

JANUARY 16, 1979

Appointing
Chief of Police
from Certification
List -

ROBERT D'ZURILLA

WHEREAS, the Department of Civil Service of the State of New Jersey, called for an examination for the position of POLICE CHIEF in the Borough of Carteret, and

WHEREAS, the Department of Civil Service has served a Certification of Eligibles for Appointment, dated January 12, 1979 for said position; and

WHEREAS, the Department of Civil Service has certified that ROBERT J. D'ZURILLA is eligible for appointment to the position of POLICE CHIEF in the Borough of Carteret;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that ROBERT J. D'ZURILLA be and is hereby appointed to the position of POLICE CHIEF of the Borough of Carteret from the Certification List dated January 12, 1979 as provided by law, effective immediately;

BE IT FURTHER RESOLVED that a copy of this resolution be sent forthwith to the Department of Civil Service of the State of New Jersey.

RESOLUTION
#79-20

The following resolution was introduced and adopted upon MMS&C, by Councilmen Toth and Sitar. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

COUNCILMAN UMANSKY stated that Council did take action against the highly controversial issue about a year ago, but now again PSE&G Co. has submitted an application before FERC for permission to store LNG in one of the tanks at Rossville, S.I., a matter which he brought before the Council at the Agenda Meeting and is strongly opposed to.

Opposing PSE&G Co.
LNG Storage
Plan

WHEREAS, the Public Service Electric & Gas Co (PSE&G) is preparing to revive a highly controversial project which would provide for the storage of liquified natural gas (LNG) in tanks at Rossville, S.I., directly across the Arthur Kill from Tufts Point in Carteret; and

WHEREAS, according to company executives and officials of the Federal Energy Regulatory Commission (FERC), the utility is seeking to make use of two massive tanks which were constructed by the now-defunct Distrigas Corp. for storage of LNG imported from Algeria; and

WHEREAS, in an effort to proceed with its stalled project which was met by fierce local opposition a few years ago, PSE&G has alerted its plans for the site, and recently revealed that it will file an application before FERC on March 1 for permission to use one of the two 900,000-barrel tanks to store LNG derived from domestic pipeline gas; and

WHEREAS, State Energy Commissioner Joel R. Jacobson, on January 10, 1979, said he does not oppose storage of liquified natural gas in the special high-volume tanks, but he does oppose shipping LNG into the Garden State through narrow coastal waterways, such as the Arthur Kill which separates New Jersey and Staten Island;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Carteret that the Governing Body of the Borough of Carteret is unalterably opposed to any proposal by the Public Service Electric & Gas Co. to attempt to import gas from Algeria or other countries because of the danger of tanker collisions in the Arthur Kill;

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Carteret is unalterably opposed to the Public Service Electric & Gas Co. continuing with its controversial project which would provide for the storage of liquified natural gas in tanks at Rossville, S.I., directly across the Arthur Kill from Tufts Point in Carteret.

The following resolution was introduced and adopted upon MMS&C, by Councilmen Toth and Sitar. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Willson voted in the affirmative for its adoption.

RESOLUTION
#79-21

WHEREAS, the Electorate of the State of New Jersey unanimously approved a Referendum permitting casino gambling in Atlantic City, New Jersey, with the express understanding and representation in said Referendum that the funds derived therefrom would be used to help senior citizens; and

Petitioning
Allocation of Casino
Receipts to Support
Senior Citizens
Transportation
Programs

WHEREAS, municipalities throughout the State of New Jersey presently have programs which provide transportation during the day for senior citizens who are unable to drive in order to obtain the necessities of life, the cost of which transportation is now borne by the municipalities;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Carteret that the State of New Jersey immediately allocate funds from revenues derived from casino gambling to each municipality to defray the cost of transportation of senior citizens.

JANUARY 16, 1979

RESOLUTION
#79-22

The following resolution was introduced and adopted upon MMS&C, by Councilmen Toth and Sitar. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

Transfers

WHEREAS, certain 1978 appropriation reserves have balances and others have insufficient amounts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the following transfers of the 1978 appropriation reserves be made:

<u>FROM</u>	
PUBLIC BUILDINGS & GROUNDS:	
Other Expenses	1,000.00
INSPECTION OF BUILDINGS:	
Other Expenses	500.00
CIVIL DEFENSE & DISASTER CONTROL:	
Other Expenses	500.00
MUNICIPAL GARAGE:	
Other Expenses	600.00
BOARD OF HEALTH:	
Salaries & Wages	<u>500.00</u>
	\$3,100.00
<u>TO</u>	
SNOW REMOVAL:	
Other Expenses	500.00
AIR POLLUTION CONTROL:	
Other Expenses	500.00
SOCIAL SECURITY SYSTEM:	
	<u>2,100.00</u>
	\$3,100.00

ORDINANCE
#79-1
Amending
Salary Ordinance
Re Firemen
FIRST READING

Ordinance #79-1 was introduced and adopted upon first reading and the Clerk authorized and directed to advertise same for public hearing to be held February 6, 1979, upon MMS&C, by Councilmen Wilson and Umansky. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative. One Council seat vacant.

ORDINANCE #79-1

AN ORDINANCE TO AMEND ORDINANCE
#71-9 ESTABLISHING SALARY SCHEDULES
AND FIXING THE MANNER OF PAYMENTS
OF SALARIES FOR VARIOUS OFFICIALS
AND EMPLOYEES OF THE BOROUGH OF
CARTERET.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL
OF THE BOROUGH OF CARTERET:

SECTION 1. That the following amendments of the above
entitled ordinance be made in Section 1:

Section 1.

FIRE:

Fire Captain UFD	\$16,574.16 per yr.
Fireman UFD-	
1st year	12,254.74 per yr.
2nd year	12,947.53 per yr.
3rd year	13,640.32 per yr.
4th	15,742.82 per yr.

In addition there shall be a fireman designated to per-
form fire inspections and clerical duties in the Fire
Prevention Office and he shall receive \$325.00 per
annum in addition to his rank in pay.

SECTION 2. That Section 4 of the above entitled ordinance
be amended to read as follows:

Section 4. In addition to the annual salary, full time
members of the Fire Department shall receive a salary
longevity according to the following schedule:

a. 5 to 9 years of service.....	2%
10 to 14 years of service.....	4%
15 to 19 years of service.....	6%
20 years and up.....	8%

b. Overtime shall be compensated at one and one-half
times the officer's regular rate of pay. Minimum
call-in time of four hours for overtime for
authorized stand-by.

SECTION 3. The above schedule of compensation shall be
retroactive to January 1, 1978. Said Ordinance shall
take effect immediately upon passage and publication
as required by law.

Ordinance #79-2 was introduced and adopted upon first
reading and the Clerk authorized and directed to
advertise same for public hearing to be held
February 6, 1979, upon MMS&C, by Councilmen Sitar
and Toth. Upon individual roll call vote, Councilmen
Sitar, Sitarz, Toth, Umansky and Wilson voted in the
affirmative. One Council seat vacant.

ORDINANCE
#79-2

Capital Improvement
Re Sewer Improvements

FIRST READING

JANUARY 16, 1979

ORDINANCE #79-2

A CAPITAL IMPROVEMENT ORDINANCE
AUTHORIZING THE APPROPRIATION OF
\$117,500.00 FOR THE REPAIR AND
IMPROVEMENTS TO THE CARTERET SEWER
SYSTEM PURSUANT TO THE SECOND-YEAR
DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, The Community Development Program of 1974 has made available to the Borough of Carteret a grant for repair and improvements to the Carteret Sewer System; and

WHEREAS, it is necessary for the purposes of the program that immediate steps be taken to provide for the establishment of the necessary financial authorization in accordance with the Statutes of the State of New Jersey and the Regulations of the Local Finance Board to implement this program;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Carteret:

1. The improvement herein described is hereby authorized as a general improvement to be made by the Borough of Carteret, New Jersey. For the said improvement, there is hereby appropriated the sum of \$117,500.00

2. The purpose for which this appropriation is authorized is as follows:

For repair and improvements to the Carteret Sewer System.

3. This Ordinance shall take effect following its advertisement, public hearing, and adoption in accordance with the requirements of law, provided however that this Ordinance is contingent upon and shall not become effective until the Borough has received written approval from the Federal Government for this grant.

ORDINANCE
#78-34

Amending
Salary Ordinance

Ordinance #78-34 was introduced and passed upon first reading at a regular meeting of the Borough Council held on December 19, 1978. It was duly published in The News Tribune on December 29, 1978, with notice that it will be considered for final passage after public hearing to be held on January 16, 1979, at 8:00 P.M. The ordinance was posted on the Bulletin Board and copies were made available to the general public and according to law, the Clerk read the ordinance by title.

Public
Hearing

Upon MMS&C, by Councilmen Wilson and Umansky, and unanimous affirmative vote of the full membership present, the Mayor declared the public hearing to be open:

Hearing
Closed

There being no comments or objections to the ordinance, the Mayor declared the public hearing to be closed upon MMS&C, by Councilmen Wilson and Umansky and unanimous affirmative vote of the full membership present.

Upon MMS&C, by Councilmen Sitar and Toth, Ordinance #78-34 was finally adopted and upon individual roll call vote Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for adoption; One Council seat vacant.

