

**COMBINED MEETING
OF THE
TOWNSHIP COUNCIL
OF THE
TOWNSHIP OF OLD BRIDGE**

May 10, 2010

A Combined Meeting of the Township Council of the Township of Old Bridge was held on Monday, May 10, 2010 in the Municipal Complex. The meeting was called to order at 7:35 p.m. by President Calogera who asked all present to participate in a salute to the flag, which was followed by a short prayer. President Calogera asked for a moment of silence for our troops in harms way.

Township Clerk Rose-Marie Saracino announced that the meeting was being held in conformance with the Open Public Meetings Act, notice was given to the newspapers and posted in public places. Clerk Saracino announced that the next meeting was being held on Monday, May 24, 2010 at 7:30 p.m.. Clerk Saracino announced that a meeting of the Council and the School Board will be held tomorrow evening, May 11, 2010 at 6:00 p.m. in the Municipal Complex.

Roll call by the Clerk showed the following answering present: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera.

PRESENTATION OF THE BILL LIST

BILL LIST

RESOLUTION NO. 168

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 May 10, 2010 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 May 10, 2010 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 \$19,125.993.00 - Accounts Payable

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None.

BILL LIST

RESOLUTION NO. 169

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 May 10, 2010 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 May 10, 2010 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 \$863,778.96 - Payroll

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None.

BILL LIST

RESOLUTION NO. 170

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 May 10, 2010 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 May 10, 2010 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 \$25,519.37 - Payroll Overtime

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor

NAYS: President Calogera.

PRELIMINARY PUBLIC COMMENTS

Tony Paskitti - had questions about the budget.

Attorney Convery stated that there was going to be a hearing later on this evening regarding the budget. It would probably be more appropriate for you to address your questions at that time.

President Calogera stated he would call upon Mr. Paskitti first when the hearing on the budget was opened to the public

Mr. Rao spoke about the budget and the tax increase. He is disappointed that there will be a increase in the tax rate for Old Bridge. Mr. Rao also complained about the school aid cuts, the cuts to municipalities as well as the cuts to New Jersey Transit, all of which will cause an increase to the tax rate. He feels it is very unfair.

Tom Esemplare spoke regarding the parking lots. He mentioned that 70% of parking spaces require an additional \$1.00 per day and 30% do not pay the \$1.00. He offered suggestions to perhaps raise the cost of the permit from \$25.00, and eliminate the \$1.00 payment and everyone would be paying their fair share. It would also eliminate the expense of having to collect the fees every day. It would be a win-win situation for all concerned, the commuters and the Township.

LIQUOR LICENSE

PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1209-33-034-007 FROM WILLIAM F. CERRA JR. (POCKET LICENSE) TO RONALD BUTLER, 1891 ENGLISHTOWN ROAD, OLD BRIDGE, N.J.

RESOLUTION NO. 171

WHEREAS, application has been filed for a person to person and place to place transfer of Plenary Retail Consumption License #1209-33-034-007 heretofore issued to William F. Cerra Jr. for premises located at 429 Spring Valley Road, Old Bridge, New Jersey (pocket license) to Ronald Butler, for premises located at 1891 Englishtown Road, Old Bridge Township, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations, promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the township authorities have reviewed the source of all funds used in the purchase of the license and the licensed business, and all additional financing obtained in connection with the licensed business; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Old Bridge does hereby approve the person-to-person and place to place transfer of the aforesaid plenary retail consumption license from its former location at 429 Spring Valley Road (pocket license) to 1891 Englishtown Road effective May 10, 2010 and does hereby direct the Township Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions is hereby transferred to Ronald Butler for premises located at Old Bridge, New Jersey, effective May 10, 2010"

BE IT FURTHER RESOLVED that said transfer is hereby conditioned that:

- No go-go dancing be allowed; and
- Installation of a digital surveillance system. This system will have a hard drive that, at a minimum, will record 100 hours of activity form inside the bar and the exterior parking lots.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None.

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

President Calogera stated that per the Clerk all the paper work for this transfer is in order.

Peter Klauser with Heilbrunn, Pape and Goldstein represented the applicant . He requested that the Council approve this transfer.

President Calogera opened the matter to the public.

Dr. Anita Greenberg asked how many liquor licenses were held by William Cerra within the Township?

Clerk Saracino responded just this one.

Dr. Anita Greenberg inquired if the applicant was the same Ron Butler who owns Arbe Landscaping.

Clerk Saracino responded "yes".

Seeing no further hands President Calogera closed the public portion.

Councilman Cahill asked if Mr. Butler intended to open a place of business?

Attorney Klauser responded that was the intention and he would be appearing before the Planning and Zoning Boards.

HEARINGS

President Calogera stated that it was requested that the Hearings H-2, H-3, and H-4 (Oakwood) Be carried.

Attorney Convery stated that all three of these have to do with K. Hov. Two of them are bonds that were required pursuant to a stipulation of settlement out of court and the third one was a request by the Township of Old Bridge for monuments and a bond for an off-site road maintenance improvement. None of them have to do with the specific approval from the Planning Board so that the Ordinance on Public Notice is not applicable to these applications. In any event, we need the report from Kurtz Engineering regarding each of these three and our engineer is awaiting those reports. He concurs that these are off-site or court related bonds and do not need public notice. I ask that they be carried to our next regular meeting without notice.

MOTION

Motion to carry these hearings to the next regularly scheduled meeting without notice made by Councilman Testino, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

ORDINANCES FOR SECOND READING

**TOWNSHIP OF OLD BRIDGE
ORDINANCE NO. 2010-14**

ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF EASEMENT

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 OF ORDINANCE

This Ordinance is adopted for the primary purpose of accepting a Deed of Easement for the following properties within the Township of Old Bridge for necessary drainage work:

BLOCK	LOT	OWNER
18092	8.11	Denise Corbin
18092	8.12	Edward & Susan Bieniek
18092	9.11	The Old Bridge Columbian Club
18092	26	Damodar & Ratnaprabha Parmar
18092	27.11	Ellen Rosenbaum
18092	27.12	Peter & Grace Beckett

SECTION 2: ACCEPTANCE OF PROPERTY

The Township of Old Bridge does hereby accept a Deed of Easement for the following locations in the Township of Old Bridge and more fully described in the legal description as Schedule "A" on file at the office of the Township Clerk. The conveyance of the easement shall be made by Deed of Easement in a form approved by the Township Attorney and the Township Engineer.

BLOCK	LOT	OWNER
18092	8.11	Denise Corbin
18092	8.12	Edward & Susan Bieniek
18092	9.11	The Old Bridge Columbian Club
18092	26	Damodar & Ratnaprabha Parmar
18092	27.11	Ellen Rosenbaum
18092	27.12	Peter & Grace Beckett

SECTION 3: 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 4: 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 5: 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 Council shall have also adopted a resolution declaring an emergency and at least two-thirds (2/3) of all of the Council vote in favor of such resolution.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert,
Councilwomen Panos, Sohor, President Calogera

NAYS: None.

Prior to the roll call vote President Calogera opened this matter to the public. Seeing no hands he closed the public portion.

ORDINANCE NO. 2010-15

**AN ORDINANCE OF THE TOWNSHIP OF OLD BRIDGE
AMENDING CHAPTER 160 – FEES, BY AMENDING
SECTION 160-1, 160-2, 160-11, 160-18, 160-23 AND 160-33
OF THE REVISED GENERAL CODE**

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 amend Chapter 160, Fees by amending, Sections 160-1, 160-2, 160-11, 160-18, 160-23 and 160-33.

SECTION 2: ORDINANCE

Chapter 160, Fees shall be amended as follows:

ARTICLE I – Recreation Fees

160-1 Ice Rink Fees

160-1(B.)

Type	Fee
Adult resident	\$ 7.00
Adult nonresident	\$10.00
Student resident/senior citizen resident (62 and over)	\$ 6.00
Student nonresident/senior citizen resident (62 and over)	\$ 8.00
Child resident (12 or under)	\$ 5.00
Child nonresident (12 or under)	\$ 6.00

Ice Skate Rental

Type	Fee
Adult and children	\$ 6.00

160-2 Hockey league; instructional Hockey

160-2(B.)

(1) Hockey League

Program	Resident Fee	Nonresident Fee
Mite C	\$1550	\$1650
Mite B	\$1700	\$1800
Squirt	\$1800	\$1900
Peewee	\$1900	\$2000
Bantam	\$2000	\$2100
Midget Minor	\$1250	\$1350
Midget	\$1250	\$1350

(2) Instructional Hockey

Session	Resident Fee	Nonresident Fee
First Session	\$ 300	\$ 350
Second Session	\$ 300	\$ 350

ARTICLE III – Various Goods and Services

160-11 Police Reports

- A. Copies of police documents
(1) .10 cents per page

160-18 Leaf Bags; Recycling Containers

The following fees are charged for leaf bags and recycling containers:

- Leaf Bags: \$.25 each
- 14 Gallon mixed paper bin: \$9.71
- 20 gallon commingled, round container: \$9.95

ARTICLE V – Vital Statistics

160-23 Certified Copies of Vital Statistics

- E. Record an adoption: \$2.00
- F. Record a legal name change: \$2.00

ARTICLE IX – Miscellaneous Fees

160-33 Miscellaneous Fees

- A. copies
\$.10 per page

- E. Notary Fee \$2.50
and as may be amended from time to time by NJSA 22A:4-14

SECTION 3: 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 4: 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 5: 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 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 Gillespie, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Testino, Volkert, Councilwomen Panos, Sohor

NAYS: Councilmen Greene, President Calogera

Prior to roll call vote President Calogera opened this matter to the public, seeing no hands he closed the public portion.

Ordinance No. 2010-16

**ORDINANCE AMENDING CHAPTER 10 TRAFFIC,
SECTION 10-19.7b. DESIGNATED HANDICAPPED PARKING
OF THE CODE OF THE TOWNSHIP OF OLD BRIDGE**

BE IT ORDAINED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that Chapter 10 entitled Traffic, Section 10-19.7b. entitled Designated Handicapped Parking is hereby amended as follows:

SECTION 1: PURPOSE

Pursuant to N.J.S.A. 39:4-197.6, any municipality may by ordinance establish a restricted parking zone in front of a residence occupied by a handicapped person, if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicle pursuant to the provisions of NJSA 39: 4-204 *et seq.*. This ordinance amends the residential parking designation section to include one new residential handicapped parking space in Laurence Harbor, New Jersey.

SECTION 2: 10-19.7b. HANDICAPPED PARKING DESIGNATIONS.

Section 10-19.7b, Handicapped Parking Designations is hereby amended by the addition of one new residential parking space as follows:

Name of Street	Location
160 Twilight Avenue	Laurence Harbor, NJ

SECTION 3: 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 4: 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 5: 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 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 Councilmen Gillespie, seconded by Councilman Butler and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

Prior to the roll call vote President Calogera opened this matter to the public, seeing no hands he closed the public portion.

DISCUSSION ORDINANCE

ORDINANCE NO. 2010-17

ORDINANCE FIXING COMPENSATION OF DEPARTMENT HEADS, THE TOWNSHIP TAX ASSESSOR AND THE TOWNSHIP CLERK

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

1. Ordinance No. 2008-02 enacted on January 28, 2008 on file with the Township Clerk fixing the Compensation of Department Heads, the Township Tax Assessor, and the Township Clerk shall continue in full and effect.
2. There shall be no retroactive or other pay increase for Department Heads, The Township Tax Assessor, and the Township Clerk for the calendar Years 2008, 2009, 2010 and 2011

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None.

Mayor Phillips stated he asked for this ordinance because of his conversation with an individual over contracts and negotiations. The assertion was made that Department Heads were getting raises. This led to a discussion with Mr. Jacobs and Mr. Shah about whether or not the staff understood how the

process for raises to Department Heads was done. It is done by Ordinance which must be approved by the Council. This Ordinance is basically saying that from July 2008, which is the last time Department Heads received a raise, that there will be no raises through 2011 and that any change will require an Ordinance passed by the Council. Also, with arbitration coming up with the Police Department, this ruling may or may not influence any decisions, but it will be clearly set forth.

President Calogera concurred with the Mayor and stated he was proud of the decisions made by the members of the unions to accept the zero, zero, zero proposal and their understanding of our problem. He thinks that it was a good idea to have an ordinance to make it more official so that people have the knowledge that this is a definite conclusion and quell the rumor mill and it sends the right message.

Councilwoman Panos stated that she was not sure of the definite legal position on this matter, but if we make it by ordinance, then the Department Heads do not have to pay into the 1.5% health insurance coverage.

Mayor Phillips stated that this did not enter into his deliberations and he did not know the answer. However, if this ordinance is not adopted by May 21st, it would have no effect and there is no way this ordinance can be adopted by the 21st.

Councilwoman Panos reiterated that she wanted to look into that and if there is any way that they could avoid the 1.5%.

Mayor Phillips stated again, there is no way for this to be done by May 21st.

Councilwoman Panos asked if this included non-union workers in the Township? She noted it referred to the Clerk and did it apply to her staff?

President Calogera stated this applied to Department Heads only.

Mayor Phillips responded that there is a linkage between the Clerk's office and all the statutorials, which simply means you cannot deny a statutorial person an increase that has been given other people of their standing. In the past, there has only been one time when we put the Clerk in there and we put the Tax Assessor too, so that the Council was very clear on what they wanted to set those salaries at. Mayor Phillips stated he knows that she is trying to help the people, but they will all be subject to the 1.5% insurance payment.

Administrator Jacobs stated that it is confusion, because the Department of Pensions actually put out a Q&A paper and stated that non-union employees would be treated the same as the union people who had similar job descriptions. Our labor attorney has told us that recently they put out another memo retracting that decision and non-union employees will have to pay the 1.5% regardless of what the unions do.

Councilwoman Panos responded that she had information that if there was an ordinance it would take precedence.

Administrator Jacobs stated that our labor attorney said that the way the statute read, that you would have to have a collective bargaining agreement to qualify.

Mayor Phillips stated there are township employees who are not in bargaining units and do similar jobs, but to my understanding, they will be subject to the 1.5% requirement. Perhaps in the future we will find a way to address this.

Councilman Greene stated that he wanted to thank the unions that have agreed to a no increase, and the retro back to 2008. As the Mayor stated that the 1.5% imposed for health benefits by the Governor will not apply to those who have signed the collective bargaining agreement and will not have to pay that percentage until the end of their contract. We have a quandry now because if the employees have given up any increases, what do we do with the management and we have to work on that.

Councilman Gillespie stated it is obvious that since the Mayor was getting comments on the Department Head salaries, that there was confusion among people about the status of the Department

Heads, so he would like to go ahead with this ordinance and move it up for first reading to help clarify the matter.

Councilman Testino stated that by passing this ordinance, it would send a good message for tomorrow night's meeting with the Board of Education. He will be supporting this ordinance.

Mayor Phillips stated that the Business Administrator has pointed out that there was a question as to whether or not there was any money in the budget for anyone else to receive a raise and under the plan, per the budget that has been introduced, any monies that were set aside in this year's budget has been cut or unappropriated. There is no chance of a line item which has raises for any employee for the years 2008, 09, 10., which everyone knows what can happen in arbitration with the police department, if that should go against us, it will cause us a problem. All monies for those years have been stripped down, which has become known as the "Greene Plan". Also, I want to take this opportunity to say that I support this plan and of all the plans that were offered, yours was the worst except for all the others.

CONSENT AGENDA

President Calogera opened this matter to the public. Seeing no hands he closed the public portion.

AUTHORIZING ACCELERATED TAX SALE CY 2010

RESOLUTION NO. 172

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. 54-5-19 et seq. requires the Accelerated Tax Sale be authorized; and

WHEREAS, the Chief Financial Officer recommends the use of the Accelerated Tax Sale for CY 2010.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Old Bridge hereby authorizes the Tax Collector to conduct an accelerated tax sale after November 11 with the sale to be held in December 2010.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING SIGNING AND SUBMISSION OF DOCUMENTS FOR ROUTE 18 MARKETPLACE DEP PERMIT

RESOLUTION NO. 173

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

WHEREAS, the Old Bridge Township Zoning Board of Adjustment has granted Preliminary and Major Final Site Plan approval to Route 18 Marketplace, which consists of a one story, 13,000 square foot retail building with required parking areas, utility services, drainage facilities and landscaping; and

WHEREAS, one of the conditions imposed by the Old Bridge Township Zoning Board of Adjustment was for the applicant to construct a five (5) foot wide pedestrian/bicycle path along the entire frontage of the property; and

WHEREAS, this above condition is in compliance with the recently adopted amendment to the Master Plan of the Township of Old Bridge resulting from the Crosstrails Report; and

WHEREAS, a substantial portion of the property, extending up to the right of way line, has been delineated as wetlands necessitating a permit from the Department of Environmental Protection for construction of that path; and

WHEREAS, it had been agreed that the applicant would prepare all necessary plans and applications and would fund and construct the project, but the Township would agree to be the applicant since the work would be done within the area to be dedicated for future road widening.

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

1. Concurring with the filing of the application for this project.
2. Authorizing the Township Engineer to sign the permit application on behalf of the Township.
3. Authorizing the filing of the permit application.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

CANCELLATION OF EXEMPT TAXES

RESOLUTION NO. 174

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.54:4-3.32 ET SEQ. authorizes an exemption from local property taxes of any property that has been declared exempt by the Tax Assessor as of the date of same and,

WHEREAS, copy of said declaration is filed with the Tax Assessor, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge that the Tax Collector is hereby authorized to cancel taxes as detailed below:

Block	Lot	Billing to be Cancelled
18092	9.11	2010 3,243.79
Old Bridge Columbian Club		3,243.78
61 Pine St.		
Exempt as of 1/1/2010		

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos,
Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

**CANCELLATION OF UNENCUMBERED BALANCES IN THE TRANSITION YEAR 2009
RESOLUTION NO. 175**

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

WHEREAS, there exists a \$717,405.00 unencumbered balance in the Transition Year 2009 General Fund Operating Fund Budget in the budget line items for "Salaries & Wages" that is no longer required for its original purpose; and

WHEREAS, it is the desire of the Township Council of the Township of Old Bridge to cancel said \$717,405.00 appropriation to the General Fund Operating Fund, Fund Balance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, New Jersey, that the \$717,405.00 of General Fund Operating Fund Appropriation for "Salaries & Wages" is hereby canceled and transferred into General Fund Operating Fund, Fund Balance, effective December 31, 2009.

<u>Department</u>	<u>General Account</u>	<u>From</u>
Office of the Mayor		\$ 1,610.00
Township Clerk		\$ 7,500.00
Business Administration		\$ 7,200.00
Purchasing		\$ 1,600.00
Human Resources		\$ 5,000.00
Data Processing		\$ 11,550.00
Tax Assessor		\$ 8,750.00
Rent Stabilization Board		\$ 275.00
Treasury		\$ 8,000.00
Tax Collection		\$ 14,515.00
Legal Department		\$ 6,750.00
Recreation		\$111,670.00
Office on Aging		\$ 29,130.00
Health Department		\$ 1,330.00
Police Department		\$353,065.00
Engineering		\$ 14,950.00
Planning & Development		\$ 9,050.00
Planning Board		\$ 1,410.00
Zoning Board		\$ 1,460.00
Subcode		\$ 15,650.00
Code Enforcement		\$ 9,540.00
Road Department		\$ 78,800.00
Buildings & Grounds		\$ 6,200.00
Municipal Court		<u>\$ 12,400.00</u>
		\$717,405.00

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos,
Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING EXCEPTION TO PURCHASING PROCEDURES BY THE DEPARTMENT OF PARKS & RECREATION TO TRI-FORM CONSTRUCTION FOR REPAIRS TO THE SENIOR CENTER UNDER CONTRACT #2008-68

RESOLUTION NO. 176

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 has specific purchasing procedures in place; and

WHEREAS, the Department of Parks & Recreation entered into an agreement with Tri-Form Construction for various work in the Old Bridge Senior Center; and

WHEREAS, due to an inspection by the Middlesex County Public Health Department dated November 6, 2009 and report issued on even date at the Senior Center several repairs had to be made on a timely basis; and

WHEREAS, the payment of this bill is contingent upon the issuance of a Certification of Availability of Funds # 1860 certifying the existence of a sufficient appropriation to fund same; and

WHEREAS, the Township Council's approval is necessary for payment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Old Bridge, County of Middlesex and State of New Jersey that approval is hereby given for payment of services performed January 10, 2010 in the amount of \$1,170.87 to Tri-Form Construction for repairs necessary to the Senior Center through report of the Middlesex County Health Department.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING EXTENSION OF CONTRACT #2009-21 TO MAGIC TOUCH CONSTRUCTION (PRIMARY) AND BRIAN PATTERSON MECHANICAL CO. (SECONDARY) FOR THE SERVICE OF PLUMBING CONTRACTOR TIME AND MATERIAL

RESOLUTION NO. 177

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 awarded Contract #2009-21 to Magic Touch Construction (Primary) and Brian Patterson Mechanical Co. (Secondary) for the Service of Plumbing Contractor time and material; and

WHEREAS, the Township wishes to extend the contract for plumbing contractor services time and material for the 2010 calendar year.

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. Magic Touch Construction (primary), with principal offices located at 59 West Front Street, Keyport, New Jersey 07735 and Brian Patterson Mechanical Co. (Secondary) with principal offices at 8 Cindy Lane, Ocean Township, New Jersey 07712 are

hereby each awarded an extension of contract in the amount of \$75.00 per hour time an material only.

2. No Certification of Availability of Funds is necessary since this Contract is being awarded on a Time & Material basis only.
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. Compliance by the Vendor with signing the mandatory affirmative action language required by law.
- C. 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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT #2009-24 BETWEEN THE TOWNSHIP OF OLD BRIDGE AND S & S WORLDWIDE FOR RECREATION SUPPLIES

RESOLUTION NO. 178

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

WHEREAS, our Director of Finance and Township Business Administrator has recommended the extension of a certain existing contract with S & S Worldwide for recreation supplies: and

WHEREAS, the extension of the contract is for recreation supplies for the Township of Old Bridge in an amount "Not to Exceed" \$35,000.00 for the calendar year 2010.

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 contract previously granted to S&S Worldwide with principal offices at Mill Street, Colchester, CT 06415 is extended in an amount not to exceed \$35,000.00 under the same terms and conditions for the calendar year 2010.
2. No Certification of Funds is required since the funds will be paid from various accounts.
3. There will not be a necessity for an additional contract to be provided, as the original contract is presently on file with the Township Clerk=s office.

4. The Mayor and Clerk are hereby authorized to execute any and all documents necessary to extend this contract.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO BROWNTOWN BUS SERVICE, INC. FOR THE OLD BRIDGE TOWNSHIP SENIOR CENTER BUS SERVICE

RESOLUTION NO. 179

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Senior Center Bus Service; and

WHEREAS, two bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Senior Center Bus Service; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Browntown Bus Service, Inc. as they submitted the lowest responsible bid for this particular bus service, providing "as needed", handicap accessible van/bus for pickup at the Old Bridge Senior Center going to local destinations.

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

Browntown Bus Service, Inc., with principal offices located at 336 Ticetown Road, Old Bridge, New Jersey 08857 is hereby awarded a contract based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township.

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. No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.
- C. Compliance by the vendor with signing the mandatory affirmative action language required by law.

D. 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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO FARIELLO BUS SERVICE, LLC FOR THE OLD BRIDGE PARKS AND RECREATION 1/2 DAY SUMMER CAMP TRIP PROGRAM

RESOLUTION NO. 180

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreation Buses; and

WHEREAS, bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Buses to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Fariello Bus Service, LLC as they submitted the lowest responsible bid, for the Old Bridge Parks and Recreation 1/2 Day Camp Trip Program.

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

1. Fariello Bus Service, LLC, with principal offices located at 327 Greenwood Road, Matawan, New Jersey 07747 is hereby awarded a contract for the Old Bridge Parks and Recreation 1/2 Day Camp Trip Program in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.
2. The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township furtherance of this award.
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 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. No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.

- 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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO FARIELLO BUS SERVICE, LLC FOR THE OLD BRIDGE SUMMER RECESS 9TH/10TH GRADE AMP TRIP PROGRAM

RESOLUTION NO. 181

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreation Buses; and

WHEREAS, bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Buses to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Fariello Bus Service, LLC as they submitted the lowest responsible bid, for the Old Bridge Summer Recess 9th/10th Grade Camp Trip Program.

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

Fariello Bus Service, LLC, with principal offices located at 327 Greenwood Road, Matawan, New Jersey 07747 is hereby awarded a contract for the Old Bridge Summer Recess 9th/10th Grade Camp Trip Program in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township. 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 No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.

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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO NEGBA SERVICE, INC.FOR THE CAMP ROBIN SUMMER 2010 PROGRAM

RESOLUTION NO. 182

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreation Buses; and

WHEREAS, bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Buses to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Negba Service, Inc. as they submitted the lowest responsible bid, for the Old Bridge Camp Robin Summer 2010 Program.

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

Negba Service, Inc., with principal offices located at 1027 Ridge Avenue, Lakewood, New Jersey 08701 is hereby awarded a contract for the Old Bridge Camp Robin Summer 2010 Program in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township.

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 No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.

