

WHEREAS, this governing body of the Borough of Carteret has made the following findings of fact and conclusions:

- (1) The availability of cable television service would be a benefit to the residents of Carteret and would be in the public interest of the community,
- (2) Suburban Cablevision has all the requisite capabilities and qualifications to provide suitable cable television service to the residents of Carteret including proven management performance, technical engineering competence, financial ability to build, operate and maintain a cable television system, suitable character, and commitment to community needs,

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CARTERET that municipal consent to build, operate and maintain a cable television system in and for the Borough of Carteret is hereby granted and awarded to Suburban Cablevision, a New Jersey corporation with principal offices at 43 Prospect Street, East Orange, New Jersey, and

BE IT FURTHER RESOLVED that an appropriate Ordinance be prepared and adopted in accordance with this Resolution pursuant to the applicable laws of the State of New Jersey, and

BE IT FURTHER RESOLVED that true copies of this Resolution be filed as required by the laws of the State of New Jersey.

REPORT OF COUNCIL OF BOROUGH OF CARTERET REGARDING
CABLE TELEVISION SERVICE

After appropriate public notice, the Mayor and Council conducted a hearing July 3, 1979, on the application of Suburban Cablevision for municipal consent to build, operate and maintain a cable television system for the Borough.

After consideration of the application of Suburban Cablevision and of its presentation to the Mayor and Council on July 3, 1979, the Mayor and Council make the following determinations:

- (1) The availability of quality cable television service will be of great benefit to the Borough.
- (2) A cable television system can be provided by a cable television company at the company's expense and not at the Borough's expense. In fact, the Borough will receive a percentage of certain revenues earned by the company in the Borough.
- (3) The applicant before the Borough, Suburban Cablevision, is a substantial and successful cable television company and can provide the Borough with adequate cable television service. Suburban Cablevision has demonstrated its fitness for award of municipal consent and, specifically, has

persuaded the Mayor and Council that it has (1) excellent management, (2) excellent technical competence, (3) adequate financial strength, (4) suitable character, (5) a proposed system, that promises to bring quality cable television service to the Borough.

For these reasons, the Mayor and Council believe that an award of municipal consent to Suburban Cablevision to build, operate and maintain a cable television system in the Borough would be in the best interests of this community.

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 Wutkowski voted in the affirmative. Councilman Wilson was noted Absent.

RESOLUTION
#79-116

WHEREAS, the Borough of Carteret must comply with the Clean Water Act; and

Application for
Participation
Middlesex County
Sewerage Authority

WHEREAS, it has been determined that the most cost-effective method of compliance is by tie-in to the Middlesex County Sewerage Authority;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Carteret is hereby making application for membership into the Middlesex County Sewerage Authority and to enter into a service agreement with said Authority.

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

RESOLUTION
#79-117

The MAYOR stated that the employees would receive the same benefits under this plan as they had and the savings to the Borough would be about \$90,000.00.

WHEREAS, there exists a need for professional services to administer the Borough's Self Insured, Reinsured Employee Health Benefits Program; and

Professional
Services - Re
Self Insurance
Health Benefits

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carteret:

JULY 17, 1979

1. Rasmussen Agency, Inc., is hereby appointed to represent the Borough in said services in accordance with the terms and conditions of the contract on file in the Clerk's Office.
2. Said appointment is made with competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because such services are within the exceptions provided for in said Local Public Contracts Law.
3. A copy of this resolution shall be printed in The News Tribune on July 20, 1979.

RESOLUTION
#79-118

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

Authorizing
Change Order
#1 -
General
Construction-
Fire Facility

WHEREAS, in connection with Contract dated 6/9/78 for the GENERAL CONSTRUCTION WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #1 is ordered:

Change the center overhead door on the Roosevelt Avenue elevation from 12' 0" to 14' 0" according to the Contractor's Breakdown submitted to the Borough of Carteret.

NOW, THEREFORE, subject to conditions hereinafter set forth the Contract Price is \$394,550.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED by FIVE HUNDRED FIFTY AND 00/100 DOLLARS \$550.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are not incidental to or as a consequence of the aforementioned change are satisfied.