Adoption

ORDINANCE #78-34

AN ORDINANCE TO AMEND ORDINANCE #71-9 ESTABLISHING SALARY SCHEDULES AND FIXING THE MANNER OF PAYMENTS OF SALARIES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CARTERET.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CARTERET:

SECTION 1. That the following amendments of the above entitled ordinance be included in Section 1.:

INSPECTION OF BUILDINGS:	
Plumbing Inspector	\$5,091.00 yr.
Plumbing Sub-Code Inspector	535.00 yr.

PUBLIC WORKS:	
STREETS & ROADS-	
Maintenance Worker	5.67 hr.

MISCELLANEOUS:	
ELECTION-	
Election Officer	655.00 yr.
Assistant Election Officer	249.00 yr.
Election Aide	59.00 yr.

SECTION 2. The above schedule of compensation shall be active to January 1, 1978. Said Ordinance shall take effect immediately upon passage and publication as required by law.

APPROVED AND ADOPTED: January 16, 1979
 INTRODUCED: December 19, 1978
 Advertised as adopted on first reading with
 Notice of Public Hearing December 29, 1978
 Hearing Held: January 16, 1979
 Approved by Mayor John V. Tomczuk
 Advertised as finally adopted Janaury 19, 1979

ORDINANCE
 #78-35
 Vacating Portion
 Gulino Place

Ordinance #78-35 was introduced and adopted upon first reading at a regular meeting of the Borough Council held on December 19, 1978. It was duly published in The News Tribune on December 29, 1978 with notice that it will be considered for final passage after public hearing to be held on January 16, 1979, at 8:00 P.M. The ordinance was posted on the Bulletin Board and copies were made available to the general public and according to law, the Clerk read the ordinance by title.

Upon MMS&C, by Councilmen Wilson and Sitar, and unanimous affirmative vote of the full membership present, the Mayor declared the public hearing to be open:

Public
 Hearing

JANUARY 16, 1979

Hearing
Closed

There being no comments or objections to the ordinance, the Mayor declared the public hearing to be closed, upon MMS&C, by Councilmen Wilson and Umansky and unanimous affirmative vote of the full membership present.

Adoption

Upon MMS&C, by Councilmen Sitar and Umansky, Ordinance #78-35 was finally adopted and upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for adoption; One Council seat vacant.

ORDINANCE #78-35

AN ORDINANCE PROVIDING FOR THE
RELEASE, EXTINGUISHMENT AND VACATION
OF PUBLIC RIGHTS IN AN UNDEVELOPED
DIRT ROADWAY KNOWN AS GULINO PLACE,
SOUTH OF THE INTERSECTION OF PENDRO
AVENUE IN THE BOROUGH OF CARTERET,
STATE OF NEW JERSEY, COUNTY OF
MIDDLESEX.

WHEREAS, it is deemed in the public interest that a certain dirt road known as Gulino Place herein-after described, be vacated, and all public rights therein be released and extinguished; and

WHEREAS, portions of Gulino Place have not been opened and are not required for public convenience; and

WHEREAS, the public interest will be served by releasing the lands hereinafter described to be vacated and any public easements or rights which might exist therein;

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Borough Council of the Borough of Carteret:

Section One (1)

Beginning at a point where the Westerly side of Gulino Place intersects the Southerly side of Pendro Avenue and running thence:

- (1) S 24° 32' 11" W along said Westerly line of Gulino Place 100 feet to a point of intersection with the Southerly line of Gulino Place; thence,
- (2) S 65° 27' 49" E along said Southerly line of Gulino Place 50 feet to a point of intersection with the Easterly line of Gulino Place; thence,
- (3) N 24° 32' 11" E along said Easterly line of Gulino Place 100 feet to a point on the Southerly line of Pendro Avenue; thence,
- (4) N 65° 27' 49" W along said Southerly line of Pendro Avenue 50 feet to the point and place of beginning, containing an area of 5000 square feet.

Section Two (2)

That any dedication of the land to public use within the Boundaries described in Section One (1) be and the same is hereby rejected and all rights of the Borough of Carteret, State of New Jersey, County of Middlesex, or the general public in and to said streets and portions of said streets described be and the same is hereby released, extinguished and forever vacated.

APPROVED AND ADOPTED: January 16, 1979
 INTRODUCED: December 19, 1978
 Advertised as adopted on first reading with Notice of Public Hearing December 29, 1978
 Hearing Held: January 16, 1979
 Approved by Mayor John V. Tomczuk
 Advertised as finally adopted January 19, 1979.

Upon MMS&C, by Councilmen Toth and Umansky, all bills appearing on the prepared list, as corrected, properly audited and signed, were ordered to be paid. Upon individual roll call vote, Councilmen Sitarz, Toth, Umansky and Wilson voted in the affirmative for payment. Councilman Sitar "Abstained" from voting on Sitar's Shop Rite bills and "Yes" on all other bills.

PAYMENT
 OF BILLS

The Mayor issued the following Proclamations:

PROCLAMATIONS

WHEREAS, The National Foundation-March of Dimes is pledged to a future which guarantees the gift of death to all newborn; and

March of Dimes

WHEREAS, it is leading the cause of prevention and treatment of birth defects to bring this dream to reality; and

WHEREAS, to achieve its goal, the March of Dimes has established more than 100 Birth Defect Centers throughout the nation for research, education, patient care, and community services; and

WHEREAS, significant progress is being made, vast research still is needed to prevent birth defects from striking 250,000 newborns annually in our country; and

WHEREAS, if future generations are to benefit from our hope today, each of us must participate fully in this great health effort; and

WHEREAS, public support is vital to the massive, nationwide undertaking of the National Foundation-March of Dimes;

NOW, THEREFORE, I, JOHN V. TOMCZUK, Mayor, of the Borough of Carteret, do hereby proclaim January 1979 as MARCH OF DIMES MONTH, confident in the knowledge that my fellow citizens will give generously to prevent birth defects.

JANUARY 16, 1979

Ukrainian
Independence
Day

WHEREAS, on January 22, 1979, Americans of Ukrainian descent, and Ukrainians throughout the free world, will observe the 61st Anniversary of the Proclamation of Ukrainian Independence, which took place on January 22, 1918, in Kiev, the capital of Ukraine; and

WHEREAS, the nation, dedicated to belief in God, and desirous of living in peace and harmony with all neighboring peoples, had organized an independent and democratic parliament Ukrainian Central Rada; and

WHEREAS, in the year 1920, the short-lived Ukrainian democratic government was overthrown by the forces of communist Russia, and a puppet regime of the Ukrainian Soviet Socialist Republic was formed; and

WHEREAS, on one hand, when the Ukrainians throughout the free world are preparing to celebrate a Millennium of Christianity, over 50 million of enslaved Ukrainians in the Ukraine, on the other hand, are constantly being stripped of their national identity; their religious and intellectual leaders are being incarcerated in the Soviet prisons. They live with great faith that their free brethren and the world public opinion will someday free them from Soviet tyranny; and

NOW, THEREFORE, in recognition of the right of all people to determine their own destiny, and in the hope the Ukrainian Independence will soon be re-established, I, John V. Tomczuk, Mayor of the Borough of Carteret, Middlesex County, state of New Jersey, do hereby proclaim January 22, 1979 as UKRAINIAN INDEPENDENCE DAY and urge all the citizens of Carteret to join our Ukrainian-Americans in commemorating the significance of this memorable day in Carteret; and

FURTHERMORE, I, herewith, order that the Ukrainian National Flag be flown at the Borough Hall on January 22, 1979.

REPORTS
OF COMMITTEES
Sale - Derelict
Vehicles

PUBLIC SAFETY: Upon MMS&C, by Councilmen Sitar and Wilson, and unanimous affirmative vote of the full membership present, the Clerk was authorized and directed to advertise the sale of derelict vehicles.

SEWAGE DISPOSAL: Councilman Umansky reported that on January 10th, Mr. Niemiec and he inspected the manhole by Intercon Corp. and found a great amount of sludge, congealed fat particles blocking up the sewer. Mr. Niemiec told him that he just jettied the manholes a week before-----cost \$200.00; and that/his department \$800.00 in 1978 to upkeep these manholes. He requested the Borough Attorney to write a letter to Intercon directing them to cease the dumping or legal action will be taken.

JANUARY 16, 1979

Councilman Umansky stated that he was against any changes in the Veterans preference law and although Council has already adopted a resolution opposing the action, he will again propose another resolution.

All other Standing Committee Chairmen reported PROGRESS in their respective departments.

Mayor John V. Tomczuk stated that he would now open the meeting to the public for the purpose of receiving complaints, recommendations or other constructive data, noting that this is not meant to be a question and answer period.

SHIRLEY CAVANAUGH complained that she was promised that her street would be fixed, yet nothing has been done and asked when this work would be done.

STEPHEN KRISSAK stated that according to the newspapers, all neighboring communities received their Board of Education budgets and made their complaints to their Boards. He asked why Carteret doesn't have the school budget and asked the Mayor if he has any comments on the subject. The Mayor replied "NO".

PETER SICA stated that he read in the newspaper that Mr. Carr is suing the Borough for his money; that he waited until he got out of office before he sued; that Mr. Carr tried to get paid for three (3) years but he put a stop to it. He said that the bills are just as 'phony' as Mr. Carr and that he, personally will hire his own lawyer to fight the payment of these bills.

He objected to the resolution assigning Mr. Carr to another job for \$5,000 and stated that Mr. Carr refused to give Mr. Boswell the drawings.

He stated that Mr. Carr sent the Borough a letter at one time, telling us how wonderful LNG would be for Carteret, trying to sell us on LNG while he was working for the company building the tanks.

Mr. Sica noted that Ben Den is again being paid \$153,423.00 and asked if anyone knew exactly how much the project would cost. He also noted that the Carteret Redevelopment Agency is being paid \$6,880.14 and asked 'when are we going to put a stop to all this....there's no such thing as Urban Renewal, yet we employ all these people.'

Mr. Sica said, "I understand Mr. Nemish works there as a Re-hab Officer; is it true that his daughter is working there? If she is, who hired her? Nobody knows, yet we are hiring and paying people, giving jobs to parasites. This bill is a joke."

Mr. Sica stated that Photo Engineering and T.E.A.M. Associates are one and the same.

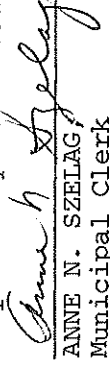
SAM SICA objected to the Capital Improvement Ordinance, stating that we have 11 million dollars buried in sewer work on H. Thomas Carr's recommendation; that sooner or later we are going with the Middlesex Sewerage Authority and we should look into the matter before we spend any more money on sewers. He said that he would have closed Intercon down, instead of sending them a letter.

Mr. Sica asked who would get the land that is being vacated and advised that Council should look into things before it acts.

There being no further business from the Council or public present, the meeting was adjourned upon MMS&C, by Councilmen Wilson and Umansky.

ADJOURNMENT

Respectfully submitted,


ANNE N. SZELAG,
Municipal Clerk

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COUNCIL MEETING

BILLS PASSED

JANUARY 16, 1979

PERTH AMBOY NATIONAL BANK:

John Fiorentino, Treasurer 72,109.71
John Fiorentino, Treasurer 40,006.25

John Fiorentino, Treasurer 96,291.19
John Fiorentino, Treasurer 28,902.88

DOG ACCOUNT - PANB:

John Fiorentino, Treasurer 750.33

TRUST ACCOUNT - PANB:

Blue Cross of New Jersey 1,348.36

COMMUNITY DEVELOPMENT PROGRAM - CBT:

Boswell Engineering Company 996.75
Orefice Construction Corp. 33,975.00

Carteret Redevelopment Agcy. 6,880.14

PUBLIC WORKS PROGRAM - CBT:

Ben Den Construction Co. 153,423.00
Photo Engineering Associates 815.00

Boswell Engineering Co. 1,066.75
T.E.A.M. Associates 1,392.51

CARTERET BANK & TRUST COMPANY:

John Fiorentino, Custodian 75,000.00
N. J. Mayors Association 50.00
Div. of Local Govern. Services 90.30
David J. Lynch 50,191.00
N. J. Bell Telephone 1,623.71
Chet's Service, Inc. 16.35
N.J. Paid Chief's Assoc. 30.00
Stimmel Industries, Inc. 39.60
K & B Supply 214.66
Vinnie's T.V. Service Inc. 346.85
Municipal Court Judges of MC 215.00
Theodore E. Kaskiw 30.00
Leonard A. Zaleski 35.00
Joseph J. Zaleski 30.00
Roberts Chevrolet Inc. 68.75
Chas. Schaefer Sons, Inc. 1,540.79
Raymond Humiston 30.00
Auto Parts of Woodbridge 89.20
Richard Nonnenmacher 30.00
P. H. Doremus Chemical Co. 826.80
Oxford Chemicals 360.14
Robert W. Rowe 623.00
Roma Towns 30.00
Victor Kazio 197.10
Albrecht's Key Shop 28.95
Frank Sakson 57.50
Wells Fargo Alarm Service 25.90
Modern Sound Pictures 83.03
Union County Film Service 136.90
John Fiorentino, Custodian 325,000.00
Choung Ja Kim 131.18
Mae & Catherine Deckus 68.90
Nicholas & Olga Koval 68.90
PSE&G Company 1,593.13
George Sheridan 34.45
Ace Novelty & Printing Co. 608.55
XEROX Corporation 362.73
IBM Corporation 442.00
Boswell Engineering Co. 1,627.50
Absolute Fire Protection Co. 555.05
Middlesex Water Company 27,735.62
Elizabethtown Gas Company 1,210.45
Amboy Generator Service Inc. 117.50
Industrial Welding Supply Inc. 39.76
Baumgartners' Hardware 48.60
A & M Sales 456.50
Perth Amboy Tire Inc. 123.28 123-76

Kimber Business Machines 125.00
Ragucci's Sport Shop 16.90
Great-West Life Assurance Co. 2,624.71
Blue Cross of New Jersey 12,339.23
N. J. Bell Telephone 2.00
Thomas F. Murphy, Inc. 631.20
N.J. St. Fire Prevention Assoc. 25.00
A & M Battery Service 41.35
Seven-Eleven Food Store 2.10
Warner Communications 248.00
Municipal Record Service, Inc. 16.06
NJ Society of Architects 15.00
Quaker State Oil 213.67
A & A Brass Company 157.65
Weldron Asphalt Corporation 22.87
Albert Arva 29.97
W. E. Timmerman Co., Inc. 72.15
M. Kacsur & Sons 254.31
Campbell Foundry Company 313.00
Leavie Jones 30.00
James Price, Jr. 30.00
S & M Research 100.90
Francis S. Cap 30.00
3M Business Products 179.10
Nobel Equipment & Supplies 742.56
Suburban Propane Gas Corp. 18.82
Films, Inc. 56.00
Thomas Toth 33.12
NJ Social Security Admin. (PANB) 10.00
Martin Brown 53.00
Arthur De Roo 165.44
Mario A. Garcia 265.58
Henryk & Yolanda Lupinski 32.45
Sal Renda 111.30
United Bulk Carriers Corp. 4,238.19
Middlesex Cty. Publishing 165.36
The News Tribune 130.24
Alco Stationers, Inc. 48.02
Mid State Oil 1,863.62
Marin Motor Oil Inc. 2,936.99
Carteret Auto Parts, Inc. 145.05
Mullins Spring Water Co. 34.65
Hammer's Men's Store 306.16
P. S. E. & G. Company 12,235.53
NJ Dept. of Commun. Affairs 1,729.68
Carteret Lumber & Supply Co. 172.25

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LIBRARY:

Arco Publishing Co., Inc.	30.86
Max L. Brown Hardware Co., Inc.	29.27
Doubleday & Company, Inc.	62.21
Frederick Ungar Publishing Co.	26.49
Gaylord Bros., Inc.	186.01
Marshall Cavendish Corp.	533.50
Plaque Palace	21.96
PSE&G Company	305.20
Rose Marie's Fancies	5.28

Baker & Taylor Co.	809.86
Commerce Clearing House, Inc.	10.26
EBSCO Subscription Services	1,269.43
Gale Research Company	46.25
Macmillan Publishing Co.	65.48
Mid State Oil	99.24
Political Research, Inc.	104.50
Rentex Services Corp.	3.75

BOARD OF HEALTH:

Albrecht's Key Shop	51.35
Baumgartners'	10.51
Constance Cap	75.00
Francis S. Cap	110.87
Daily Photo & Indust. Sup. Co.	229.94
Great Bear Spring Co.	11.50
Harvard Medical Health Letter	12.00
Makwinski Bldrs.	232.00
Mitchell's Typewriter Co.	300.00
Joseph P. Schiappa, Esq.	325.00
MC Visiting Nurse Assoc.	271.25

Alco Stationers, Inc.	347.15
Martin Brown	27.00
David Cap	7.50
Central Exterminating Co.	165.00
Eleanor Figuccio, R. N.	50.00
Ann Gregor	60.00
IBM Corporation	65.50
Mid State Oil	94.56
PSE&G Company	45.29
The News Tribune	16.00

DOG ACCOUNT - PANB:

Paula Bergman	45.00
Jean Marie Nolan	30.00
The News Tribune	26.24

Clarence Moore	35.75
Somerset Cty. Humane Society	415.00

WELFARE DEPARTMENT:

Torres Brothers Grocery	92.50
Dixie's Apartments	465.00
Graham Nole	119.00
J. M. Gavaletz	42.50
Merit Foodtown	85.26
Bubbling Enterprises	72.00
Philip Lynch	30.00
Cornell Pharmacy	85.60

Kocheck's Pharmacy	45.75
J. J. & J. D., Inc.	59.50
Sophie Karabinchak	102.00
Wilfredo Rodriguez	238.00
Acme Markets, Inc.	55.00
Sitar's Shop Rite	175.50
Gruhin's Pharmacy	48.36
LeBow's Super Market, Inc.	202.10

PUBLIC ASSISTANCE ACCOUNT: Check Number 6104 to Check Number 6129
in the amount of \$2,804.50.

mr

FEBRUARY 6, 1979

REGULAR
MEETING

FEBRUARY 6, 1979

The Regular Meeting of the Mayor and Council of the Borough of Carteret, was called to order by Mayor John V. Tomczuk, 8:00 P.M., Council Chambers, Borough Hall, Cooke Avenue, Carteret, New Jersey, on Tuesday, February 6, 1979.

ROLL CALL

Upon roll call, the following were noted present:

Councilman Joseph W. Sitar, Jr.
" Joseph W. Sitarz
" Michael Toth
" Sherman J. Umansky
" Robert Wilson

Borough Attorney, Edward J. Dolan, was also noted present.

PRAYER-
PLEDGE OF
ALLEGIANCE

The meeting was opened with a minute of Silent Prayer and the Pledge of Allegiance led by Mayor John V. Tomczuk.

STATEMENT
OF MEETING
NOTICE

The Clerk stated that on January 26, 1979, in full compliance with the Open Public Meetings Act, a notice of tonight's meeting was sent to The News Tribune, The Daily Journal and posted on the Bulletin Board.

APPROVAL
OF MINUTES
January 7th
and 16th, 1979

Upon MMS&C, by Councilmen Sitar and Toth, and unanimous affirmative vote of the full membership present, the minutes of January 7th and 16th, 1979 were ordered approved as engrossed and transcribed by the Clerk.

APPOINTMENTS

The Mayor stated that he, again, will try to fill his vacant Council seat. He said that he will not only try, but plead, to the Council to chose a person to fill the vacancy. He pointed out that the government is operating without compliment of a full Council; that in order to function efficiently especially at this critical time with a budget to be adopted and fiscal problems, there should be six (6) Councilmen. He pointed out that he proposed four respectable, qualified people who were interviewed by the Council; asked the Council to act in good faith and proposed the name of JOSEPH A. WUTKOWSKI to fill the vacant Council seat.

COUNCILMAN
Joseph A.
Wutkowski
REJECTED

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO". The Mayor voted "YES".

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The Mayor then proposed the name of Dr. Philip R. Chodosh. Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

DR. PHILIP R.
CHODOSH
REJECTED

The Mayor proposed the name of Richard A. Packard. Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

RICHARD A. PACKARD
REJECTED

The Mayor proposed the name of William J. O'Neill. Councilmen Toth and Sitar voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

WILLIAM J. O'NEILL
REJECTED

MAYOR TOMCZUK stated that the people presented for the seat are known, reputable and knowledgeable people and he would like to know why the Councilmen voted against them.

COUNCILMAN SITARZ stated that he reserves the right to keep this to himself.

COUNCILMAN UMANSKY stated that he believes that there should be a special election in order to give the people the right to chose. MR. DOLAN stated that even in a special election only democrats could run for the seat. COUNCILMAN UMANSKY replied that if this is true, the people still could decide.

COUNCILMAN WILSON stated that there was "no use bandying around the bush ----- you would vote exactly the same way. I have noting against these gentlemen --- they're fine citizens. I'd like a right to make a choice, if not, then we'll have to go along"

The MAYOR stated that "that was a matter of conjecture". He also pointed out that the statute clearly states that it has to be a person of the same party; that the Councilmen were doing this for political reasons and not for the good of the Borough; that he thought it would have to be settled by the Judiciary and directed Mr. Dolan to file an order to show cause in the matter.

COUNCILMAN UMANSKY stated that it's true that Dolan quotes a statute and has his legal opinion, but there are two (2) sides to a legal opinion and other statutes apply to the Borough of Carteret and if this is going to go to Court, the Republicans should have representation.

The MAYOR replied that he is sure that he will be there.

The Mayor then named the following Standing Committees, first name to represent the Chairman:

STANDING
COMMITTEES

All Rejected

BUILDINGS AND GROUNDS: SITARZ, Sitar, Toth

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

FINANCE AND ADMINISTRATION: UMANSKY, Toth, Sitarz

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

PARKS AND RECREATION: WILSON, Umansky and Sitar

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

PUBLIC SAFETY: SITAR, Toth, Umansky

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

PUBLIC WORKS: TOTH, Wilson Sitar

Councilmen Sitar and Toth moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

SEWAGE DISPOSAL: TOTH, Wilson, Sitar

Councilmen Sitar and Toth moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

The Mayor then made the following other appointments:

BOROUGH ATTORNEY: EDWARD J. DOLAN

Borough
Attorney-
Edward J. Dolan
REJECTED

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

BOROUGH ENGINEER: H. Thomas Carr

Borough
Engineer-
H. Thomas Carr
REJECTED

Councilmen Toth and Sitar moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

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BOROUGH PROSECUTOR: Louis Kady

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

BOROUGH PROSECUTOR
Louis Kady

REJECTED

CONSTABLES: 1. Albert Zullo

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

CONSTABLES

Albert Zullo

REJECTED

2. Ronald Rios

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

Ronald Rios

REJECTED

AIR POLLUTION BOARD: Richard Packard

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

AIR POLLUTION BOARD
Richard Packard

REJECTED

BOARD OF ADJUSTMENT: 1. John D'Zurilla

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

BOARD OF ADJUSTMENT
John D'Zurilla

REJECTED

2. Ernest Erdelyi

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

Ernest Erdelyi

REJECTED

BOARD OF HEALTH: Stanley Leniart

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

BOARD OF HEALTH
Stanley Leniart

REJECTED

REDEVELOPMENT AGENCY: Kenneth Kolibas

Councilmen Toth and Sitar moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "YES"; Councilmen Sitarz, Umansky and Wilson voted "NO".

REDEVELOPMENT AGENCY
Kenneth Kolibas

REJECTED

The Mayor also stated that he again challenges the appointment of Daisy Umansky to the Housing Authority on three counts:

1. There was no resignation from the person holding the office.

FEBRUARY 6, 1979

2. There has been no acceptance of a resignation.
3. Conflict of interest.

COUNCILMAN UMANSKY stated that he again wants to record his protest.

COUNCILMAN UMANSKY asked if the Mayor would waive his thirty (30) day right in which to make appointments so the majority of Council could make their appointments and the Mayor answered "NO".

COMMUNICATION

Township
of East Brunswick
RE: Public
Hearing Notice

The following communication was read and upon MMS&C, by Councilmen Wilson and Umansky, and unanimous affirmative vote of the full membership present, it was ordered to be received and placed on file:

January 17, 1979

Attached please find copies of Ordinance No. 78-107, Amending Chapter 228, Zoning; Ordinance 78-109, Amending Chapter 192, Subdivision of Land by Requiring Connection of Municipal Water System and Ordinance 78-111, Amending Chapter 228, Zoning by Requiring Connection of Municipal Water System for all Site Plans which were adopted by the East Brunswick Township Council on first reading on Monday, January 15, 1979.

A public hearing for the adoption of the above ordinances will be held on Tuesday, February 13, 1979, at 8:00 P.M., in the Large Conference Room, Municipal Building, 1 Jean Walling Civic Center, East Brunswick. If you should have any questions regarding the above, please do not hesitate to contact my office.

SIGNED: David J. Germain, Municipal Clerk

January 30, 1979

Attached please find a copy of a proposed amendment to the East Brunswick Zoning Ordinance, 79-113, adopted on first reading by the Township Council on Monday, January 29, 1979. A public hearing will be held on the final adoption of the ordinance on February 12, 1979 at 8:00 P.M., 1 Jean Walling Civic Center, East Brunswick.

If you should have any questions regarding the above, please do not hesitate to contact this office.

SIGNED: David J. Germain, Municipal Clerk

COMMUNICATION

The following communication was ordered to be received and placed on file, upon MMS&C, by Councilmen Wilson and Toth and unanimous affirmative vote of the full membership present.

January 26, 1979

Please be informed on January 24, 1979, the Local Assistance Board held a Re-Organization Meeting. A request was made to have the Welfare Departments hours changed from 9 a.m. to 5 p.m., to 8 a.m. to 4 p.m. The board's vote was unanimous for the time change, which will take effect beginning Monday, January 29, 1979.

SIGNED: Olga Galvin, Secretary of Welfare Board

Welfare Board
RE: Change of
Business Hours

The following communication was read and upon MMS&C, by Councilmen Sitar and Wilson and unanimous affirmative vote of the full membership present, it was ordered to be received and turned over to the Police Department.

COMMUNICATION

January 29, 1979

Alcoholic Beverages

Monday, Tuesday, Wednesday and Thursday

Open: 6:00 A.M.

Close: 2:00 A.M. the following day

Friday and Saturday

Open: 6:00 A.M.

Close: 3:00 A.M. the following day

Sunday

Open: Noontime

Close: 2:00 A.M. the following day

New Year's Eve December 31st.

Open in accordance with the above schedule.

Closing of premises during prohibited hours of sale except; with respect to each hour above mentioned as the time when sale, service, delivery and consumption shall cease, there shall be an additional 20 minutes in which patrons shall depart the premises and in which the licensee shall clean and close the same. Upon the expiration of said additional 20 minutes, the entire licensed premises shall be vacated and nobody other than the owner or owners and employees shall be allowed to remain on the premises after the prescribed hour.

SIGNED: John J. Bednar, President
Carteret Tavern Owners Association

Tavern Owner's
Association
RE: Change of Hours
of Opening and Sale

The following communication was read and upon MMS&C, by Councilmen Toth and Sitar, and unanimous affirmative vote of the full membership present, it was ordered to be received and turned over to the Borough Attorney:

COMMUNICATION

FEBRUARY 6, 1979

Borough
Engineer
RE: Industrial
Road Alignment

January 30, 1979

On January 24, 1979, I met with Joseph Higgins and Anthony Gambilonghi of the Middlesex County Planning Board to discuss their December 12, 1978, letter and Seth Barton's January 19, 1979, letter; both regarding the Industrial Road.

Mr. Barton's letter objects to the alignment shown on the map prepared and submitted by the County Planning Board on the grounds that it is not close enough to the proposed alignment shown in the report to warrant Federal consideration. The County Planning Board merely sketched the line on schematically according to Mr. Gambilonghi.

The Planning Board will draft the resolution modifying the alignment; however, before this is done, they feel that the concurrence of Woodbridge should be obtained or the alignment should be modified so that it does not cross Woodbridge lands. I recommend that every effort be made to get the approval of Woodbridge. The alternative alignment as I see it now is to go down Edwin Street and would probably involve taking the block of dwellings on the south side of Edwin Street (See attached sketch). This alignment also encroaches on Woodbridge lands at the small job south of the end of Edwin Street; however, this small encroachment might be acceptable to Woodbridge.

The Planning Board also suggested that the Carteret Industrial Association write to the County Planning Board stating their support for the alignment shown on the report.

SIGNED: Robert Kerr, Jr., P.E.
Boswell Engineering Company

COMMUNICATION

The following communication was read and upon MMS&C by Councilmen Umansky and Sitar, and unanimous affirmative vote of the full membership present, it was ordered to be received and placed on file:

January 31, 1979

Director,
Division of
Local Government Services
RE: Interim
Zoning Ordinance
Extension

Today, Governor Byrne signed into law S-3063, which gives all municipalities with an interim zoning ordinance in effect on January 31, 1979, until May 31, 1979, to come into full compliance with the master plan and zoning requirements of the Municipal Land Use Law. The following is the pertinent text of the bill:

1. Section 77 of P.L. 1975, c. 291 (C:40:55D-90) is amended to read as follows:

77. Moratoriums; interim zoning. a. The prohibition of development in order to prepare a master plan and development regulations is prohibited.

b. A municipality may adopt a reasonable interim zoning ordinance not related to the land use plan element of the municipal master plan without special vote as required pursuant to subsection 49a. of this act, pending the adoption of a new or substantially revised master plan or new or substantially revised development regulations. Such interim zoning ordinance shall not be valid for a period longer

than one (1) year unless extended by ordinance for a period no longer than an additional year for good cause and upon the exercise of diligence in the preparation of a master plan, development regulations or substantial revisions thereto, as the case may be; provided, however, that notwithstanding the provisions of this section or of any ordinance heretofore adopted pursuant to this section, any such extending ordinance in effect on January 31, 1979 shall be valid until May 31, 1979.

2: This act shall take effect immediately, and shall be retroactive to January 31, 1979.

The bill was drafted so as to permit a municipality to continue under an interim zoning ordinance without having to extend it by ordinance amendment. Any questions concerning this matter should be referred to the Local Planning Assistance Unit at (609) 292-2913.

SIGNED: John F. Laezza, Director
Division of Local Government Services

COMMUNICATION

The following communication was ordered to be received and placed on file, upon MMS&C, by Councilmen Umansky and Sitar and unanimous affirmative vote of the full membership present. COUNCILMAN UMANSKY stated that a letter was submitted to him with a list of people who didn't get their certificates. The MAYOR replied that he had all the certificates signed and ready to go just waiting for the list of names.

January 31, 1979

This year Scout Citizenship Day is on February 22, 1979. As you know, the Scouts after winning an essay contest, take the places of various Carteret officials for the day. The Scouts representing Mayor and Council will participate in the February 20th Council Meeting. Thirty Scouts and Cubs are involved in this program. As in the past, the Scout Committee is requesting funds not to exceed \$200 for this worth while program. The Mayor and Council are cordially invited to attend the flag raising ceremony at Borough Hall, February 22, 1979, 9:00 a.m., and also a luncheon given for the Scouts, 12:00 Noon, at the American Legion.

SIGNED: Lila Brown, Olga Galvin, Pack Commissioners

Scout Committee
RE: Boy Scout
Citizenship Day

FEBRUARY 6, 1979

REPORTS

The Clerk stated she was in receipt of the following reports and upon MMS&C, by Councilmen Umansky and Toth, and unanimous affirmative vote of the full membership present, all reports were ordered to be received and placed on file:

FIRE PREVENTION BUREAU: 1978 Annual: Total Receipts to Borough Treasurer \$9,346.00.
CLERK'S OFFICE - January, 1979: Total Receipts to Borough Treasurer \$900.00.
COLLECTOR/TREASURER - January, 1979: Total Receipts \$2,451,296.87; Total Disbursements \$1,002,691.35.
BOARD OF HEALTH: December, 1978 and January, 1979.

RESOLUTION
#79-23

The following resolution was introduced and adopted upon MMS&C, by Councilmen Sitar and Toth. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

Appointing
H. Thomas
Carr Re
Green Acres

ENABLING RESOLUTION AUTHORIZING THE
FILING OF A PROGRAM PARTICIPATION
INTEREST FORM FOR GREEN ACRES FUNDS

WHEREAS, the New Jersey Green Acres and Recreation Opportunities Act provides for the making of grants by the Commissioner of Environmental Protection to local units of government for assistance in the acquisition and development of lands for outdoor recreation/conservation purposes; and

WHEREAS, the Commissioner of Environmental Protection has solicited program participation information from Borough of Carteret in accordance with Section 7:36-1.4(c) of the Green Acres Rules and Regulations of the New Jersey Administration Code;

WHEREAS, the Commissioner of Environmental Protection requires that advance notice of program participation interest be submitted prior to March 31, 1979; and

WHEREAS, the Commissioner of Environmental Protection will prepare an annual statewide Program of Action for the disbursement of grant funding from a local responses submitted; and

WHEREAS, the Borough of Carteret desires to develop lands know as Civic Center Park.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF CARTERET AS FOLLOWS:

1) That the 1979 program participation interests be submitted to the Commissioner of Environmental Protection.

2) That the H. Thomas Carr, P.E. is hereby authorized and directed to:

- Execute and file such interest form with the Commissioner of Environmental Protection
- Provide additional application information
- Furnish such documents as may be required
- Provide all necessary engineering services in reference to the project subject to availability and receipt of funds
- Act as the authorized correspondent of the Borough of Carteret

FEBRUARY 6, 1979

The following communication was introduced and adopted upon MMS&C, by Councilmen Umansky and Sitar. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

RESOLUTION
#79-24

WHEREAS, the Borough of Carteret does provide a supervised Basketball Program, under the supervision of the Department of Recreation; and

Appointing
Temporary Employees
Re Basketball
Program

WHEREAS, there is a need for various personnel to implement the said program;

NOW, THEREFORE, BE IT RESOLVED, that the following persons be employed as part of the Basketball Program under the supervision of the Department of Recreation as temporary seasonal employees pursuant to the rate established by Borough Ordinance:

SPORTS OFFICIALS:

Michael Bryk
Howard Anapolsky
Donald Elliott
John Keating
Glen Meisner
Dennis Siddons
Allen Weinstock

TIMEKEEPERS:

Thomas Donovan
Nicholas Mirandi
Kevin O'Hare
Michael Zirpolo

BUILDING MAINTENANCE WORKERS:

Robert Leonard

The Mayor recommended that Council accept and approve the appointment of Robert Wilson to serve as a Class III member of the Planning Board and the following resolution was introduced and adopted upon MMS&C by Councilmen Toth and Sitarz. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

RESOLUTION
#79-25

BE IT AND IT IS HEREBY RESOLVED by the Council of the Borough of Carteret that ROBERT WILSON be and is hereby appointed to the Planning Board of the Borough of Carteret as a Class III member;

Appointing Class
III Member -
Planning Board
Robert Wilson

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

RESOLUTION
#79-26

The following resolution was introduced and adopted upon WMS&C, by Councilmen Umansky and Wilson. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

Appointing
Ronnie Felton
Re CETTA
Program

WHEREAS, pursuant to Comprehensive Employment Training Act, Federal Funds are available for the hiring of personnel as to temporary position in the Borough of Carteret; and

WHEREAS, Ronnie Felton has qualified pursuant to the Comprehensive Employment Training Act;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that RONNIE FELTON is hereby appointed as a temporary employee in the Borough of Carteret under the Comprehensive Employment Training Act.

RESOLUTION
#79-27

The following resolution was introduced and adopted upon WMS&C, by Councilmen Sitar and Toth. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

Transfers

WHEREAS, certain 1978 appropriation reserves have balances and others have insufficient amounts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the following transfers of the 1978 appropriation reserves be made:

	<u>FROM</u>	<u>TO</u>
COLLECTION OF TAXES:		
Salaries and Wages	\$300.00	
ASSESSMENT OF TAXES:		
Salaries and Wages	500.00	
PUBLIC BUILDINGS AND GROUNDS:		
Salaries and Wages	400.00	
FIRE HYDRANT SERVICE:	1,000.00	
SNOW REMOVAL:		
Salaries and Wages	<u>1,000.00</u>	
		\$3,200.00
PARKS:		
Salaries and Wages		\$3,200.00

The following resolution was introduced and adopted upon MMS&C, by Councilmen Sitar and Toth. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for its adoption.

RESOLUTION
#78-28

WHEREAS, the Borough of Carteret has been Ordered by the United Environmental Protection Agency and the New Jersey Department of Environmental Protection, to present a chronological schedule of implementation in conformance with the Federal Show Cause Order previously presented to the Borough of Carteret; and

Approval of
Schedule Re
Sewer Improvements

WHEREAS, H. Thomas Carr, Consulting Engineer, has compiled a cost estimate where possible, for each item, and has also prepared a chronological schedule of implementation and has titled the aforesaid, The Carteret Sewer Improvement Program of 1979;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Governing Body of the Borough of Carteret, that said implementation schedule and cost estimate be adopted and forwarded to the US EPA and NJ DEP in conformance with the Federal Show Cause Order previously presented to the Borough of Carteret.

Ordinance #79-1 was introduced and passed upon first reading at a regular meeting of the Borough Council held on January 16, 1979. It was duly published in The News Tribune on January 26, 1979 with notice that it will be considered for final passage after public hearing to be held on February 6, 1979, at 8:00 P.M. The ordinance was posted on the Bulletin Board and copies were made available to the general public and according to law, the Clerk read the ordinance by title.

ORDINANCE
#79-1

Amending 1978
Salaries -
Fire Department

Upon MMS&C, by Councilmen Toth and Wilson and unanimous affirmative vote of the full membership present, the Mayor declared the public hearing to be open.

Public Hearing

There being no comments or objections to the ordinance, the Mayor declared the public hearing to be closed upon MMS&C, by Councilmen Wilson and Toth and unanimous affirmative vote of the full membership present.

Hearing Closed

Upon MMS&C, by Councilmen Sitar and Umansky, Ordinance #79-1 was finally adopted and upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for adoption.

Adoption

Ordinance #79-1 on following page

ORDINANCE #79-1

AN ORDINANCE TO AMEND ORDINANCE
#71-9 ESTABLISHING SALARY SCHEDULES
AND FIXING THE MANNER OF PAYMENTS
OF SALARIES FOR VARIOUS OFFICIALS
AND EMPLOYEES OF THE BOROUGH OF
CARTERET.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL
OF THE BOROUGH OF CARTERET:

SECTION 1. That the following amendments of the above
entitled ordinance be made in Section 1:

Section 1.

FIRE:	
Fire Captain UFD	\$16,574.16 per yr.
Fireman UFD-	
1st Year	12,254.74 per yr.
2nd Year	12,947.53 per yr.
3rd Year	13,640.32 per yr.
4th Year	15,742.82 per yr.

In addition there shall be a fireman designated to
perform fire inspections and clerical duties in the
Fire Prevention Office and he shall receive \$325.00 per
annum in addition to his rank in pay.

SECTION 2. That Section 4 of the above entitled ordinance
be amended to read as follows:

Section 4. In addition to the annual salary, full time
members of the Fire Department shall receive a salary
longevity according to the following schedule:

a. 5 to 9 years of service.....	2%
10 to 14 years of service.....	4%
15 to 19 years of service.....	6%
20 years and up.....	8%

b. Overtime shall be compensated at one and one-half
times the officer's regular rate of pay. Minimum call-in
time of four hours for overtime for authorized stand-by.

SECTION 3. The above schedule of compensation shall
be retroactive to January 1, 1978. Said Ordinance shall
effect immediately upon passage and publication as re-
quired by law.

APPROVED AND ADOPTED: February 6, 1979

INTRODUCED: January 16, 1979

Advertised as adopted on first reading with

Notice of Public Hearing January 26, 1979

Hearing Held: February 6, 1979

Approved by Mayor John V. Tomczuk

Advertised as finally adopted February 9, 1979.

FEBRUARY 6, 1979

Ordinance #79-2 was introduced and passed upon first reading at a regular meeting of the Borough Council held on January 16, 1979. It was duly published in The News Tribune on January 26, 1979 with notice that it will be considered for final passage after public hearing to be held on February 6, 1979, at 8:00 P.M. The ordinance was posted on the Bulletin Board and copies were made available to the general public and according to law, the Clerk read the ordinance by title.

ORDINANCE
#79-2

Appropriating
\$117,500.00 --
Repair Sewer
System Re CD Funds

Upon MMS&C, by Councilmen Umansky and Toth and unanimous affirmative vote of the full membership present, the Mayor declared the public hearing to be open:

Public
Hearing

JOSEPH GORECKI asked whose funds were paying this sewer work and the MAYOR replied Community Development Funds. Mr. GORECKI stated that he has been complaining of his problem for several years and is suffering property damage caused by a man made problem. He asked if he could meet with the Mayor to discuss this and the MAYOR replied that he will meet with him in his office at 4 o'clock tomorrow.

There being no further comments or objections to the ordinance, the Mayor declared the public hearing to be closed upon MMS&C, by Councilmen Umansky and Toth and unanimous affirmative vote of the full membership present.

Hearing Closed

Upon MMS&C, by Councilmen Sitar and Toth, Ordinance #79-2 was finally adopted and upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for adoption.

Adoption

Ordinance #79-2 on following page

ORDINANCE #79-2

A CAPITAL IMPROVEMENT ORDINANCE
AUTHORIZING THE APPROPRIATION OF
\$117,500.00 FOR THE REPAIR AND
IMPROVEMENTS TO THE CARTERET SEWER
SYSTEM PURSUANT TO THE SECOND-YEAR
DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Community Development Program of 1974 has made available to the Borough of Carteret a grant for repair and improvements to the Carteret Sewer System; and

WHEREAS, it is necessary for the purposes of the program that immediate steps be taken to provide for the establishment of the necessary financial authorization in accordance with the Statutes of the State of New Jersey and the Regulations of the Local Finance Board to implement this program;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Carteret:

1. The improvement herein described is hereby authorized as a general improvement to be made by the Borough of Carteret, New Jersey. For the said improvement, there is hereby appropriated the sum of \$117,500.00.

2. The purpose for which this appropriation is authorized is as follows:

For repair and improvements to the Carteret Sewer System.

3. This Ordinance shall take effect following its advertisement, public hearing, and adoption in accordance with the requirements of law, provided, however, that this Ordinance is contingent upon and shall not become effective until the Borough has received written approval from the Federal Government for this grant.

APPROVED AND ADOPTED: February 6, 1979

INTRODUCED: January 16, 1979

Advertised as adopted on first reading with

Notice of Public Hearing January 26, 1979

Hearing Held: February 6, 1979

Approved by Mayor John V. Tomczuk

Advertised as finally adopted February 9, 1979

Upon MMS&C, by Councilmen Toth and Sitar, all bills appearing on the prepared list, properly audited and signed, were ordered to be paid. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wilson voted in the affirmative for payment.

PAYMENT
OF BILLS

The Mayor issued the following Proclamation:

PROCLAMATION

WHEREAS, February has been designated nationally as Heart Month; and

WHEREAS, diseases of the heart and blood vessels are responsible for more deaths than all other causes combined; and

Heart Month

WHEREAS, such diseases and deaths caused widespread suffering, and often create serious economic hardship in our homes and businesses; and

WHEREAS, the American Heart Association-Middlesex County Chapter wages relentless programs of public education, research, and community services; and

WHEREAS, these programs are supported by public contributions to the Heart Fund;

NOW, BE IT THEREFORE RESOLVED, by the Mayor and Members of the Council that in the Borough of Carteret the month of February be designated as Heart Month; and

BE IT FURTHER RESOLVED that the Mayor and the Members of the Council of the Borough of Carteret urge the residents of the Borough of Carteret to continue and increase their support of the Heart Association with their gifts, contributions and voluntary services.

All Standing Committee Chairmen reported PROGRESS in their respective departments.

REPORTS OF
COMMITTEES

COUNCILMAN UMANSKY made a motion that a Special Meeting be held on Friday, February 9th, at 8 P.M., for the Council to appoint the Standing Committees and make the other various appointments to do the business of the Borough. Motion was seconded by Councilman Sitarz.

The MAYOR pointed out that Article IV, Section 4, of the Rules of the Council states that the Mayor shall call Special Meetings of the Council or any four members of the Council may do so. COUNCILMAN UMANSKY stated that maybe one of the Democratic Councilmen will relent and he would change the date from Friday to any day or any hour within the next several days.

FEBRUARY 6, 1979

Upon roll call on the motion, Councilmen Sitar and Toth voted "NO". Councilmen Sitarz, Umansky and Wilson voted "YES". The MAYOR stated that you needed four (4) Councilmen to call the Special Meeting, as there were only three, there would be no Special Meeting.

PUBLIC
DISCUSSION

LOUIS MANGIERI stated that after 30 days, the Council can make their appointments which will be at the next meeting. He said Council is voting along political lines as they did last year; that they had the same thing in Matawan and we should find out what they are doing. The MAYOR said that Keyport has the same situation. MR. DOLAN explained that their procedure is the same, except that the situation is reversed; that the Mayor does have the right to vote in this case and the seat has to be replaced by a like kind person. MR. MANGIERI asked if there was no other way and DOLAN stated that was it. MR. MANGIERI stated that the Housing Authority is having a meeting to build a \$300,000 building, that in no way do we need this building and urged the Mayor and Council to look into the matter. He said we need a library more than we need this building.

STEPHEN KRISAK complained about Format and its possible effect on health. He referred to an article in the newspaper, stating that Dr. Seymour Gilbert's report states that the substance contains hydro-chloride. He stated that in evaluating the standards, it was noted that the equipment is according to the standards of Germany and not according to our standards; if the machinery is in good condition, with no human error occurring, everything will run smoothly, but, otherwise, anything can happen. He asked the Mayor and Council to speak up as we don't need anymore of this type of pollution. He noted that our Borough ordinance provides that you must have four (4) "YES" votes to be issued a use permit. The vote on Format had only three (3) "YES" votes, 1 "ABSTAINED" and two (2) "NO" votes, yet, the Judge ruled against our ordinance, putting the abstention along with the three (3) "YES" votes. He asked the Borough to appeal the Judge's decision, pointing out that Mr. Walsh was the only one who spoke for it at the public hearing and he was speaking for industry.

ADJOURNMENT

There being no further business or comments from the Council or public present, the meeting was adjourned upon MMS&C, by Councilmen Toth and Sitar.

Respectfully submitted,

Anne N. Szelag

ANNE N. SZELAG,
Municipal Clerk

llr

PERTH AMBOY NATIONAL BANK:

John Florentino, Treasurer 94,424.10 John Florentino, Treasurer 97,461.84

COMMUNITY DEVELOPMENT PROGRAM - CBT:

Carteret Redevelopment Agency 5,839.41 Julia Sabo 172.00

PUBLIC WORKS PROGRAM - CBT:

Ben Den Construction Co. 40,500.00 Photo Engineering Associates 450.00
T.E.A.M. Associates 1,392.51 Tech-Repro, Inc. 118.90

DOG ACCOUNT - PANB:

Carteret Board of Health 47.50

CARTERET BANK & TRUST CO.

Carteret First Aid	5,000.00	Carteret Postmaster	200.00
Conversation Place	15.00	Daily Journal	16.64
Intern'l. Inst. of Mun. Clerks	40.00	Middlesex Cty. Mun. Ck. Assn.	70.00
NJ State League of Mun.	648.00	Treas. NJ Conference of Mayors	200.00
Mun. Record Service	20.69	Seaman, Seaman & Oslislo	200.00
Central Jersey Tax & Treas. Assn.	10.00	Mun. Fin. Off. Assn. of NJ	15.00
Tax & Treas. Assn. of NJ	35.00	Pitney Bowes	40.50
Boswell Engineering	280.00	Edward Bialick	5.00
Walter Vonah	28.00	West Chem. Prod. Inc.	208.50
Chrome Real Estate Ex.	329.65	Great West Life Assur. Co.	2,597.97
Ohlott & Kenely Agency	886.50	David J. Lynch	921.06
NJ Bell Telephone Co.	1,645.91	Blue Cross of NJ	13,936.16
Allied Fire & Safety	47.50	Frank Brown Inc.	17.82
Internat'l. Assn. of Fire Chiefs	40.00	Steve Tailor Shop	7.50
Absolute Fire Protection	270.84	A & M Battery	151.45
St. George Auto Radiator	45.00	Middlesex Cty. Traffic Assn.	50.00
General Business Machines	624.00	Perth Amboy Tire	36.74
Roberts Chevrolet	664.34	Central Jersey Film Library	600.00
Usher Publishing	123.65	John Graf, Treas.	25.00
Theodore Kaskiw	30.00	Leonard A. Zaleski	35.00
National Fire Prot. Assn.	92.28	Pumping Services Inc.	814.30
Industrial Welding	4.20	Trap Rock Industries	443.27
Sand World Materials	520.80	W.E. Timmerman Co.	451.90
A & M Sales	396.00	Frank Brown, Inc.	59.95
Timothy Donovan	29.95	Norcia Corp.	385.00
Treas. NJ State-Solid Waste Mg.	300.00	H. Jouas	30.00
Certified Labs.	821.40	Consolidated Laundries	7.00
Consolidated Rail Corp.	96.00	Eastern Bearing	90.37
Fred Heyrich Pipe Cleaning	296.00	Joseph Klein Co.	599.50
Snap on Tools	29.22	Storr Tractor Co.	210.55
Water Poll. Control Fed.	30.00	Alexander Biel	20.00
Walter Bobel	5.00	H. Thomas Carr	500.00
Freedman Truck Center	83.50	James Gallamb	5.00
Process Pumps Inc.	6.89	Roma Towns	5.00
Martin Brown	89.98	Union County Film	108.90
Swank Motion Pictures	227.25	Francis Cap	30.00
Bureau of State Use Indus.	31.48	Public Emp. Retirement Sys.	295.34
Sommer Badge Mfg.	13.95	State Shorthand Report. Serv.	141.00
J. Florentino, Cust.	200,000.00	Middlesex County Treas.	574,483.82
K. & B. Leathers	50.00	J. & C. Barany	50.00
C. & D. Kamont	20.00	Xerox Corp.	312.33
Ace Novelty & Printing	576.00	Burrughs Corp.	378.17
Raguccis Sport Shop	40.85	Middlesex Cty. Pub.	128.96
Alco Stationers	473.07	Atom Tabloid	234.40
Public Service E & G	12,516.93	F.S. Cap Plumbing	675.35
Mid State Oil	1,707.62	Middlesex Water Co.	191.84
Central Exterm.	29.00	T.E. Kaskiw	507.00
Warner Comm. Co.	354.00	Woodbridge Car Wash	91.75
Carteret Auto Parts	346.10	B. Lupini, M.D.	100.00
Carteret Printing	413.00	Consolidated Laund.	430.31
Amboy Generator	198.25	Baumgartners	231.25
Max L. Brown Hardware	431.26	Hammers Men Store	288.14
Carteret Lumber	722.50	Elizabethtown Gas Co.	342.92

PUBLIC ASSISTANCE ACCOUNT: Check Number 6146 to Check Number 6178 in the amount of \$3,365.00

FEBRUARY 20, 1979

REGULAR
MEETING

FEBRUARY 20, 1979

The Regular Meeting of the Mayor and Council of the Borough of Carteret, was called to order by Mayor John V. Tomczuk, 8:00 P.M., Council Chambers, Borough Hall, Cooke Avenue, Carteret, New Jersey, on Tuesday, February 20, 1979.

PROCLAMATION

The Mayor opened the meeting by issuing the following Proclamation:

Boy Scouts

WHEREAS, February is the traditional month for honoring the Boy Scouts of America, and

WHEREAS, The Borough of Carteret has benefited by the work and ideals of the Boy Scouts for the Borough of Carteret, and

WHEREAS, The Boy Scouts interest in Citizenship is well known, we, therefore, have set aside this day and appoint the following Scouts to sit in the Chair of the Mayor and Council and other Officials:

OFFICE

Mayor	Anthony Renaldi	Patrick Connolly
Council President	Thomas Connolly	Steven Manetta
Councilman	James Lathrop	Allen Burns
"	Richard Bonner	Keith Strohmeir
"	Mark Perthacs	Victor Timpanaro
"	Gregory Gunther	Alex Marciniak
"	Roger Gunther	David Marcincavage
Borough Clerk	-----	Robert Butynes
Tax Collector	Daniel Bland	Ricky Schmidt
Police Chief	Chris Moren	Timothy Moren
Desk Sergeant	James Bland	Jeffrey Maas
Fire Marshal	Douglas Mtrak	Robert Bird
Building Inspector	Timothy Herega	Thomas Bird
Health Officer	-----	Roman Wollleon
and;		

WHEREAS, The Mayor and Council desires to set aside a particular time and day for all citizens of the Borough of Carteret to honor the Boy Scouts;

NOW, THEREFORE, I, JOHN V. TOMCZUK, Mayor of the Borough of Carteret, Middlesex County, and State of New Jersey, do hereby proclaim FEBRUARY as BOY SCOUT MONTH and FEBRUARY 22, 1979, as CARTERET SCOUT CITIZENSHIP DAY.

Scouts take
Seats

The Scouts then took their respective seats and Mayor Tomczuk turned the gavel over to Mayor Boy Scout Anthony Renaldi for Roll Call.

Upon roll call, each Scout answered for the Councilman he was representing, the following were noted Present:

ROLL CALL

Councilman Joseph W. Sitar, Jr.
" Joseph W. Sitarz
" Michael Toth
" Sherman J. Umansky
" Robert Wilson

Borough Attorney, Edward J. Dolan, was also noted present.

The meeting was opened with a minute of Silent Prayer and the Pledge of Allegiance led by Mayor Boy Scout Anthony Renaldi.

PRAYER-
PLEDGE OF
ALLEGIANCE

The Mayor thanked the Boy Scouts and Cub Scouts for their participation in this program; commended them on their achievement in the essay contest, and on their contribution in making the youth of this Borough better citizens for tomorrow. He stated that it gave him great pleasure to present each one with a Meritorious Certificate of appreciation and presented each scout with a Certificate.

The Mayor then stated that he would also, at this time, like to take the opportunity to recognize and commend the following scouts for achieving the highest award in scouting --- the Eagle Scout Status --- advising them that they could pick up their certificates in his office:

WESLEY R. TAYLOR	SHIP #89	MAY 18, 1975
GLENN S. SANDOR	SHIP #89	MAY 18, 1975
GLENN M. KAZO	TROOP #85	MAY 21, 1975
GARY M. MAREK	TROOP #85	AUG. 27, 1975
KARL J. SLIVKA	TROOP #89	MAY 2, 1976
DANIEL K. WARD	TROOP #89	MAY 2, 1976
MICHAEL J. BLAND	TROOP #86	MAY 4, 1976
JOHN J. HEREGA	TROOP #86	SEPT. 14, 1976
JAMES SALOTTI	TROOP #86	SEPT. 14, 1976
DENNIS J. BLAND	TROOP #86	SEPT. 14, 1976
MARTIN W. PHILLIPS	TROOP #85	SEPT. 22, 1976
JOHN M. SIENRUKOS	SHIP #89	APR. 17, 1977
ARTHUR DE KARSKI	SHIP #89	APR. 17, 1977
JOHN J. WAWRZYNSKI	SHIP #89	APR. 17, 1977
MARK J. BERES	TROOP #85	SEPT. 28, 1977
PATRICK M. O'DONNELL	TROOP #85	SEPT. 28, 1977
RICHARD J. BROWN	TROOP #88	JAN. 22, 1978
FRANK A. LINKOWSKY	TROOP #88	JAN. 22, 1978
BRIAN A. DUNN	TROOP #88	JAN. 22, 1978
RICHARD L. BABIK	TROOP #88	JAN. 22, 1978
BARRY J. WIEGMANN	TROOP #88	JAN. 22, 1978
JOHN R. POESL	SHIP #89	OCT. 12, 1978

The Mayor thanked the Scouts, excused them from the meeting and called a short recess until they left the chambers.

FEBRUARY 20, 1979

ROLL CALL

Upon reconvening and roll call, the following were noted present:

Councilman Joseph W. Sitar, Jr.
" Joseph W. Sitarz
" Michael Toth
" Sherman J. Umansky
" Robert Wilson

STATEMENT
OF MEETING
NOTICE

The Clerk stated that on February 9, 1979, in full compliance with the Open Public Meetings Act, a notice of tonight's meeting was sent to The News Tribune, The Daily Journal and posted on the Bulletin Board.

APPROVAL
OF MINUTES

FEBRUARY 6, 1979

Upon MMS&C, by Councilmen Wilson and Umansky, and unanimous affirmative vote of the full membership present, the minutes of February 6, 1979 were ordered approved as engrossed and transcribed by the Clerk.

Appointments
by Council

Standing
Committees

COUNCILMAN UMANSKY stated that now that Council has waited the thirty (30) days after the Mayor made his appointments, the majority of the Council is ready to make its appointments and proceeded to name the following Standing Committees:

BUILDINGS AND GROUNDS: SITARZ, Toth, Wilson

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

FINANCE AND ADMINISTRATION: TOTH, Sitar, Wilson

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

PARKS AND RECREATION: WILSON, Umansky, Toth

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

PUBLIC SAFETY: SITARZ, Umansky, Wilson

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

PUBLIC WORKS: UMANSKY, Sitarz, Wilson

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

SEWAGE DISPOSAL: SITAR, Umansky, Sitarz

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

FEBRUARY 20, 1979

COUNCILMAN UMANSKY then said, "I move that Peter J. Selesky be appointed Borough Attorney. The Mayor has been unable to obtain confirmation for his appointee and pursuant to N.J.S.A. 40:87-16 and the ordinances of the Borough of Carteret, the appointment must be made by the Council". Councilman Wilson made a motion to appoint Mr. Selesky, motion seconded by Councilmen Sitarz. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES"; one Council seat vacant.

BOROUGH ATTORNEY -
Peter J. Selesky

COUNCILMAN UMANSKY asked Mr. Dolan to vacate his seat and Mr. Dolan replied that he had no authority to ask him to do this. The Mayor asked Councilman Umansky to continue making his appointments.

COUNCILMAN UMANSKY then proceeded to make the following other appointments:

BOROUGH
ENGINEER-
Howard Boswell

BOROUGH ENGINEER: Howard Boswell

Councilman Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

BOROUGH PROSECUTOR: Joseph Schiappa

BOROUGH
PROSECUTOR-
Joseph Schiappa

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

CONSTABLES: 1. Sherman J. Umansky, Jr.

CONSTABLES-
Sherman J. Umansky, Jr.

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

2. Albert Zullo

Albert Zullo

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilman Toth voted "NO"; Councilmen Sitar, Sitarz, Umansky and Wilson voted "YES".

AIR POLLUTION BOARD: Dorothy Giacone

AIR POLLUTION BOARD-
Dorothy Giacone

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

BOARD OF ADJUSTMENT: 1. Peter J. Sica

BOARD OF ADJUSTMENT-
Peter J. Sica

Councilmen Wilson and Sitarz moved for confirmation. Upon individual roll call vote, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

FEBRUARY 20, 1979

BOARD OF
ADJUSTMENT-
Ernest Erdelyi

BOARD OF ADJUSTMENT: 2. Ernest Erdelyi
Councilmen Wilson and Sitarz moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and
Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson
voted "YES".

BOARD OF
HEALTH-
Richard Donovan,
Sr.

BOARD OF HEALTH: Richard Donovan, Sr.

Councilman Wilson and Sitarz moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and
Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson
voted "YES".

REDEVELOPMENT
AGENCY-
Alice Walko

REDEVELOPMENT AGENCY: Alice Walko

Councilman Wilson and Sitarz moved for confirmation.
Upon individual roll call vote, Councilmen Sitar and
Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson
voted "YES".

COUNCILMAN UMANSKY said that he pointed out at the
Agenda Meeting that the Mayor made an illegal appointment
when he appointed Mr. O'Neill, Class 2 Member of the
Planning Board; that his appointment came at a time
that he was not an official member of any board or
agency; that the Citizens Advisory Board was not created
by ordinance and neither was the Carteret Industrial
Encouragement Commission. He said that he knew that
the Mayor has a right to make the appointment, but the
member must be a member of a Borough of Carteret
board or agency whose function was established by
Ordinance. Councilman Umansky then said, "I make
a motion that you appoint someone different." The
MAYOR replied that the Advisory Board is an official
body and he will now again appoint William O'Neill,
to serve as a Class 2 Member of the Planning Board.
COUNCILMAN UMANSKY stated that as far as he is con-
cerned, Mr. O'Neill will not sit on the Board and asked
Mr. Dolan for a legal opinion on the matter. MR.
DOLAN replied that he cannot give him the opinion now.

MAYOR.
VETOES
APPOINTMENT -
Peter J.
Selesky

MAYOR TOMCZUK stated that he will veto Mr. Selesky's
appointment as Borough Attorney and asked the Clerk
to certify the action on the appointment. The Clerk
certified, in writing, that on February 20, 1979, by
a vote of three (3) in favor and two (2) opposed,
Peter. J. Selesky was appointed Borough Attorney of
the Borough of Carteret. On receipt of the certification,
MAYOR TOMCZUK stated that he will file a written veto
of the appointment. He read his veto aloud, in full,
turned the veto over to the Clerk and stated that Council
will need four votes to override his veto. The veto
was as follows:

MAYOR'S
VETO

I, JOHN TOMCZUK, Mayor of the Borough of Carteret,
hereby veto the appointment of Peter Selesky, as
Borough Attorney of the Borough of Carteret for the
1979 term, for the following reasons and objections:

The present Borough Attorney, Edward J. Dolan, is a lifelong resident of the Borough of Carteret and has a vast background of experience in municipal affairs in the Borough of Carteret dating back to 1949. He served as the Mayor of the Borough of Carteret, President of the Board of Education, and Borough Attorney. In addition, thereto, he is the former Prosecutor of Middlesex County and has vast experience in overall municipal affairs and is a highly respected member of the Bar of the State of New Jersey. Mr. Dolan's office is within easy reach of all Borough Officials.

COUNCILMAN WILSON stated that Council has gone through the proper waiting time to make its appointments; that the Borough has by-laws which were followed; that under all rules and statutes they selected Mr. Selesky for the position; that everything was done in the proper manner and he asks everyone to act in the proper manner and accept his appointment. The MAYOR replied that he is vetoing the appointment. COUNCILMAN WILSON asked the Mayor how he did this without giving it any consideration. He said, "If you checked or discussed this, we could understand."

The MAYOR replied that he has known Mr. Selesky for 1½ years; that it was not a hasty decision; that he used his judgment and is using his power of veto. He pointed out that his veto can be overridden and if Council desired they could vote to override the veto.

COUNCILMAN WILSON made a motion to call a recess, motion seconded by Councilman Sitarz. Upon individual roll call vote on the motion, Councilmen Sitar and Toth voted "NO"; Councilmen Sitarz, Umansky and Wilson voted "YES".

RECESS

On reconvening and roll call, the following were noted present:

Councilman Joseph W. Sitar, Jr.
" Joseph W. Sitarz
" Michael Toth
" Sherman J. Umansky
" Robert Wilson

ROLL CALL

COUNCILMAN UMANSKY quoted Section 40:94-3 stating that a resolution shall be presented to the Mayor for approval or veto in the same manner and within the same time as provided for ordinances passed by Council which states that every ordinance passed by Council must within five (5) days be presented to the Mayor and the Mayor shall within five (5) days return it, if he is vetoing it, to the Clerk with his objections in writing and the Council shall take it up at the next meeting. MR. DOLAN replied that Council can wait till the next meeting. COUNCILMAN UMANSKY asked Mr. Dolan