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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING THE REJECTION OF BID WITH REGARD TO CONTRACT #2010-25 PRINTING SERVICES

RESOLUTION NO. 183

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 solicited bids in connection with Contract #2010-25 for printing services; and

WHEREAS, ten (10) bids were received and opened on May 4, 2010; and

WHEREAS, the Township of Old Bridge wishes to substantially revise specifications for goods and services in accordance with NJSA 40A:11-13.2;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, State of New Jersey that the bids received with respect to Contract #2010-25 for printing services are hereby rejected.

BE IT FURTHER RESOLVED, that the Purchasing Department of the Township of Old Bridge is hereby authorized to rebid.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO FARIELLO BUS SERVICE, LLC FOR THE CAMP ROBIN FALL/WINTER/SPRING 2010 PROGRAM

RESOLUTION NO. 184

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreation Buses; and

WHEREAS, bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Buses to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Fariello Bus Service, LLC as they submitted the lowest responsible bid, for the Old Bridge Camp Robin Fall/Winter/Spring 2010 Program.

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

Fariello Bus Service, LLC, with principal offices located at 327 Greenwood Road, Matawan, New Jersey 07747 is hereby awarded a contract for the Old Bridge Camp Robin Fall/Winter/Spring 2010 Program in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director Certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township.

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. No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.
- 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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO FARIELLO BUS SERVICE, LLC FOR THE OLD BRIDGE FULL DAY SUMMER RECESS PROGRAM

RESOLUTION NO. 185

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreations Buses ;and

WHEREAS, bids were received and opened on April 13, 2010 in regard to this bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Programs to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Fariello Bus Service, LLC as they submitted the lowest responsible bid, for the Old Bridge Full Day Summer Recess Program.

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

Fariello Bus Service, LLC, with principal offices located at 327 Greenwood Road, Matawan, New Jersey 07747 is hereby awarded a contract for the Old Bridge Full Day Summer Recess Program in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the "trips" deposits with the Township.

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. No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.

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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AWARDING A PORTION OF BID #2010-23 TO NEGBA SERVICE, INC. FOR THE OLD BRIDGE PARKS AND RECREATION CAMP ROBIN “AS NEEDED”, WHEELCHAIR ACCESSIBLE SMALL BUS OR VAN TRANSPORTATION

RESOLUTION NO. 186

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 solicited bids in connection with Bid #2010-23 for the Old Bridge Township Parks and Recreation Buses; and

WHEREAS, one bid was received and opened on April 13, 2010 in regard to this particular bus service; and

WHEREAS, the Township Council wishes to award the contract for the Old Bridge Township Parks and Recreation Buses to the lowest bidder in regard to the particular recreational program; and

WHEREAS, our Township Director of Parks and Recreation has recommended that a contract be awarded to Negba Service, Inc. as they submitted the lowest responsible bid, for the Old Bridge Parks and Recreation Camp Robin “As Needed”, Wheelchair Accessible Small Bus or Van transportation.

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

Negba Service, Inc., with principal offices located at 1027 Ridge Avenue, Lakewood, New Jersey 08701 is hereby awarded a contract for the Old Bridge Parks and Recreation Camp Robin “As Needed”, Wheelchair accessible small bus or van transportation in an amount based upon the amount per bus bid on file in the Office of the Township Clerk.

The award of the contract is contingent upon the issuance of a certification from the Finance Director certifying the existence of various accounts containing sufficient funds to satisfy said contract from the “trips” deposits with the Township.

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 No work shall be performed by any vendor without a signed P.O. for the project on hand indicating approval and certification of funds by the Chief Financial Officer.
- 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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING APPLICATION AND EXECUTION OF AN AGREEMENT WITH THE COUNTY FOR A 2010 GRANT FOR THE MUNICIPAL ALLIANCE PROGRAM

RESOLUTION NO. 187

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

WHEREAS, the County of Middlesex has received a grant from the State to provide the sum of \$52,733.00 to the Township of Old Bridge to be used for alcoholism and drug abuse prevention and education services provided by the Municipal Alliance programs; and

WHEREAS, the County of Middlesex grant will be used as follows: \$52,733.00 to be used for related municipal alliance activities.

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 hereby authorized to apply for the above referenced grant and is further authorized to execute the Grant Agreement with the County of Middlesex.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign any and all documents necessary to effectuate the terms of this agreement as may be approved in form by the Township Attorney.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING THE PAYMENT FOR ADDITIONAL LEGAL SERVICES WITH LAWRENCE SACHS, ESQ. FOR REPRESENTATION OF THE TOWNSHIP OF OLD BRIDGE IN THE MATTER KNOWN AS BRUCE KAPLAN V. THE TOWNSHIP OF OLD BRIDGE

RESOLUTION NO. 188

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 had procured the services of Lawrence Sachs, Esq. to provide legal services to the Township of Old Bridge in the matter known as Bruce Kaplan v. the Township of Old Bridge; and

WHEREAS, Lawrence Sachs, Esq., incurred additional expenses pursuant to the Bill for Professional Services Rendered in regard to the matter known as Bruce Kaplan v. the Township of Old Bridge, which is on file at the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge as follows:

1. The contract for professional services authorized to be extended with Lawrence Sachs, Esq.
2. The scope of the work to be performed by Lawrence Sachs, Esq. shall be: Additional representation of the Township of Old Bridge in the matter known as
3. This contract is awarded for a term not exceeding the current budget Bruce Kaplan v. the Township of Old Bridge. A Certification of Availability of Funds #1861 has been received for this contract assuring that there are sufficient funds in the appropriation(s) to fund the purchases anticipated in the current budget year.

BUDGET YEAR	<u>2010</u>
CERT. NO.	<u>1861</u>
AMOUNT (NOT TO EXCEED)	<u>\$2,500.00</u>

The availability of a sufficient appropriation to fund the purchases authorized in this resolution is an express and mandatory condition of the award of this contract. To the extent this contract contemplates expenditures in future budget year, such amounts are not certified and any expenditure pursuant to this contract is wholly contingent upon the municipal governing body establishing an appropriation from which such future purchases will be paid.

4. This is a contract for professional services in accordance with the New Jersey Public Contract Law. The Township Clerk shall publish a statement of reasons for awarding of the contract, to wit: legal representation of the Zoning Board of Adjustment in the matter known as Bruce Kaplan v. the Township of Old Bridge.

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 Testino and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

REQUESTING BOARD OF ETHICS TO REVIEW LOCAL FINANCE NOTICE AND REQUESTING BOARD OF ETHICS TO REVIEW LOCAL FINANCE NOTICE AND TOWNSHIP ORDINANCE 61-94 REGARDING FINANCIAL DISCLOSURE STATEMENTS TO RECOMMEND CORRECTIONS TO EFFECTUATE COMPLIANCE WITH OFFICE OF ATTORNEY GENERAL OPINIONS.

RESOLUTION NO. 190

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

WHEREAS, local government officers are required to file financial disclosure statements in accordance with N.J.S.A.40A:9-22.3 and Township of Old Bridge local ethics ordinance 61-94; and

WHEREAS, local finance notice LFN2010-11, dated April 12, 2010, delineates the Office of the Attorney General opinions on filing requirements; and

WHEREAS, local township ordinance No. 61-94 is in conflict with local finance notice LFN 2010-11;

NOW, THERE, BE IT RESOLVED by the Township Council of the Township of Old Bridge that the local Board of Ethics is hereby requested to review the local finance notice L:FN 2010-11 and the Township Ordinance to recommend corrections to the local ethics ordinance to effectuate compliance with the Office of the Attorney General opinions.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None.

RESOLUTION AUTHORIZING THE SUBMISSION OF AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

RESOLUTION NO. 191

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

WHEREAS, Title I of the Housing and Community Development Act of 1974 as amended provides for a program of Community Development Block Grants (CDBG); and,

WHEREAS, the Township of Old Bridge is an entitlement city as defined under said Act and is entitled to financial assistance; and,

WHEREAS, federal regulations at 24 CFR Part 91.225(1) requires that the Township submit a certification that it will affirmatively further fair housing; and,

WHEREAS, The Township of Old Bridge is a participant of the HOME Investment Partnerships Program Consortium in which the County of Middlesex is the lead participant; and,

WHEREAS, preparation of an Analysis of Impediments to Fair Housing Choice has been undertaken.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Old Bridge, in the County of Middlesex, New Jersey that the Mayor be and is authorized and directed to submit the Township of Old Bridge's Analysis of Impediments to Fair Housing to the US Department of Housing and Urban Development as required by federal regulations to act as the authorized representative of the Township of Old Bridge, and to provide such additional information as may be required.

BE IT FURTHER RESOLVED that the Mayor and other authorized, appropriate and responsible officials be and they are hereby authorized and directed to execute on behalf of the Township of Old Bridge such certifications and other documentation as may be required by the US Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that the Township Clerk shall send a certified copy of this Resolution to each of the following:

1. US Department of Housing and Urban Development
2. Township Attorney
3. Township Administrator
4. Chief Financial Officer
5. Office of Community Development
6. Housing and Community Development Services, Inc.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION AUTHORIZING WAIVER OF SPECIAL EVENT FOOD VENDOR FEE FOR BUY LOCAL FARMERS' MARKET

RESOLUTION NO. 192

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

WHEREAS, the Old Bridge Economic Development Corporation is sponsoring a Buy Local Farmers' Market the first Wednesday of the month beginning June 2, 2010; and

WHEREAS, this Buy Local Farmers' Market is to support local businesses with the sale of farm fresh fruits and vegetables, baked goods, dairy products, bread and arts & crafts; and

WHEREAS, in order to encourage the participation of local businesses in this new endeavor, a waiver of the Special Event Food Vendor Fee for the Buy Local Farmers' Market has been requested.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex, and State of New Jersey that the Special Event Food Vendor Fee for the Buy Local Farmers' Market to be held the first Wednesday of the month in the Old Bridge Township Municipal Parking Lot is hereby waived for all participating vendors.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Councilwomen Panos, Sohor, President Calogera.

NAYS: None

ABSENT PODIUM: Councilman Volkert

RESOLUTION NO. 193

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

Accepting the Resignation of Frances Di Rocco from the Recreation Committee

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAY: None.

Prior to the roll call vote the following discussion took place: Councilman Testino stated that Fran Di Rocco was an asset to the Recreation Board and that on behalf of himself and the Council wanted to thank her for her many years of service and hope that they enjoy their retirement.

RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT #2009-23PS BETWEEN THE TOWNSHIP OF OLD BRIDGE AND BRIAN WHITEMAN, ESQ. FOR REPRESENTATION OF THE ETHICS BOARD OF THE TOWNSHIP OF OLD BRIDGE

RESOLUTION NO. 194

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

WHEREAS, the Township Attorney has recommended the extension of a certain existing contract with Brian Whiteman, Esq. for representation of the Ethics Board; and

WHEREAS, the extension of the contract is for representation of the Ethics Board in an amount "Not to Exceed" \$6,000.00 for the calendar year 2010.

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 contract previously granted to Brian Whiteman, Esq. with offices at 2515 Route 516, Old Bridge, New Jersey 08857 with the Township of Old Bridge in regard to representation of the Ethics Board is extended in an amount not to exceed \$6,000.00, under the same terms and conditions for the calendar year 2010.
2. The award of the contract is contingent upon the issuance of a Certification of Availability of Funds # 1859 certifying the existence of a sufficient appropriation to fund the said contract.
3. There will not be a necessity for an additional contract to be provided, as the original contract is presently on file with the Township Clerk=s office.
4. The Mayor and Clerk are hereby authorized to execute any and all documents necessary to extend this contract.

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

AYES: Councilmen Butler, Gillespie, Testino, Volkert, President Calogera.

NAYS: Councilman Greene

ABSTAIN: Councilman Cahill, Councilwomen Panos, Sohor

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

Councilman Greene stated that he feels that the rate is exorbitant. There was a suggestion that we get a volunteer to help with this board; \$500.00 for a meeting is disgraceful. Some of the meetings last maybe 45 minutes to one hour. It is inappropriate to pay this rate, plus he gets \$150.00 an hour for any additional work.

Councilwoman Sohor stated that she agreed with Councilman Greene and does not feel it is appropriate to be spending that kind of money. She agreed with Mr. Greene that perhaps we can reach out and see if we can find someone who is willing to volunteer and help us with this Ethics Board.

Councilman Testino stated that the ethics board recommended this attorney.

Councilman Gillespie stated that this attorney is their selection and has served the Board in the past and that he believes that in order for us to have our own ethics Board we are under some obligation to provide them with funds and give them representation. If you support having an Ethics Board you have to provide them the means to do their job.

Attorney Convery stated that for many years there was another attorney in place and he actually had a contract that guaranteed him \$6000 per year whether or not there were meetings. He got a retainer of \$500 per month under the prior Administration and that continued till last year at which time when he resigned, we went out to see who would agree to be the Ethics Board attorney. This particular attorney is the only one who applied and submitted a resume. He was chosen by the Board and then we reduced the contract to state "not to exceed \$6000", which is the budget line. He only gets paid if there is actually a meeting. If he does additional work like research he gets paid \$150.00 an hour which is comparable to other attorneys working for the Township. You have to remember there are two choices, either you have an attorney, chosen by the Ethics Board as the independent attorney or you abolish the Ethics Board and all ethics complaints go to Trenton and are handled basically under the umbrella of the Local Finance Board.

Councilman Gillespie stated that he was advised by the Clerk that the Ethics Board did meet once this year to reorganize.

Councilman Greene stated that they did meet last week and the attorney was not picked by the Ethics Board rather by the Council. The Ethics Board had nothing to do with the selection of the attorney.

Mayor Phillips stated that both parties were right. We did go out for RFP, and the only one that did respond was this individual. The Ethics Board did review the resume and it was the only application, so it was not a big thing for them to move on it and it was given to the Council for approval based on that. He does not get paid \$500 per month, as did the previous attorney, he only gets paid if there is a meeting.

Councilwoman Panos stated that she heard that this evening that this attorney did not return phone calls.

Mayor Phillips stated that as an Ethics Board attorney would not return a phone call unless it was from a member of the Ethics Board. An ethics complaint can be delivered here to the Clerk, where it gets filed and is then forwarded to the attorney. Carol Berlen is here to give staff ethical advise if and when she is consulted.

Councilwoman Panos inquired as to why we have to give him a contract for a year? Why can't we reach out to someone else and then come back if we need this attorney?

RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE REFUNDING BOND AND RELEASE REGARDING THE BEQUEST OF \$150,000.00 BY THE ESTATE OF FRANK S. STELLA TO THE OLD BRIDGE KENNEL

RESOLUTION NO. 195

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

WHEREAS, the Last Will and Testament of Frank S. Stella contained and bequest to the Old Bridge Kennel in the amount of \$150,000.00; and

WHEREAS, payment is being made to the Township of Old Bridge pursuant to the provisions of Judgment of the Superior Court of New Jersey, Chancery Division, Probate Part, County of Middlesex, Docket #221608 entered November 30, 2009; and

WHEREAS, the Township of Old Bridge acknowledges that no portion of said funds may be expended by the Township of Old Bridge without the written consent of Michael Viera and Michelle Viera, Administrators C.T.A. of the Estate of Frank S. Stella, deceased; and

WHEREAS, in order to receive the bequest and estate check, the Township of Old Bridge must execute a Refunding Bond and Release.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute the Refunding Bond and Release in the matter of the Estate of Frank S. Stella and any and all other documents necessary to effectuate the receipt of the bequest.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert Councilwomen Panos, Sohor, President Calogera.

NAYS: None

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

Attorney Convery stated that it is a simple solution that has to do with estates. If someone dies and they have an estate, then the proceeds can go to beneficiaries. In this case, \$150,000 is coming to the Township to the Kennel, as a result of an individuals will. In order to get the money, whoever is going to receive the money has to sign what is called a Release and Refunding Bond, which state I give up any all other claims over and above the \$150,000, and the second part is that in the event the estate inadvertently gives more money than it should have you may have to refund part of it . This is standard operating procedure in an estate matter and he recommended that you authorize the Mayor and Clerk to sign so that the kennel can get the money.

Councilwoman Panos stated that she could not believe that the kennel was getting this bequest. She wanted to thank the family of Mr. Frank Stella for this gift

RESOLUTION INDICATING SUPPORT FOR THE TOWNSHIP ENGINEER'S PARTICIPATION IN THE STORMWATER REVIEW PILOT PROGRAM AND AUTHORIZING SUBMISSION OF A LETTER TO THE DEP CONFIRMING ACCEPTANCE

RESOLUTION NO. 196

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 has been selected as one of twenty-seven communities within the State to participate in the Stormwater Review Pilot Program. The purpose of the program is to streamline the Department of Environmental Protection's review process, eliminate duplication of efforts and strengthen the relationship between the DEP and the municipalities; and

WHEREAS, the State has implemented similar programs such as the Underground Storage Tank Certification and the recently enacted Licensed Site Remediation Professionals program. Both of these programs allow professional engineers to go through a training program to become certified to review and approve certain environmental applications. The DEP will then issue permits based upon those engineering reviews rather than their own staff and personnel; and

WHEREAS, currently if a project is classified as a major project and requires a separate permit from the DEP, it also reviews for compliance with the stormwater regulations. This pilot program will eliminate that duplication of those reviews; and

WHEREAS, the benefits for being in this program are as follows:

1. The overall approval process for development projects will be shortened and improved.
2. Most certainly this process will eventually be mandatory unless the pilot program completely fails. It would be beneficial to be at the forefront of the development of the program.
3. If the program becomes mandatory and the Township does not have a certified staff member, it will be necessary to retain an outside consultant for every project.
4. The educational criteria that the Township's representative will have to undergo in order to be certified provides a direct benefit in insuring that the submitted development applications fully comply with all of the State rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Old Bridge, County of Middlesex and State of New Jersey hereby indicates its support for the Township Engineer's participation in this program and authorizes the submission of a letter to the DEP confirming same.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Volkert, Councilwomen Panos, Sohor

NAYS: None

ABSTAIN: Councilman Testino, President Calogera

RESOLUTION APPROVING TEAMSTERS LOCAL #469 PROFESSIONAL BARGAINING UNIT MEMORANDUM OF AGREEMENT WITH THE TOWNSHIP OF OLD BRIDGE

RESOLUTION NO. 197

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 and the Teamsters Professionals are parties to a Collective Bargaining Agreement ("CBA") covering the period between July 1, 2003 through June 30, 2008; and

WHEREAS, the parties and the Teamsters Professionals have engaged in good faith negotiations to reach an agreement on terms and conditions for a successor CBA; and

WHEREAS, the parties have reached an agreement on terms for a successor CBA subject only to approval by the Mayor and Council and ratification by the Teamsters Professionals Membership; and

WHEREAS, the negotiating committees for the Township and the Teamsters Professional unanimously agree to recommend such approval and ratification.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex and State of New Jersey that the Memorandum of Agreement is hereby approved, and the Mayor and Township Clerk are hereby authorized to execute the Memorandum of Agreement in regard to the Teamsters Local No. 469 Professional Bargaining Unit for July 1, 2008 through December 31, 2011.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None

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

Councilwoman Panos requested that C-25 & C-26 be considered together as she would like to make a comment relative to both of these matters. She stated she was so proud of these people who agreed to the zero percent increase and helped saved jobs of their co-workers.

Councilman Greene stated that he agreed with Councilwoman Panos and wanted to congratulate the members of both of these bargaining units for stepping forward and agreeing to this contract.

President Calogera stated that he also wanted to congratulate the union members.

RESOLUTION APPROVING TEAMSTERS LOCAL#469 NON-PROFESSIONAL BARGAINING UNIT MEMORANDUM OF AGREEMENT WITH THE TOWNSHIP OF OLD BRIDGE

RESOLUTION NO. 198

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 and the Teamsters Non-Professionals are parties to a Collective Bargaining Agreement (“CBA”) covering the period between July 1, 2003 through June 30, 2008; and

WHEREAS, the parties and the Teamsters Non-Professionals have engaged in good faith negotiations to reach an agreement on terms and conditions for a successor CBA; and

WHEREAS, the parties have reached an agreement on terms for a successor CBA subject only to approval by the Mayor and Council and ratification by the Teamsters Non-Professional Membership; and

WHEREAS, the negotiating committees for the Township and the Teamsters Non-Professional unanimously agree to recommend such approval and ratification.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Old Bridge, County of Middlesex and State of New Jersey that the Memorandum of Agreement is hereby approved, and the Mayor and Township Clerk are hereby authorized to execute the Memorandum of Agreement in regard to the Teamsters Local No. 469 Non-Professional Bargaining Unit for July 1, 2008 through December 31, 2011.

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

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None

PUBLIC HEARING - 2010 BUDGET AMENDMENTS

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

Attorney Convery recommended that there be a motion and a second so you have a public hearing. It is not fair to the public not to allow a hearing. Even if you move to second something, it does not mean that you have to vote in favor of it at a later time. You are moving and seconding it so that it can be heard and addressed.

President Calogera opened the matter to the public.

Attorney Convery stated that he wanted to make sure that the record is clear that at the last meeting certain amendments to the budget were voted upon and approved for advertising. It is my understanding that those amendments were advertised, setting down tonight as the hearing date. If the Council goes forward then after the budget amendments are addressed then they can be voted upon. The statutory date for the adoption of the budget is May 11, 2010.

Himanshu Shah stated the official date from the State for the statutory date for adoption is May 11, 2010.

Attorney Convery responded if the Council does not take action you are duty bound to notify the State on May 12th, that Council has not acted.

Himanshu Shah responded it is not necessary for me to notify the State, obviously, when they do not receive an adopted budget, certified by the Township Clerk, they will know that it is not adopted.

Clerk Saracino confirmed that we did advertise the budget amendments so we are ready to go forward with our hearing.

President Calogera inquired, in the event that the budget does go down, what is next?

Mayor Phillips responded that a lot of things could happen and hopefully they won't. At some point in time the Council will have to adopt a budget. A few months ago we had emergency appropriation to continue government. You will have to keep voting similar resolutions in order to continue government. Himanshu can only predict an extenuation based on last year's budget. Right now whatever the difference is between last year and this year's budget is your shortfall. If you do not adopt this new spending plan, he would have to consider that the Town was not going to adopt a new spending plan and continue on last year's plan and that unfortunately would mean that we would have to begin to shutdown government in order to live up to last year's budget proposal. The very same employees that we are complimenting now for taking zeros and no potential wage increases, will be effected. There is no way around it and that means layoffs in public safety of some sort. The longer we go without a budget the deeper the cuts will have to be. Emergency appropriations can only be a certain percentage of last year's budget, Himanshu cannot go beyond last year's budget in his appropriations. When I presented this budget back on January 15, 2010 it was a certain number, since that time we were hit with two critical events, one was the severe weather and the other was the States reduction of money due Old Bridge. The budget I gave you back in January add to it all the unforeseen lack of revenue coming from the State and the additional expenses, this budget would have been almost a 17 cent increase. You are giving me back a budget that is less than a budget that I gave you and I admire you for that. For the sake of the Town and the people who are faced with losing their jobs and what will happen in the next six months, if it means we have to go to a marathon session he would be willing to work this thing through. You have to give Administration the number they have to shoot to and I am bound by law to meet that number.

Councilwoman Panos stated she heard all this and I am waiting for him to be done.

Mayor Phillips stated that the problem here is you have a budget to either adopt or continue to make emergency expenditures. If you are uncomfortable with the budget you have, basically centered on the sacrifices of the employees here in town, and by using the pent up reserves then don't fund the budget. If there are other cuts you want to make, tell me what they are so we can begin them. There is no magic elixir that I know of to solve this problem. You give me a number to shoot for and staff will begin implementing it. It is the responsibility of Council to act just give me a budget we can implement.

Tony Pasketti stated that he got involved a little late in the process. He was surprised by the fact that it was difficult to get a second on the motion on the budget amendments. He stated that he gave the Mayor a lot of credit for trying to get everyone together. It was stated that there were other budget items that could be cut and what are they and why can't they be cut? Is there so much partisanship going on that you cannot work together for the people of the town to get a budget?

President Calogera responded that there were some differences in philosophy about what tax increase, if any, should be passed on to the residents. This year when there are so many budgetary setbacks, it is a problem. Not everyone agrees on the cuts that have been suggested and/or made. I do

not disagree that taking the money that has been set aside for potential increases and putting it into the budget will not be a big help to us, but at the time we had not negotiated our contracts with our unions, so I did not feel we were in a position to take all that money as we are in negotiations with the police department and in the event that they settle, I have no idea where that money will come from. In trying to be responsible my position was to go for part of the pension option so that in the event we wanted to use it we could have done so. And I hope that gives you an answer as to why I voted the way I did.

Linda Seiler questioned about taking money from the MUA and she is concerned about that. The MUA just had a rate hearing and now in effect are raising the rates. There are a lot of people in town who are not on the water and sewer lines and when you take money from the MUA you are taking just from the users and basically support everyone in town for their tax bill. She also spoke about the Senior Center and how it might be more cost effective if the building was shutdown at 2:00p.m., when the place is literally empty. She also felt that savings could be realized in the Legal Department by cutting back on either or the combination of Township Attorney or the Assistant Township Attorney, we are over provisioned in that area.

Mr. Rao spoke about the tax increase and asked Mr. Shah about the amount of the proposed tax increase from this budget.

Himanshu Shah responded that the tax rate increase will be .815 or approximately \$120 for an average assessed value of \$150,000, that is if the budget amendments are adopted. It is a lot higher if not adopted.

Mr. Rao stated that this budget problem was anticipated based on previous spending. He stated that he warned everyone about this problem if steps were not taken to curtail spending.

President Calogera stated that this Council has been trying to deal with the issues and this is one of the most difficult years that he remembers in trying to get a balanced budget. We are trying to do the best for the residents.

Dr. Greenberg stated that she knew how difficult things are. It is hard to see people working hard and not getting raises. She wanted to commend those that came to the plate and made the sacrifice of agreeing to the collective bargaining agreement. She commended Councilman Greene for suggesting the proposed cuts. This deficit did not happen overnight. The State is telling you there is not any money, you want to defer pensions at 8 1/2% interest, that will come due some time and you once again will be facing a huge budget gap. Dr. Greenberg also commented about the amount of overtime monies spent. The first thing that you have to control when expenses get out of hand is the overtime.. She also commented on controlled hiring.

Terry Scotto inquired as to why it is so expensive to run the Park and Ride and could we take steps to make it more reasonable?

Mayor Phillips stated that it netted out, after considering the expenses, the Parking Utility generated \$143,000 revenue to this budget. It is not costing us anything.

Terry Scotto also inquired as to automating the system regarding the collection of the daily receipts?

Mayor Phillips stated that they had looked into this and it is expensive and considering that we made \$143,000 on this utility as it stands now, it is really a money making venue for the Township as it stands. Why would I want to get rid of something that makes money for the Township after all its expenses are deducted. If every department in town made that much money, we would not have a tax problem.

Inell Jemmott stated she is a commuter and if the Parking Utility is making so much money could she get a discount on her taxes?

Mayor Phillips responded that the money from the utility goes into the general fund and your share of the \$143,000 will get 170 thousands of that amount.

Inell Jemmott complained about the cleanliness of the parking facilities and the problem with the lights, which has since been addressed. She stated that the Old Bridge Park & Ride is in need of repaving. She feels we are paying too much for parking and that there is not sufficient spaces in that lot.

Mayor Phillips stated through an agreement with Home Depot there is additional parking on the South side of Rt. 9, although it is inconvenient it does provide additional spaces for our commuters. He thanked Ms. Jemmott for her observations.

ElizabethWulster inquired if the Township was taking money from the OBMUA again this year?

President Calogera stated that there is an additional \$34,000.00 coming from the OBMUA.

Elizabeth Wulster responded that indirectly the MUA is raising the water and sewer and giving the money to the Township.

President Calogera stated that he did not know what the MUA does with their money, but he would like to.

Elizabeth Wulster stated Mr. Testino, Mr. Greene and Mr. Butler all sit on the OBMUA and they should be able to tell you.

Tony Pasketti stated that he heard a lot about taking money from the MUA, but he thinks there is a State law that allows you to take a certain percentage from the utility.

Mayor Phillips responded that there is an amount you can take based on your gross operating budget, only if they have the surplus available to give. Last year the surplus was \$17 million; some it is reserve and some was unreserved surplus and as long as they have it, they can give up to 5% of their operating costs to the Township. This money is equivalent to a "franchise fee" which the judiciary put on the books. The Legislature in their wisdom instituted this franchise fee onto the local utility and I totally agree with them.

Tony Pasketti referred to the parking. There is a Township ordinance that states anyone who parks in that lot needs a permit. Could you not have regular police officers patrol the lots?

Mayor Phillips responded that this was already being done. If you put in machine that accepts the money, the cost for this is expensive and we have looked into the matter and cost of implementing this on lots we do not own is costly and we could lose those lots at any time.

Linda Seiler stated that not all the taxpayers in Old Bridge who are paying money into the MUA. There are many people who are not hooked up to the water and sewer Therefore the users are paying for those who do not have hook-ups, that is unfair. She suggested that you take the surplus from the Parking Utility and reduce the taxes for only the rate payers of the MUA.

Mayor Phillips responded that we anticipate the revenue from the MUA at about \$1.3, without their money, the average tax bill in the Township would be going up about \$60. If there is a motion by the Council to not accept the MUA's money then the shortfall will become not 8cents but 12 cents.

Seeing no more hands President Calogera closed the public portion.

Councilman Greene stated that he wanted to clarify something a couple of residents mentioned regarding the rate increase from the MUA and the reason for that is Old Bridge must buy a certain amount of their water from Middlesex Water Authority, it is mandatory. They imposed a 16% increase in the cost of water that Old Bridge purchases and delivers to residents which amounts to a 4.1% increase to the residents. Since the seniors and single family homeowners, complained about the 10000 gallon minimum for the calculation, the MUA decided to reduce that 10,000 to 8000 and anyone who uses 8000 gallons or less will not pay an increase. If you use more than 8000 gallons there is an increase. At the same time there was a deduction in the cost of the sewer delivery. The rate increase was forced on the MUA. As far as the surplus that is a discussion for another day. With regard to why the budget amendment could not get a second, well who wants to vote on a budget that includes a tax increase, that was the bottom line. We came up with a budget that increases the tax rate by \$120 per year for a home assessed at \$150,000 rather than the \$140 proposed in the original Mayor's budget. Do I like it "no". What I am looking for from my counterparts to come up with suggestions that we can live

with, because we came up with well over \$2 million dollars in savings and I thank the Old Bridge employees for going along with wage freeze and no increase.

Mayor Phillips stated that the longer we wait to make a decision on this budget the deeper and more painful the cuts will be. A million dollars worth of cuts made on January 1, might have to be \$2 million dollars worth of cuts if they are made on July 1. This Township has been downsizing and I am asking for a budget so that we can take the appropriate action. So far through the layoffs and attrition we have not had to let anyone else go but that could change if we do not get a budget.

Councilwoman Panos inquired if the June 1st date was the bottom line with regard to lay offs?

Councilman Gillespie stated that we had a budget amendment introduced and supported by five members. It was advertised and we had a hearing and it is probably more appropriate to vote on those amendments first then we can proceed to other amendments.

Councilwoman Panos inquired that when we vote on these amendments does that approve the budget?

Mayor Phillips responded "no".

MOTION

Motion to approve the budget amendments made by Councilman Butler, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Greene, Councilwomen Panos, Sohor, President Calogera.

NAYS: Councilmen Gillespie, Testino, Volker.

Attorney Convery stated that now that the budget amendments have been approved, this Council could now, if they chose go on to adopt the budget as amended this evening or they could look for further amendments is that correct?

President Calogera asked if there were any more amendments?

MOTION

Motion to adopt the budget by Councilman Butler, seconded by Councilman Testino and so ordered on the following roll call vote:

AYES: Councilman Butler

NAYS: Councilmen Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera.

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

Councilwoman Panos stated that with regard to the Lawrence Harbor Senior Center, she would like that to be closed. She had requested figures and she never received a definitive answer.

Himanshu Shah stated that the savings related to the utility cost is very small and there is no staff at that facility.

Councilwoman Panos also asked about the Parking Utility. It is not easy to make decisions on this matter and for years she has asked for cost to automate the facility. She has been asking for a long time to do something about this.

Mayor Phillips stated that we had looked into the cost of a study to determine if automation was feasible and it was too expensive.

Councilwoman Panos stated that we have to learn to do more with less. You can have the boy scouts volunteer to clean the lots, she feels that \$84,000 salary plus benefits for the Parking Utility employee is exorbitant. Also, years ago, we used to volunteer to help clean up the lots, et cetera. We do not need a recycling coordinator at \$47,000 plus benefits to do that. She would like to see those two positions eliminated thereby giving the Township additional funds in their operating budget; this in addition to the closing of the Laurence Harbor Senior Center are her recommendations.

Attorney Convert stated there is a motion on the floor and that is what we have to vote on? Obviously if the budget goes down you are going to have to go to another option. The other options have to do with amendments that would be satisfactory to the Council.

Councilman Cahill stated that less than five minutes ago we said that we would adopt the amendments and then we would be able to have additional amendments before we voted on the budget. Yet we have a motion and a second to adopt the budget before we talk about additional amendments. So what happened?

Attorney Convery stated that at any time a Councilperson can make a motion and that motion is pending.

Councilman Cahill responded I feel that this was a set-up.

Councilman Gillespie stated he did not understand this turn of events. We voted on a plan of amendments and those plans were well debated and well reasoned. There were five votes to do this and now there are five votes not to do it. Even Councilman Greene who put forth these plans now voted "no".

Councilman Cahill stated that for clarification, Mr. Greene spoke about this, that one side put up budget ideas that were cost cuts, the other side put up what I will call a "loan", which would put the Township in more debt over 15 years at 8.25%, so no we did not vote for pension we voted for the cuts that were prudent and quite frankly it is insulting that you would say that because we spent a lot of hours taking through this. At the first workshop you did not come with any cuts, although Mr. Calogera did have some cuts. We wonder why we could not get a second on the budget, this is exactly why, it is really unreasonable to say that. The public can see in full glory what is going on here.

Councilman Gillespie it is completely stated that the difference is Mr. Green's one shot, was bigger than my one shot and quite frankly it is disingenuous. You voted for the Greene Plan and then not to adopt the budget that is underpinned, who is playing politics now? There were five votes for the plan and now there are not five votes for the budget. I do not understand why.

President Calogera called a ten minute recess.

President Calogera called the Council back into session.

Councilwoman Panos stated that she made a motion for amendments earlier. We came up with ideas and cuts we did not want to put the Township into further debt. I hope that this Administrations takes my suggestions and maybe next year we can implement them and save the Town even more money. Therefore, I am withdrawing my proposed amendments.

Attorney Convery stated that procedurally, based upon what you just stated is that the next order of business is for someone who voted "no" on the adoption to make a motion to rescind the motion and then a vote must be taken on the motion to reconsider and if you get five votes to reconsider then you back to the question.

MOTION

Motion to reconsider the adoption of the budget as amended made by Councilman Cahill, seconded by Councilwoman Panos and so ordered on the following roll call vote:

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

NAYS: Councilwoman Sohor, Councilman Volkert.

Attorney Convery stated that we were now back to the original question which is a motion to adopt the budget as amended this evening.

**ADOPTION OF CALENDAR YEAR 2010 BUDGET
RESOLUTION NO. 198-A**

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

the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$XX,XXX,XXX (Item 2 below) for municipal purposes, and
- (b) \$ 0 (Item 3 below) for school purposes in Type I school Districts **only** (N.J.S.A. 18A:9-2) to be raised by taxation and
- (c) \$ 0 (Item 4 below) to be added to the certificate amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A.18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations

Summary of Revenues

1. General Revenues			
Surplus Anticipated	40003-10	\$ 10,083,605.00	
Miscellaneous Revenues Anticipated	40004-10	\$ 14,569,655.00	
Receipts from Delinquent Taxes	41419-10	\$ 315,046.00	
2. Amount to be Raised by Taxation for Municipal Purposes (Item 6(a), Sheet 11)	41415-10	\$ 31,362,937.00	
3. Amount to be raised by taxation for Schools in Type I School Districts only:			
Item 6, Sheet 42	40010-10	\$	
Item 6(b), Sheet 13 (NJSA 40A:4-14)	41416-10	\$	
Total amount to be raised by taxation for Schools in Type I School Districts only		\$	
4. To be added to the Certificate for amount to be raised by taxation for schools in Type II School Districts only:			
Item 6(b), Sheet 13 (NJSA 40A:4-14)	41416-10		
Total Revenues	40000-10	\$56,331,243.00	

Summary of Appropriations

5. General Appropriations		
Within "CAPS"		
(a&b) Operations including contingent	\$38,213,105.00	
(e) Deferred charges and statutory expenditures - municipal	\$ 4,712,556.00	
(f) Judgments	100.00	
Excluded from "CAPS"		
(a) Operations - total operations excluded from "CAPS"	\$ 5,619,242.00	
(c) Capital Improvements	75,000.00	
(d) Municipal Debt Service	6,164,800.00	
(e) Deferred Charges – Municipal		
(n) Transferred to Board of Education for Use of Local Schools		
(g) Cash Deficit		
(k) For local District School Purposes		
(m) Reserve for Uncollected Taxes (include other reserves if any)	1,546,440.00	
6. School appropriations – Type I School Districts Only (N.J.S.A. 40A:4-13)		
TOTAL APPROPRIATIONS	\$ 56,331,243.00	

Moved by Councilwoman Panos, seconded by Councilman Cahill and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Greene, Councilwoman Panos, President Calogera.

NAYS: Councilmen Gillespie, Testino, Volkert, Councilwoman Sohor.

Prior to the roll call vote the following discussion took place

Councilman Cahill stated that we went through many hours of meeting, sometimes they were fruitful and sometimes they were not. Everyone on this Council cares about the Township, the taxpayers and the people who work in this municipality. Sometimes we have different approaches on how to get things done. The fact of the matter is we are facing a hard deadline for this budget and I think that we have done a very good job in at least identifying over \$2 million dollars to help the taxpayers. It is not where I want to be, everyone would like to have a zero percent increase. Unfortunately, given some circumstances beyond our control, snowstorms and things like that, it is not going to happen. It bothers me to pass this budget, I think it would be irresponsible for the Council not to at least pass a budget that includes some cuts. The good thing about this it that is actually lower than what was introduced in January and again we are at a hard number. So I am going to ask that my peers pass the budget, but at a certain point in time we have to stop the partisan bickering and figure out what is good for the Township and I am willing to move this process forward.

President Calogera stated that he is going to support the budget because even though it is a budget I do not like either, I agree with Councilman Cahill and we are at a point where we cannot get much more out of it in the way of cuts. We have been prudent in trying to cut as much as we could.

Councilman Greene agreed it is a difficult decision. No one wants to pass a budget that includes a tax increase, we have all worked very hard since January to come up with a realistic budget. He once again acknowledged the Township employees who have agreed to the no salary increase as well as no retro pay to July 2008. We have cut allocations to the various Township teams which is unfortunate. There is nothing else except layoffs and that is the last thing that I and my colleagues want to see. We want to move on and congratulate everyone who came together and put this budget together. It is the best thing for the Town. Councilman Greene thanked the Mayor, Mr. Shah and his staff for all their hard work.

Councilman Butler stated that he has been here for a long time and toiled over this budget and the last time we were in this situation was in 1983. He commended the various unions for helping us out. It is important to have a job in today's economy and they realize that. It is better to be working and forgo an increase than by not working at all. It is not the budget that we all wanted, but again it is the best for the Township. The alternative would be big cuts to the employees. For these reasons I am supporting this budget.

Councilman Testino stated that this was a very difficult budget and it was not an easy decision, but I do want to caution the Mayor that the budget amendments currently proposed would require no hiring and should there be any arbitration awards we will be in a very devastating position if the awards come out in 2008, 2009 adverse to us and we would be unprepared for those awards in the arbitration. I do think that 2010 arbitration should be zero based on the economy, but I don't know that any arbitrator would award zero for retro. I think that a better course of action would have been a merger of the two plans, so that we would have some ability to budget in good faith what is going to happen in the future. I don't believe that the current budget as truck is going to do that. I do want to thank my fellow councilpersons for their genuine efforts in trying to find areas to cut because this is a very trim and lean budget. There are no easy decision and there are priorities we have to decide on and I personally support it because I think the awards as constituted for 2008 and 2009 will place us in a dire position because we have not left any reserve for that.

Councilwoman Panos stated we were handed a budget back in January that increased the tax rate by 9 cents and then the snow came and that was an additional 6 cents. So by February we had a possible increase of 15 cents per 100 dollars. It was hard work and we are still not happy as everyone agrees. I most certainly could not do the other part regarding the pension payment. I guess if you look at the silver lining we still came in with a budget that was less than what was handed to us by Administration. I am going to support this budget reluctantly, but it is the best we can do at this time.

Mayor Phillips stated that when Councilman Testino made his remarks he spoke about new hires. I realize that this budget as it stands right now, puts me in a hole of \$2 million dollars. I am relying primarily on attrition for the remainder of this year, but I say this for the record, that there are certain positions here that have to be replaced, school crossing guards, issues of public safety, need to be discussed and I will discuss this with the Finance Committee to make sure I have support for those. But there comes a time when there are certain people who need to be replaced. There will not be any discretionary hiring. When you vote on this budget, I don't want you to think that I will never hire, there are the summer programs and I hope to continue that next year. I don't want anyone coming back to me saying you hire a school crossing guard or a code enforcement officer or a police dispatcher, and you said you were not hiring anyone. However, I consider some of these areas as a means of public safety.

MOTION

Motion to adjourn made by Councilman Testino, seconded by Councilman Gillespie and so ordered on the following roll call vote:

AYES: Councilmen Butler, Cahill, Gillespie, Greene, Testino, Volkert, Councilwomen Panos, Sohor, President Calogera

NAYS: None.

President G. Kevin Calogera

Rose-Marie Saracino, Township Clerk

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dist.