JULY 17, 1979

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

RESOLUTION
#79-119

WHEREAS, in connection with Contract dated 6/9/78 for the GENERAL CONSTRUCTION WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #2, is ordered:

Authorizing
Change Order
#2 -
General
Construction -
Fire Facility

Substitute foil-back sheetrock according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to conditions hereinafter set forth the Contract Price is \$395,428.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY EIGHT HUNDRED SEVENTY EIGHT AND 00/100 DOLLARS \$878.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

RESOLUTION
#79-120

WHEREAS, in connection with Contract dated 6/9/78 for the GENERAL CONSTRUCTION WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #3 is ordered:

Authorizing
Change Order
#3 -
General
Construction-
Fire Facility

1. Furnish and install two Thermador Ranges, Model ESC-30, Finish - Stainless Steel.
2. Two Broan Hoods, Model #703004, Finish - Stainless Steel.
3. Cut opening and install exterior cap for ducts.
4. We ~~exclude~~ all electrical and other mechanical work according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to conditions hereinafter set forth the contract Price is \$402,528.00 and no

JULY 17, 1979

change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY TWO THOUSAND SIX HUNDRED AND 00/100 DOLLARS \$2,600.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

RESOLUTION
#79-121

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

Authorizing
Change Order
#4 -
General
Construction-
Fire Facility

WHEREAS, in connection with Contract dated 6/9/78 for the GENERAL CONSTRUCTION WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #4 is ordered:

To add paneling in the lounge, Office No.1 and Chief's Office. The installation of paneling will be made by adhesives over the sheetrock. We have included a \$20.00 per sheet material purchase allowance for the panels according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to condition hereinafter set forth the Contract Price is \$405,481.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY TWO THOUSAND NINE HUNDRED FIFTY THREE AND 00/100 DOLLARS \$2,953.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.

- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

RESOLUTION
#79-122

WHEREAS, in connection with Contract dated 6/9/78 for the GENERAL CONSTRUCTION WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #5 is ordered:

Authorizing
Change Order
#5 -
General
Construction-
Fire Facility

To furnish and install a stain grade pine chairrail on the perimeter walls of the lounge, increasing the contract amount by ONE HUNDRED SEVENTY FIVE Dollars and 00/100 (\$175.00) according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to conditions hereinafter set forth the Contract Price is \$405,656.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY ONE HUNDRED SEVENTY FIVE AND 00/100 DOLLARS \$175.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

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

RESOLUTION
#79-123

WHEREAS, in connection with Contract dated 6/9/78 for the PLUMBING WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #1 is ordered:

Authorizing
Change Order
#1
Plumbing Work-
Fire Facility

JULY 17, 1979

To furnish and install the special wing fill arrangement for the fire trucks according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to conditions hereinafter set forth the Contract Price is \$34,645.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY NINE HUNDRED THIRTY FOUR AND 00/100 DOLLARS \$934.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

RESOLUTION
#79-124

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 Wutkowski voted in the affirmative for its adoption. Councilman Wilson was noted Absent.

Authorizing
Change Order
#5 -
Structural
Steel Work -
Fire Facility

WHEREAS, in connection with Contract dated 6/9/78 for the STRUCTURAL STEEL WORK for the FIRE FACILITY/MULTI PURPOSE BUILDING at Carteret, New Jersey, the following CHANGE ORDER #5 is ordered:

To furnish one ship ladder and platform from the apparatus room to second floor storage room in accordance with field dimensions according to the Contractor's Breakdown submitted to the Borough of Carteret;

NOW, THEREFORE, subject to conditions hereinafter set forth the Contract Price is \$68,737.00 and no change in contract time is necessary. We have checked Contractor's Breakdown/proposal and find it to be equitable.

THE CONTRACT PRICE IS INCREASED BY ONE THOUSAND THREE HUNDRED SEVENTY FIVE AND 00/100 DOLLARS \$1,375.00.

APPLICABLE TO BUILDING CONSTRUCTION AND EQUIPMENT.

The conditions hereinbefore referred to are as follows:

JULY 17, 1979

- A. The aforementioned change, and work affected thereby is subject to all Contract stipulations and covenants.
- B. The rights of the Borough of Carteret, are not prejudiced and,
- C. All claims against the Borough of Carteret, which are incidental to or as a consequence of the aforementioned change are satisfied.

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

RESOLUTION
#79-125

WHEREAS, Ben-Den Construction Company has requested the Borough of Carteret to reduce its performance bond which was posted under the terms of a contract for the construction of the police and public safety building in the amount of \$689,630.00, and

Authorizing
Reduction of
Ben-Den Construction
Company's Bond

WHEREAS, T.E.A.M. Associates, the architect and engineer of the project, has certified substantial completion of the building as of July 15th, and

WHEREAS, John J. Sudia, certifying representative, has consented to the reduction of the bond,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Carteret, that the bond may be reduced by and to the extent of all payments made to Ben-Den Construction Company and its subcontractors.

Ordinance #79-7 was introduced and passed upon first reading at a regular meeting of the Borough Council held on June 19, 1979. It was duly published in The News Tribune on June 22, 1979, with notice that it will be considered for final passage after public hearing to be held on July 17, 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
#79-7
Amending General
Ordinances
Re Animals in
Park

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

Public
Hearing

JULY 17, 1979

STEPHEN KRISAK asked if this meant that we would need extra help and thus another job. The MAYOR replied that no extra help would be needed.

UNIDENTIFIED MAN asked who would be responsible for its enforcement and pointed out that no one enforces the borough ordinances. The MAYOR replied the park and police would enforce the ordinance.

COUNCILMAN TOTTH said that he had several calls about the ordinance. It seems that people are in favor of the next ordinance about the dogs, but feel that they should be able to walk their dogs in the park on a leash as long as they scoop up the feces. The Mayor pointed out that he has seen dogs on leashes in different places, but it didn't make any difference.

Hearing
Closed

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 Sitar and unanimous affirmative vote of the five Councilmen present.

Adoption

Upon MMS&C, by Councilmen Umansky and Sitarz, Ordinance #79-7 was finally adopted and upon individual roll call vote, Councilmen Sitar, Sitarz, Umansky and Wutkowski voted in the affirmative vote for adoption; Councilman Toth "PASSED" and Councilman Wilson was noted Absent.

Ordinance #79-7 on following page

ORDINANCE #79-7

AN ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE BOROUGH
OF CARTERET, CHAPTER XVIII A "PUBLIC
PARKS" PROHIBITING DOGS, CATS AND OTHER
DOMESTIC ANIMALS.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF CARTERET, NEW JERSEY, as follows:

SECTION I.

The Revised General Ordinances of the Borough of
Carteret are amended as follows:

SECTION II

Delete Section 18A-6.3.

SECTION III

Insert Section 18A-6.3 (new)

No person owning, harboring, keeping or in charge of
any dog, cat or domestic animal shall allow such
animal to enter any public park.

SECTION IV

All Ordinances or part of Ordinances inconsistent here-
with are hereby repealed.

SECTION V

This Ordinance shall take effect immediately upon passage
and publication according to law.

APPROVED AND ADOPTED: July 17, 1979

INTRODUCED: June 19, 1979

Advertised as adopted on first reading with

Notice of Public Hearing June 22, 1979

Hearing Held: July 17, 1979

Approved by Mayor John V. Tomczuk

Advertised as finally adopted July 20, 1979.

Ordinance #79-8 was introduced and passed on first
reading at a regular meeting of the Borough Council
held on June 19, 1979. It was duly published in The
News Tribune on June 22, 1979 with notice that it
will be considered for final passage after public
hearing to be held on July 17, 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 Umansky and Sitar and
unanimous affirmative vote of the five Councilmen
present, the Mayor declared the public hearing to
be open:

ORDINANCE
#79-8

Amending General
Ordinances Re
Maintenance and
Supervision of
Dogs

Public Hearing

JULY 17, 1979

LOUIS MANGIERI asked if the ordinance included the street and the BOROUGH ATTORNEY replied that Section 9.12 stated that 'No person owning, harboring, keeping or in charge of any dog shall cause, suffer, or allow such dog/^{to}soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park, school ground, or any space where the public congregate or walk or upon any public property or place whatsoever or upon any private property without the permission of the owner of said property.' Mr. Mangieri asked if signs would be posted and stated 'if my dog can do it in my backyard, so should everyone else's. COUNCILMAN SITARZ pointed out that Carteret Avenue already has signs posted.

ROBERT CURRAN asked if a fine would be imposed on violators. The BOROUGH ATTORNEY replied that the ordinance provides for a fine.

UNIDENTIFIED MAN complained that he lives adjacent to Minne Park and people walk their dogs there 5:30 in the morning and do the same thing at night. He asked if this would control Minne Park. The BOROUGH ATTORNEY replied that we would have to get permission from the County. COUNCILMAN SITARZ asked if the County Police would be the ones to enforce the ordinance and the BOROUGH ATTORNEY replied 'No, it would have to be done by the Borough police.'

Hearing Closed

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

Adoption

Upon WMS&C, by Councilmen Umansky and Toth, Ordinance #79-8 was finally adopted and upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky and Wutkowski voted in the affirmative for adoption; Councilman Wilson was noted Absent.

BEFORE COUNCILMAN SITAR voted, he stated that the ordinance will not be enforced tomorrow; that signs would first be posted, violators given notice of the ordinance and then strictly enforced. The BOROUGH ATTORNEY pointed out that there is a 20-day waiting period before an ordinance is in effect.

Ordinance #79-8 on following page.

ORDINANCE #79-8

AN ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE BOROUGH
OF CARTERET, CHAPTER IX, "LICENSING
OF DOGS" PROVIDING FOR THE MAINTENANCE
AND SUPERVISION OF DOGS.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF CARTERET, NEW JERSEY as follows:

SECTION 1

The Revised General Ordinances of the Borough of Carteret, Chapter IX, "Licensing of Dogs", is hereby amended by the establishment of Section 9-12 - providing for the maintenance and supervision of the dogs by the owners thereof.

Section 9.12. No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park, school ground, or any space where the public congregate or walk or upon any public property or place whatsoever or upon any private property without the permission of the owner of said property. This restriction in this section shall not apply to that portion of the street lying between the curblines, which shall be used to curb such dog under the following conditions:

Section 9.12.1. The person who so curbs such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the Department of Health.

Section 9.12.2. The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provisions of this ordinance in a sanitary method approved by the Department of Health.

Section 9.12.3. The provisions of this ordinance shall not apply to blind persons who may use dogs as guides.

Section 9.12.4. Any person owning, harboring, keeping or in charge of any dog not curbed in accordance with the provisions of this ordinance shall be deemed to be in violation of this ordinance and subject to the following penalty:

A fine not less than \$50.00 nor more than \$100.00.

SECTION II

All Ordinances or part of Ordinances inconsistent herewith are hereby repealed.

JULY 17, 1979

SECTION III

This Ordinance shall take effect immediately upon passage and publication according to law.

APPROVED AND ADOPTED: July 17, 1979
INTRODUCED: June 19, 1979
Advertised as adopted on first reading with
Notice of Public Hearing June 22, 1979
Hearing Held: July 17, 1979.
Approved by Mayor John V. Tomczuk
Advertised as finally adopted July 20, 1979.

ORDINANCE
#79-9
Amending
Salary
Ordinance

Ordinance #79-9 was introduced and passed upon first reading at a regular meeting of the Borough Council held on June 19, 1979. It was duly published in The News Tribune on June 22, 1979, with notice that it will be considered for final passage after public hearing to be held on July 17, 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 Umansky and Sitarz, and unanimous affirmative vote of the five Councilmen 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 Toth and Sitarz, and unanimous affirmative vote of the five Councilmen present.

Adoption

Upon MMS&C, by Councilmen Umansky and Sitarz, Ordinance #79-9 was finally adopted and upon individual roll call vote, Councilmen Sitarz, Sitarz, Toth, Umansky and Wutkowski voted in the affirmative for adoption; Councilman Wilson was noted Absent.

BEFORE VOTING, COUNCILMAN SITARZ noted that there was provision in the ordinance for the Building Maintenance Worker in the new Police Facility. The Clerk stated that the ordinance was introduced before the appointment was made, but will be part of the police ordinance.

Ordinance #79-9 on following pages.

ORDINANCE #79-9

AN ORDINANCE TO AMEND ORDINANCE #71-9 ENTITLED "AN ORDINANCE 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 Section 1 of the above entitled ordinance is hereby amended as follows:

Section 1.

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>Maximum</u>
ADMINISTRATIVE & EXECUTIVE:					
Ass't Mun. Clerk	10,675.56	11,061.42	11,447.28	11,833.15	12,960.00
Clerk Typist	7,022.72	7,408.57	7,794.45	8,180.31	8,566.17
ASSESSMENT OF TAXES:					
Clerk Typist	7,460.04	7,845.89	8,231.76	8,617.62	9,033.48
BUILDINGS & GROUNDS:					
Bldg. Maintenance Worker					11,771.41
Bldg. Service Worker:					4,241.93
Borough Hall Annex					2,969.87

COLLECTION OF TAXES:					
Prin. Ck. Bkkpr.	9,389.35	9,775.21	10,161.07	10,546.95	10,932.80
Bkkpr. Mach. Oper.	7,331.41	7,717.27	8,103.13	8,489.01	8,874.86
Clerk Typist	7,022.72	7,408.57	7,794.45	8,180.31	8,566.17

FIRE DEPARTMENT:

Fire Captain UFD	\$17,900.09 per yr.
Fireman UFD-	
1st Year	13,235.11 per yr.
2nd Year	13,983.33 per yr.
3rd Year	14,731.54 per yr.
4th Year	17,002.24 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.

INSPECTION OF BUILDINGS:

Housing Inspector	11,216.18	11,582.01	11,947.75	12,313.50	12,960.00
Clerk Typist	7,022.72	7,408.57	7,794.45	8,180.31	8,566.17

MUNICIPAL COURT:

Court Clerk					12,960.00
Dep. Mun. Ct. Clerk	7,560.00	7,884.00	8,208.00	8,532.00	8,856.00
Clerk Typist	7,022.72	7,408.57	7,794.45	8,180.31	8,566.17

MUNICIPAL GARAGE:

Sr. Mechanic					6.53 hr.
Mechanic					6.25
Bldg. Serv. Worker					4.05

JULY 17, 1979

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>Maximum</u>
POLICE DEPARTMENT:					
Laborer					5.79 hr.
Clerk Typist-					
Crime Prevention	7,022.72	7,408.57	7,794.95	8,180.31	8,566.17
PUBLIC ASSISTANCE:					
Adm. Clerk	8,103.13	8,489.01	8,874.86	9,260.72	9,646.59
Clerk Typist	7,022.72	7,408.57	7,794.45	8,180.31	8,566.17
PUBLIC WORKS:					
GARBAGE & TRASH-					
Heavy Equipment Operator (Sanitary Landfill)					6.93 hr.
Truck Driver					6.21
Laborer					5.93
Watchman					4.38
ST. CLEANING-					
Equipment Operator (Sweeper)					6.40 hr.
STREETS & ROADS-					
Equipment Operator					6.13 hr.
Maintenance Worker					6.12
Truck Driver					6.07
Laborer					5.79
PARKS DEPARTMENT:					
Sr. Park Maintenance Worker					6.43 hr.
Park Maintenance Man					6.13
Park Attendant					5.79
Park Truck Driver					6.07
Park Laborer					5.79
SEWAGE DISPOSAL PLANT:					
Foreman					6.93 hr.
Sewage Plant Repairer					6.70
Sewage Plant Operator (Day)					6.48
Sewage Plant Operator (Shift)					6.07
Laborer Foreman (Sr. Maintenance Worker)					6.50
Sewer Maintenance Worker					6.29
Laborer					5.79

SECTION 2. That Section 3 of the above entitled ordinance is hereby amended to read as follows:

SECTION 3.

- (a) Time and one-half shall be paid for any hours worked beyond 40 hours a week to employees paid on an hourly rate. All hours worked on a Sunday by employees not regularly scheduled to work on said day, shall be paid at a double-time rate of pay.
- (b) All overtime worked by the Blue Collar workers from January 1, 1979 to May 1, 1979 shall be at an increase of six percent (6%) on the existing rate as of January 1, 1979.
- (c) White Collar workers whose salaries are being amended in this ordinance, shall receive a bonus of Forty Dollars (\$40.00) in addition to their rate of compensation for the year of 1979.

SECTION 3. That the schedule rate of compensation in Section 1 of this ordinance shall be effective as of May 1, 1979. Said ordinance shall take effect immediately upon passage and publication as required by law.

APPROVED AND ADOPTED: July 17, 1979

INTRODUCED: June 19, 1979

Advertised as adopted on first reading with Notice of Public

Hearing June 22, 1979

Hearing Held: July 17, 1979

Approved by Mayor John V. Tomczuk

Advertised as finally adopted July 20, 1979

PAYMENT
OF BILLS

Upon MMS&C, by Councilmen Toth and Sitarz, all bills appearing on the prepared list, properly audited and signed, were ordered to be paid. Upon individual roll call vote, Councilmen Sitarz, Toth and Wutkowski voted in the affirmative for payment. Councilman Sitar "Abstained" from voting on Sitar's Shop-Rite bills and "YES" on all other bills. Councilman Umansky voted "YES" on bills for Public Works Department and "Abstained" from voting on all other bills; Councilman Wilson was noted Absent.

At this point, the Mayor noted that Council has gone through 38 items of business without an argument and this is the way Council Meetings should be run at all times with all matters handled at the agenda meeting. That this method is in the best interest of the town and people attending the meetings.

REPORTS
OF COMMITTEES

PUBLIC SAFETY: When the Mayor called on Councilman Wutkowski to make his Public Safety report, Councilman Sitarz stated that he objects to Councilman Wutkowski giving the Public Safety report.

COUNCILMAN WUTKOWSKI reported that the two (2) new cars have been put into service and that the Fire Department had a problem with Fire Truck #6 and it would be out of service for repairs for 4 to 10 days.

Authorize
Bids- Junk
Vehicles

Upon MMS&C, by Councilmen Wutkowski and Toth, and unanimous consent of the five Councilmen present, the Clerk was authorized and directed to readvertise for bids for the sale of Junk Vehicles.

PUBLIC WORKS: Before making his report, Councilman Umansky stated that he too objects to Councilman Wutkowski making the Public Safety report.

COUNCILMAN UMANSKY reported that when he returned from vacation, he found that a very unfortunate incident occurred in his department which could have been tragic. He stated that a garbage truck hit a house on 33 Patrick Street and "thank God nobody was hurt. Three men lost time from work due to injuries, but thank the Lord no serious injuries occurred." He thanked the Building Inspector for doing everything possible to help the people. He noted that one of the gas lines were hit by the truck and if a spark would have taken place, the damage to the people and house would have been tragic. He recommended that this accident be turned over to the Accident Review Board for research and full report.

JULY 17, 1979

Award of
Contract-
1979 Road
Program

Upon MMS&C, by Councilmen Umansky and Toth, and unanimous approval of the five Councilmen present, the contract for the 1979 Road Program was awarded to Allen Blacktop Corp.

PARKS & RECREATION: In the absence of Chairman Wilson, Councilman Umansky stated that it was Councilman Wilson who proposed the animal ordinances and he appreciates the Council's action tonight.

Bids
Authorized-
Materials
Park & Rec.
Building

Upon MMS&C, by Councilmen Umansky and Toth, and unanimous consent of the five Councilmen present, the Clerk was authorized and directed to advertise for bids for Materials for the Park and Recreation Building.

FINANCE & ADMINISTRATION: Councilman Toth reported PROGRESS in his department. He noted that the new Police Cars have no identification as to who they belong to. He said they should have Borough of Carteret on them; that Municipalities identify their vehicles. MAYOR TOMCZUK agreed with Councilman Toth and stated that the cars have a red, white and blue stripe where the name should be. COUNCILMAN SITARZ explained that the shield was expensive and would cost \$800.00, therefore, he decided on the stripe and if there was any money left over in the budget at the end of the year, he was going to have the Borough Crest put in the center of the stripe. COUNCILMAN TOTTH stated all cars should be identified -- people in town don't even know if these cars belong to the Borough. MAYOR TOMCZUK asked "can't this be done now" and COUNCILMAN SITARZ replied that eventually all cars will have the Crest.

BUILDINGS & GROUNDS: Councilman Sitarz commended John Bohacs on the good job he is doing -- "the Borough Hall never looked so good." Councilman Sitarz questioned Councilman Wutkowski about the \$320.00 bill for a task force nozzle. He said it was a good nozzle, but when used for foam, may clog and that he already bought a nozzle. COUNCILMAN WUTKOWSKI explained that another nozzle was desperately needed and the Superintendent bought this one. We now have two nozzles, after both are tried, it will be decided which one is better.

COUNCILMAN SITARZ stated that he was annoyed when he saw Councilman Wutkowski's picture in the newspapers with the new police cars. He said that at the June 19th Council Meeting, Councilman Toth 'razed' him about who picked the colors for the new police cars, and then Councilman Wutkowski takes a picture with the cars. He stated that he could at least, waited until the Judge makes a ruling on the Committee.

He also complained that the Borough was not being properly covered in case of a fire, now that #6 is out of service and that it would take more like 4 to 6 weeks before the truck is back in service. He advised Councilman Wutkowski as to how the town should be covered and Councilman Wutkowski told him he told the Captain that the Snorkel is to answer all calls.

COUNCILMAN SITAR stated that it is not the job of the Commissioners to tell the Superintendent or Captain where any truck should go; that that was their job and that was what they were getting paid and trained for.

SEWAGE DISPOSAL: Councilman Sitar reported that the work on Roosevelt Avenue was started, the road dug up and one break found. They also found that there was no sewer in one area. He reported that two (2) sections were done, with two (2) more sections to go.

LOUIS MANGIERI commended the Mayor and Council on their action for consent for Cable Television, and stated that he was all for it. He said that he toured the new Police Facility and that with all that room, more police officers will be needed to fill that space.

PUBLIC
DISCUSSION

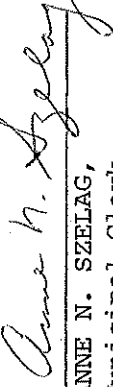
STEPHEN KRISSAK asked about the status of the Industrial Road and MAYOR TOMCZUK replied that a meeting was called with Woodbridge Officials to discuss the proposed alignment of which a short segment passed through Woodbridge, but no one showed for the meeting. He stated that perhaps the timing was wrong with an election coming up, but to keep the progress on the Industrial Road going, we arranged for a new alignment at this time and are submitting this to the Freeholders for approval.

JOSEPH GORECKI commended the Mayor on the way he handled the gas crisis; that the schedule he arranged with the gas stations helped the people of Carteret and cut the lines.

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

ADJOURNMENT

Respectfully submitted,


ANNE N. SZELAG,
Municipal Clerk

11r

COUNCIL MEETING

BILLS PASSED

JUNE 17, 1969

PERTH AMBOY NATIONAL BANK:

J. Florentino, Treasurer 102,214.81
J. Florentino, Treasurer 101,715.23

J. Florentino, Treasurer

28,873.55

TRUST ACCOUNT - PANB:

United Roosevelt Savings & Loan 200.00

CAPITAL CASH - CBT:
Kraft & Hughes, Esqs.

215.00

PUBLIC WORKS PROGRAM - CBT:

Ben Den Construction Co. 50,172.40
T.E.A.M. Associates 3,406.41

COMMUNITY DEVELOPMENT AGENCY - CBT:

Cantello Plumbing Corp. 3,600.00
H. Thomas Carr 1,265.00
Harrington & Kady 125.00
Stern & Dragoset, Inc. 75.00

Carteret Redevelopment Agency 7,109.83
Muriel Gerstler 2,702.00
Orefice Construction Corp. 23,625.00

CARTERET BANK and TRUST COMPANY:

Joseph Arway 355.00
Sakel Moving & Storage 630.00
Data Systems of NJ 12.50
Alvin B. Lebar, Esq. 150.00
John Bohacs 3.75
Belardino Lupini, M.D. 25.00
Palitto Agency 35.00
NJ Bell 2,259.19
Absolute Fire Protection Co. 437.20
Chet's Service, Inc. 25.58
Fred Gombos 256.50
Allied Plate Glass 35.00
Georgia Barron 20.00
Chief Robert D'Zurilla 285.00
Int. Assoc. of Chiefs of Police 35.00
State of NJ - Dept. Treasury 15.60
Vinnie's T.V. Service, Inc. 39.80
Woodbridge Car Wash 4.25
Safeguard Alarms, Inc. 495.00
Leonard Zaleski 35.00
Central Exterminating Co. 15.00
Curtis Industries 48.19
Weldon Asphalt Corp. 186.08
W.E. Timmerman Co. 123.62
Hammers Mens Store 213.50
M. Kacsur & Sons 192.14
Quaker State Oil Ref. Corp. 405.83
Consolidated laundries 28.50
Robert W. Rowe 623.00
F.S. Cap 60.00
Bureau of State Use Industries 18.02
Andersen Equipment Service 1,073.50
Certified Labs. 118.00
Ed Connors Associates 337.50
Herbert Sand Co. 120.00
Mieles Greenhouses 148.00
Alex Rajnai 225.00
Suburban Propane Gas Corp. 11.80
Economy Handicrafts 397.11
Metuchen Center Inc. 429.02
Alan Bartos 210.00
Public Employees Retirement 48.61
Consolidated P&F Pension 27,656.17
Middlesex County Treasurer 541,393.36
Xerox Corp. 373.75
Ragucci's Sport Shop 122.90
West Publishing Co. 348.00
A&M Sales 139.00
Albrecht's Key Shop 709.63
Carteret Lumber & Supply 421.50
Elizabethtown Gas Co. 144.77
Hoffman Printing Corp. 263.95
Roberts Chevrolet, Inc. 855.91

Middlesex County Publishing

46.08

Elizabeth Caliguari 225.00
Ace Novelty and Printing 120.00
Pitney Bowes 73.00
Steven Altman 750.00
Jack Heitman 85.00
Great West Life Assurance 3,106.81
NJ Bell Telephone 2.00
A&M Battery Service, Inc. 109.60
Allied Fire & Safety 274.00
Douglass Overhead Door Co. 55.00
Thomas F. Murphy, Inc. 276.25
Amboy Generator Service, Inc. 87.87
Daily Photo & Industrial Supply 15.96
J.M. Gavaletz 67.05
Maple Leaf Speciality Co. 295.00
Vinces Car Wash 12.00
Warner Communications Co. 282.25
Albert Zullo 8.00
Theodore Kaskiw 90.00
Edward T. Zanat 4.00
Carteret Ford Trucks Sales 15.20
Louis Rozanski 35.00
Columbian Steel Co., Inc. 360.00
Bristol-Donald Co., Inc. 332.94
The Heil Equipment Co. 698.28
Perth Amboy Spring Works 284.40
Walter Bobel 5.00
James Galland 5.00
Standard Electric Motor Repair 571.40
Somes 68.00
Margaret Stone, Director 56.50
J.E. Burke 633.00
Con-Lux Coatings, Inc. 110.25
Freedman Truck Center 28.50
Hights Farm Equipment 125.06
Nobel Equipment & Supplies 35.94
Rudy Stark 210.00
T&F Landscaping 199.90
Films Inc. 237.00
Swank Motion Pictures, Inc. 92.75
Kevin Gorm 210.00
Public Employees Retirement 89,547.00
J. Florentino, Custodian 460,000.00
Anne N. Szalay 152.10
Alco Stationers, Inc. 152.90
Carteret Postmaster 200.00
Middlesex Water Company 30,361.76
Max L. Brown Hardware 331.73
Baumgartners 69.19
Auto Parts of Woodbridge 1,039.02
Mullins Spring Water 99.20
Aristocrat Uniform 2,484.40
Maaco Auto Painting 345.00

CARTERET BANK and TRUST COMPANY CONTINUED:

Perth Amboy Tire Co.	197.90	Public Service Electric & Gas	12,982.79
Frank Brown, Inc.	315.00	The Atom Tabloid	537.60

LIBRARY:

The Baker & Taylor Co.	691.42	Max L. Brown Hardware	18.29
Children's Book Council, Inc.	31.90	Childrens Press	69.69
Congressional Staff Directory	24.00	Doubleday & Company	58.29
Port Exterminating & Termite	13.00	Standard & Poor's Corp.	315.00
Time Life	28.81	West Publishing Co.	22.00
Administrator's Digest	11.80	American Library Assoc.	20.00
EBSCO Subscription Services	28.83		

WELFARE DEPARTMENT:

John J. Bednar	50.00	Split Rail Inn Hotel	100.00
Dixie's Apts.	519.00	Shop-Rite of Carteret	103.88
Esther Horvath	58.00	Jose G. Perez	140.00
J.M. Gavaletz	81.00	Garcia's Grocery	138.00
Acme Markets	100.76	Robert Pabst	54.00
Wilfredo Rodriguez	90.00	LeBow's Supermarket	166.00

PUBLIC ASSISTANCE ACCOUNT: Check Number 6379 to Check Number 6410 in the amount of \$3,165.62.

llr

AUGUST 21, 1979

REGULAR
MEETING

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, August 21, 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
" Joseph A. Wutkowski

Ronald S. Kolsky, sitting in for Borough Attorney, Peter J. Selesky, 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 Tomczuk.

STATEMENT
OF MEETING
NOTICE

The Deputy Clerk stated that on August 10, 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.

BIDS

The Mayor stated this was the night advertised to receive bids for Junk Vehicles and called for all bids. The Deputy Clerk stated she was in receipt of three (3) bids, and upon MMS&C, by Councilmen Wilson and Umansky, and unanimous affirmative vote of the full membership present, the Deputy Clerk was authorized and directed to open and read aloud all bids received which were as follows:

Junk
Vehicles

<u>BIDDER</u>	<u>10%</u>	<u>BID PRICE</u>
1. R&J Auto Parts 625 Roosevelt Avenue Carteret, NJ	NO DEPOSIT	\$7,800.00
2. Elliot Street Auto Wreckers 228 Lafayette Street Rahway, NJ		\$16.50 \$495.00
3. Bruce's Auto Wreckers, Inc. 92 Leesville Avenue Rahway, NJ		\$20.50 \$615.00

Awarded to
Bruce's
Auto Wreckers,
Inc.

Mr. Kolsky stated that R & J Auto Parts bid is not legally accepted since a bid bond or check was not received. Also, he made a mistake in his figuring. Upon MMS&C, by Councilmen Sitar and Wilson, and unanimous affirmative vote of the full membership present, the bid was ordered to be awarded to Bruce's Auto Wreckers, Inc.

AUGUST 21, 1979

At this point, Councilman Sitarz asked for the floor stating he wishes to resign as Chairman of Buildings and Grounds and suggested Councilman Wutkowski be appointed. MAYOR TOMCZUK stated this appointment is further down on the agenda, however, since Councilman Sitarz brought it up at this time, the Mayor appointed Councilman Wutkowski as Chairman of Buildings and Grounds with the consent of all Councilmen present.

APPOINTMENT
Councilman
Wutkowski
Buildings &
Grounds Chairman

Mayor Tomczuk asked if Retired Sgt. Det. Charles Russo was in the audience to present him with a Resolution. Since he was not in the audience, the Mayor read the Resolution in full and asked the Deputy Borough Clerk to forward it to Mr. Russo.

PRESENTATION
Resolution
Commendation -
Retired Police Officer
Charles Russo

Upon MMS&C, by Councilmen Toth and Umansky, and unanimous affirmative vote of the full membership present, the minutes of July 17, 1979 were ordered approved and engrossed as transcribed by the Clerk.

APPROVAL
OF MINUTES
July 17, 1979

The Deputy Clerk stated she was in receipt of an application submitted by Carteret Redevelopment Agency classified by the Planning Board as a minor sub-division. Upon MMS&C, by Councilmen Umansky and Wilson and unanimous affirmative vote of the full membership present, the Mayor and Clerk were authorized to affix their signatures to the applications as provided by law.

APPLICATION
Minor Sub-division
Redevelopment
Agency

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

COMMUNICATION

Ordinance #79-159

ORDINANCE RE: AMENDING CHAPTER 228, ZONING, OF THE CODE OF THE TOWNSHIP OF EAST BRUNSWICK, BY MAKING ADDITIONAL PROVISIONS IN THE OP-1 OFFICE PROFESSIONAL DISTRICT AND THE OP-2 OFFICE PROFESSIONAL DISTRICT.

East Brunswick
Township
RE: Ordinances
#79-159, 161 &
162 Amending Their
Ordinances

BE IT ORDAINED by the Township Council of the Township of East Brunswick, County of Middlesex and State of New Jersey, as follows:

SECTION 1. Chapter 228, Zoning, of the Code of the Township of East Brunswick is amended by the addition of the following:

SECTION 2. Article X, Regulations for the OP-1 Office Professional District.

Section 228-86. Permitted Uses. Residential Dwellings. Where a single family dwelling existed on a lot in a residential zone at the time this section was adopted (May 24, 1976) the residential use may be thereafter continued and the structure may be thereafter enlarged or expanded so long as the proposed alteration conforms to the minimum requirements for height, area, yard and off-street parking as they existed prior to May 24, 1976. If the proposed alteration does not conform to the prior bulk regulations, an application for a Bulk

Variance shall be made to the Zoning Board of Adjustment.

SECTION 3. Section 228-119 is amended as follows:

Article XV, Regulations for the OP-2 Office Professional District.

Section 228-119H. