepted by the Township Council.

9. The conveyance of this property shall be subject to a twenty (20) foot easement along the westerly property line in favor of the Township of Old Bridge for access to abutting township property to be recorded with the County Clerk.

10. The form of conveyance of said land by the Township of Old Bridge shall be a standard form of quit claim deed. The successful bidder shall notify the Township Attorney in writing of any specific request for designation of grantees in said Deed.

11. All sales and conveyances shall be subject to all covenants, conditions, encumbrances, easements, and restrictions, whether of record or not, as well as subject to all presently existing municipal rules, regulations and ordinances including the Zoning Ordinance and amendments hereto of the Township of Old Bridge. The sale of any parcel shall in no way bind the Township of Old Bridge to provide access or to improve presently existing accesses, whether there be public roads or not.

12. The Deed of Conveyance from the Township of Old Bridge to the successful buyer will contain the following restrictions, as may be applicable, which shall be specified in the terms of sale:

- (a) This property shall not be utilized for any purpose which is tax exempt from municipal property taxes unless the owner thereof shall pay an equivalent amount to the Township of Old Bridge which it would otherwise pay as municipal property taxes if the said use of the property was not tax exempt (municipal, school, county, fire district, etc. taxes). This payment in lieu of taxes shall be paid wholly to the Township of Old Bridge, and shall be a condition upon the sale and a restriction as to the use of the property which shall run with the land.
- (b) Any future sale of the property shall be subject to the restrictions enumerated herein.
- (c) The Township of Old Bridge shall have the right of first refusal should the property be put up for sale.

The Township Clerk shall make known the specific restrictions set forth in this section in the advertisement and invitation to bid and shall comply with the statute's direction to receive bids under "Option A and Option B" as provided in N.J.S.A. 40A:12-13. The Township of Old Bridge reserves the right to elect either or both options and the highest bid of each. Such acceptance or rejection shall be made not later than the second regular meeting of the governing body following the sale.

Section 5. Authorization to Execute Documents.

The Township Attorney, Mayor and Township Clerk are hereby authorized and directed to execute and deliver any document necessary to effectuate the subject conveyance.

Section 6. Inconsistent Ordinances.

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 7. Partial Invalidity.

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

Section 8. Effective Date.

This ordinance shall take effect twenty (20) days after publication thereof after final adoption, unless the Township Council shall adopt a resolution at final adoption declaring an emergency and at least two-thirds of all the members of the Township Council shall vote in favor of such resolution pursuant to N.J.S.A. 40:69A-181 and upon this ordinance taking effect shall not be retroactive.

Moved by Councilman Gillespie, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
President Testino

NAYS: None.

ABSENT: Councilwoman Panos.

**Prior to the roll call vote President Testino opened a public portion.
Seeing no hands President Testino closed the public portion.**

Ordinance for First Reading.

ORDINANCE NO. 2008-07

**AN ORDINANCE OF THE TOWNSHIP OF OLD BRIDGE AUTHORIZING THE
CONVEYANCE OF AN EASEMENT FOR REAL PROPERTY LOCATED AT
BLOCK 1, LOTS 54.11 AND 54.12 IN THE TOWNSHIP OF OLD BRIDGE,
COUNTY OF MIDDLESEX, TO THE OLD BRIDGE MUNICIPAL UTILITIES
AUTHORITY**

BE IT ORDAINED by the Township Council of the Township of Old Bridge,
County of Middlesex, State of New Jersey as follows:

SECTION 1: PURPOSE

The purpose of this ordinance is to authorize the conveyance of an easement for Lots 54.11 and 54.12 in Block 1 to the Old Bridge Municipal Utilities Authority for construction of a sewer line extension. The Township Council desires to authorize the conveyance of an easement to this property in accordance with the requirements of the Local Lands and Buildings Law (NJSA 40A:12-1 et seq)

SECTION 2: AUTHORIZATION TO CONVEY PROPERTY

The Mayor, Township Council and Township Attorney are hereby authorized to conduct a private conveyance of an easement to the Old Bridge Municipal Utilities Authority of the property known as Lot 54.11 and 54.12 in Block 1 for the sum of one dollar (\$1.00) and other valuable consideration, in accordance with NJSA 40A:12-13(b).

SECTION 3: NOTICE OF SALE

The Township Clerk shall cause the Notice of Sale and Public Notice to be provided in accordance with the statute.

SECTION 4: AUTHORIZATION TO EXECUTE DOCUMENTS

The Township Attorney, Mayor and Township Clerk are hereby authorized and directed to execute and deliver any document necessary to effectuate the subject conveyance.

SECTION 5: INCONSISTENT ORDANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6: PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

SECTION 7: EFFECTIVE DATE

A. Except as set forth at subparagraphs B and C hereof, this Ordinance shall take effect on the earlier of the following dates: (1) on the date the Mayor affixes his/her signature thereto and returns same to the Municipal Council by delivering it to the Municipal Clerk pursuant to NJSA 40A:69A-41 or (2) on the tenth day following presentment to the Mayor of the Ordinance pursuant to NJSA 40:69A-41 applicable when the Mayor has failed to return the Ordinance; whichever occurs first.

B. If the Mayor vetoes the Ordinance (in the manner set forth at NJSA 40:69A-41), this Ordinance shall become effective upon the Township Council's vote to override the Mayor's veto.

C. Notwithstanding any other provision hereof, this Ordinance shall not take effect less than twenty (20) days after its final passage by the Council and approval by the Mayor, where such approval is required, unless the Township Council shall have also adopted a resolution declaring an emergency and at least two thirds (2/3) of all the members of the council vote in favor of such resolution.

Moved by Councilman Butler, seconded by Councilman Volkert and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

Public comments limited to items listed on Consent Agenda.

Mrs. Miller commented that she fully supported the resolution opposing the abolishment of the NJ Department of Agriculture.

Seeing no additional hands President Testino closed the public portion.

Consent Agenda.

**RESOLUTION NO. 130-08
ACCEPTING THE RESIGNATION OF MARTHA GESIMONDO FROM THE
HUMAN RELATIONS COMMITTEE**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, Martha Gesimondo is a member of the Township of Old Bridge Human Relations Committee; and

WHEREAS, Martha Gesimondo wishes to resign as a member of the Township of Old Bridge Human Relations Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Township of Old Bridge, County of Middlesex, State of New Jersey, that the resignation of Martha Gesimondo as a member of the Old Bridge Township Human Relations Committee is hereby accepted and shall be effective as of March 24, 2008.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 131-08
SUPPORTING REDEVELOPMENT STUDY OF THE FORMER
HICKS AUTO BODY PROPERTY.**

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

WHEREAS, the Township of Old Bridge intends on redeveloping the property known as the former Hicks Auto Body, Block 1051, Lot 6.11; and

WHEREAS, the Township Council has determined that there has been or it suspects that there has been a discharge of hazardous substances or a hazardous waste on the property; and

WHEREAS, the Township of Old Bridge is applying from the Hazardous Discharge Site Fund for funding for the assessment and investigation of the former Hicks Auto Body, Block 1051, Lot 6.11 in order to determine the extent and/or existence of any hazardous substance or hazardous waste on said site.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that the Township of Old Bridge is committed to the redevelopment of the former Hicks Auto Body property (Block 1051, Lot 6.11) for the purpose of redeveloping the site for commercial purposes and finds that a realistic opportunity exists for the redevelopment of the former Hick's Auto Body property (Block 1051, Lot 6.11) within a three (3) year period after the completion of the remediation of this site.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 132-08
EMERGENCY APPROPRIATION**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, an emergency has arisen with respect to Snow Removal-Other Expenses, and no adequate provision was made in the SFY 2008 Budget for the aforesaid purpose; and

WHEREAS, N.J.S.A.40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is \$38,225.00 and three percent of the total operations in the budget for the year is \$1,156,096.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, New Jersey that in accordance with NJSA40A:4-58, an emergency appropriation be and the same is hereby made for:

Snow Removal - Other Expenses \$38,225.00

BE IT FURTHER RESOLVED, that said emergency appropriation shall be provided in the full SFY 2009 Budget.

BE IT FURTHER RESOLVED that three certified copies of this Resolution will be filed with the Director of Local Government Services.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
 President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 133-08
AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH CME
ASSOCIATES FOR DIGITAL TAX PARCEL MAPPING MAINTENANCE AND
MAPPING SUPPORT.**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Township of Old Bridge requires the services of a professional engineering firm to update and maintain the digital tax map files and maps which had previously been prepared and filed with the State and are currently under review; and

WHEREAS, the Township now needs to continue to update and maintain those maps as well as the original hand drawn, hard copy maps until the digital maps receive the final approval and seal from the Department of the Treasury; and

WHEREAS, CME ASSOCIATES located at 1480 Rt. 9, Howell, New Jersey 07731 is a licensed New Jersey Engineering firm which is recognized as capable and available to undertake such work; and

WHEREAS, the Township Council wishes to authorize a contract with CME Associates for purposes of providing the aforesaid professional engineering service.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey as follows:

1. A contract for professional services is authorized to be entered into with CME Associates located at 1480 Rt. 9, Howell, N.J. 07731 in the amount not to exceed \$39,345.00
2. The award of the contract is contingent upon the issuance of a Certification of Availability of Funds #1620 certifying the existence of sufficient appropriation to fund the said contract.
3. The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award.
4. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contract Law (NJSA40A:11-5(1)(A)(I) since the contract is for services performed by a person authorized by law to practice a recognized profession.
5. Notice of a contract for Professional Services shall be published in the official newspaper of the Township.
6. This contract shall be kept on record and on file in the office of the Township Clerk for public inspection.

This Resolution is conditioned upon the following:

- A. Formal execution of a contract approved by the Director of Law which is signed by the Mayor and Township Clerk.
- B. Issuance of a Certificate of Availability of Funds as aforesaid.
- C. Compliance by the vendor with signing the mandatory affirmative action language required by Law.
- D. Compliance by the Vendor with filing of Affirmative Action Form AA302 or AA201, or otherwise complying with affirmative action employee information reporting.

No contract shall be considered awarded unless, and until, the above requirements are executed.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

RESOLUTION NO. 134-08
AUTHORIZING CONTRACT TO MARK REMSA, P.P., CLA, AICP, ASLA FOR VARIOUS COAH PLANNING SERVICES INCLUDING BUT NOT LIMITED TO PREPARATION OF THE HOUSING ELEMENT AND FAIR SHARE PLAN TO SATISFY THIRD ROUND OBLIGATIONS SUBSTANTIVE CERTIFICATION.

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

WHEREAS, the Township of Old Bridge requires the services of a professional planning firm for the purpose of providing consultant services to the Township of Old Bridge for preparation of the Housing Element and Fair Share Plan to satisfy the Third Round obligation for substantive certification and other COAH planning services incidental thereto; and

WJEREAS. Mark Remsa, PO, CLA, AICP, ASLA, a licensed New Jersey firm, is recognized as capable and available to undertake such work; and

WHEREAS, Mark Remsa, P.P., CLA, AICP, ASLA, has received the recommendation of the Fair and Open Process Review Committee pursuant to the Fair and Open Process in accordance with Municipal Regulation 002-2006.

WHEREAS, the Local Public Contracts Law (NJSA40A:11-1, et seq) requires that a Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publically advertised; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey as follows:

1. Mark A. Remsa, POP, CLA, AICP, ASLA with principal offices located at 10 Dewberry Court, Mount Laurel, New Jersey 08054 be and hereby awarded a contract to prepare any required COAH reporting documents, reconcile any outstanding COAH expenses, and to prepare the Housing Element and Fair Share Plan to satisfy the Third Round obligation for substantive certification in an amount not to exceed \$20,000.00.
2. The award of the contract is contingent upon the issuance of a Certification of Availability of Funds # 1619 certifying the existence of a sufficient appropriation to fund the said contract.
3. The Mayor and township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award.

This Resolution is conditioned upon the following:

- A. Formal execution of a contract approved by the Director of Law which is signed by the Mayor and Township Clerk.
- B. Issuance of a Certificate of Availability of Funds as aforesaid.
- C. Compliance by the vendor with signing the mandatory affirmative action language required by Law.
- D. Compliance by the Vendor with filing of Affirmative Action Form AA302 or AA201, or otherwise complying with affirmative action employee information reporting.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

RESOLUTION NO. 135-08
REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT OF
APPROPRIATION PURSUANT TO NJS 40A:4-85

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

WHEREAS, NJS 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of NJS 40A:4-85, the Township of Old Bridge hereby requests the Director of the Division of Local Government Services to make the following correction in the SFY 2008 budget:

FROM:	MATCHING FUND FOR GRANT	\$800
TO:	RECREATION OPPORTUNITY FOR INDIVIDUAL WITH DISABILITY GRANT	\$800

BE IT FURTHER RESOLVED that the foregoing correction is in the opinion of the governing body warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of Old Bridge for the reasons set forth:

The Township of Old Bridge has received a notice of grant awarded under the DCA Recreation Opportunity Grant which requires township matching funds in the amount of \$800.00 and appropriation Matching Fund Grant was provided in anticipation of the required needs.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

RESOLUTION NO. 136-08
CHAPTER 159 - CLEAN COMMUNITIES GRANT

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

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

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS the Township of Old Bridge received \$60,528.75 for Clean Communities Entitlement and wishes to amend its SFY 2008 Budget to include this additional amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Old Bridge hereby requests the Director of the Division of Local Government Services to approve the following insertion of an item of revenue in the budget of the year SFY 2008.

CLEAN COMMUNITIES GRANT \$60,528.75

BE IT FURTHER RESOLVED that a like sum of \$60,528.75 and the same is hereby appropriated and is now available as revenue under the caption of

CLEAN COMMUNITIES GRANT

BE IT FURTHER RESOLVED, that the Clerk forward three (3) copies of this resolution to the Director of Local Government Services.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
 President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

**RESOLUTION NO. 137-08
APPROVING CAPITAL PROJECTS LIST AND DIRECTING
ADMINISTRATION AND BOND COUNSEL TO PREPARE A BOND
ORDINANCE**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Township Council has had an opportunity to review the SFY 2008 Capital Projects List as prepared by the Business Administrator; and

WHEREAS, the Business Administrator also made a presentation to the Council at the March 24, 2008 council meeting regarding the SFY 2008 Capital Projects List; and

WHEREAS, the Council approves the recommendations of the SFY 2008 Capital Projects List.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that the SFY 2008 Capital Projects List is hereby approved; and

BE IT FURTHER RESOLVED that the Administration is authorized to move forward with Bond Counsel to prepare a Bond Ordinance to accomplish the goals as set forth in the SFY 2008 Capital Projects List on file at the Office of the Township Clerk.

Moved by Councilman Calogera, seconded by Councilman Volkert and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
 President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

RESOLUTION NO. 138-08

**AUTHORIZING THE OLD BRIDGE TOWNSHIP POLICE DEPARTMENT TO
ENTER INTO TWO FY08 GRANT AGREEMENTS WITH THE STATE OF
NEW JERSEY OFFICE OF EMERGENCY TELECOMMUNICATIONS
SERVICES FOR FISCAL YEAR 2008**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Township of Old Bridge utilizes the Enhanced 911 System in our Township, and

WHEREAS, the Township of Old Bridge desires to enter into two Grant Agreements with the State of New Jersey, Office of Emergency Telecommunications Services for Fiscal Year 2008; and

WHEREAS, the Township of Old Bridge utilizes this funding to aid the PSAP in the ongoing cost of maintaining, replacing and purchasing of the equipment and service necessary to sustain the mandated enhanced 911 system as well as to insure the safety of the 64,151 residents of Old Bridge Township; and

WHEREAS, the Township of Old Bridge desires to assure the continued ability to maintain at least two fully equipped 9-1-1 answering positions and a minimum staffing level of two dedicated 9-1-1 call-takers/dispatchers around the clock; and

WHEREAS, although the Township of Old Bridge PSAP does not meet the new population minimum, the Township requests that it be considered eligible for a grant amount up to \$48,276.00 for the purchasing and replacing of equipment for its enhanced 911 system; and

WHEREAS, the Township of Old Bridge PSAP does not meet the new population minimum, the Township requests that it be considered eligible for a grant amount up to \$60,000.00 for the maintaining and servicing of this equipment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that the Township is hereby authorized to enter into the two Grant Agreements with the State of New Jersey, Office of Emergency Telecommunications Services for funding to aid the PSAP for the enhanced 911 system for the Fiscal Year 2008 as follows:

1. One grant in the amount of \$48,276.00 for the purchasing of equipment for its enhanced 911 system.
2. One grant in the amount of \$60,000.00 for the maintaining and servicing of the equipment for its enhanced 911 system.

Moved by Councilman Calogera, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Greene, Volkert,
President Testino.

NAYS: None.

ABSTAIN: Councilman Gillespie.

ABSENT: Councilwoman Panos.

RESOLUTION NO. 139-08
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A GRANT FROM
THE HAZARDOUS DISCHARGE SITE REMEDIATIONS FUND.

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

WHEREAS, Old Bridge Township has a number of abandoned facilities that have the potential for environmental liability associated with historic soil and/or groundwater contamination and the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority have a grant program available known as the Hazardous Discharge Site Remediation Fund that provides grants to municipalities to perform environmental investigations of these sites; and

WHEREAS, the former Hicks Auto Body (block 1051, Lot 6.11) is a site eligible to receive a grant from this Fund; and

WHEREAS, Remington & Vernick an engineering firm of the State of New Jersey has been retained by the Township of Old Bridge in regard to this matter.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that Remington & Vernick is authorized to prepare a grant application for the former Hicks Auto Body (Block 1051, Lot 6.11).

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the New Jersey Economic Development Authority and the New Jersey Department of Environmental Protection.

Moved by Councilman Butler, seconded by Councilman Calogera and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Greene, Volkert,
President Testino.

NAYS: None.

ABSTAIN: Councilman Gillespie

ABSENT: Councilwoman Panos.

RESOLUTION NO. 140-08
OPPOSING THE ABOLISHMENT OF THE NEW JERSEY
DEPARTMENT OF AGRICULTURE.

***BE IT RESOLVED** by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:*

WHEREAS, the Township of Old Bridge, County of Middlesex, State of New Jersey is an agricultural community which enjoys the quality of life and economic benefits from farms and farming;

WHEREAS, Old Bridge Township is an active participant in the farmland preservation program; and

WHEREAS, the State of New Jersey is nationally recognized as the Garden State and the New Jersey Department of Agriculture supports the farming profession with essential services for the plant inspection and trade, animal health and transport, inspection and promotion of "Jersey Fresh" produce and organic certification; and

WHEREAS, the New Jersey Department of Agriculture develops the school nutrition guidelines and operations, the federal school meal programs, as well as emergency food purchase and distribution linking New Jersey farmers with nutrition programs; and

WHEREAS, Governor Jon Corzine has initiated an effort to abolish the New Jersey Department of Agriculture as a cost cutting measure, that would result in no substantial saving to the taxpayers of the state and resulting in the reduction of services to the farms, farmers and citizens of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that:

The Township of Old Bridge, officially opposes any effort to abolish the New Jersey Department of Agriculture, and supports funding of the Department's essential programs.

Moved by President Testino, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert,
Councilwoman Panos, President Testino

NAYS: None.

ABSTAIN: Councilman Gillespie.

Prior to the roll call vote the following discussion took place.

Councilman Testino stated that we would be one of three states in the nation without a Department of Agriculture. Messrs. Hauser and Martz utilize the support of the Department of Agriculture.

Councilman Calogera stated that for various reasons, it would be unwise to abolish the Department of Agriculture.

**RESOLUTION NO. 141-08
AUTHORIZING SUBORDINATION OF A CERTAIN COAH MORTGAGE
FOR CASE NUMBER OBCOAH-2**

BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, that:

WHEREAS, the Township of Old Bridge received a mortgage on a certain property in connection with its Council on Affordable Housing program; and

WHEREAS, the owners of the said property wish to refinance the property; and

WHEREAS, a condition of the new financing is the subordination of the existing second mortgage held by the Township of Old Bridge.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey, as follows:

1. The mortgage in favor of the Township of Old Bridge in the amount of \$24,924.00 may be subordinated by an additional \$240,000.00 (new mortgage) on property within the Township of Old Bridge designated as COAH Case Number OBCOAH-2

2. The Mayor and Township Clerk are hereby authorized to execute all such documents necessary to give effect to this subordination.

3. Any documents required to effectuate the terms of this authorization shall be approved by the Township Attorney.

Moved by Councilman Butler, seconded by President Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Baker, Butler, Cahill, Calogera, Gillespie, Greene, Volkert, President Testino.

NAYS: None.

ABSENT: Councilwoman Panos.

Prior to the roll call vote the following discussion took place.

Councilman Greene stated there appeared to be an omission of pertinent information regarding the subordination of this mortgage, in particular the appraised value of the property.

Attorney Convery stated that although there were privacy matters relative to COAH matters, but requested Mr. Criscuolo to assure the Township Council that there is enough equity in the home to subordinate the mortgage.

Mr. Criscuolo stated that the resident wishes to refinance as soon as possible. Subordination requests are processed first through the tax assessor's office and then to the attorney for preparation of documents.

Councilman Greene argued that the appraised value came from the tax assessor with our back up material. This individual is going from a \$25,000 mortgage to a \$240,000 mortgage.

Attorney Convery stated that the township mortgage amount is \$24,000; the individual is refinancing a \$240,000 mortgage.

Councilman Greene requested that in the future the supporting documentation be included with the agenda request.

Public comments on any subject matter.

Clerk Saracino announced that Wednesday, March 25, is the deadline for voter registration for the School Board Election.

Seeing no additional hands President Testino closed the public portion.

Council Comments.

Councilman Cahill requested an update on the monitoring at the intersection of Lambertson and Amboy Roads.

Chief Collow stated that a radar trailer had been deployed to that area as well as an increase in speed enforcement, and roadway conditions will continue to be monitored. He announced that thirty-four summons had been issued.

Councilman Cahill asked if there were plans to alter the intersection, i.e, a four-way stop.

Chief Collow responded that he met with the engineering department to discuss the roadway logistics and that he would report to the Township Council when the information was available.

Councilman Butler asked if painting the speed limit on the road could be done prior to the study being completed.

Chief Collow stated that the speed limit could be painted on the road as soon as possible if the necessary supplies were at hand.

Councilman Greene stated that the Township of Old Bridge was to receive \$700,000 less in state aid and that he suggests a hiring freeze.

Mr. Jacobs stated that the mayor had already issued a memo to that effect with an April 1, 2008 effective date.

Motion

to adjourn at 8:20 p.m. made by Councilman Baker, seconded by Councilman Butler and so ordered on an All AYES vote.

Edward Testino, Council President

Rose-Marie Saracino, Township Clerk

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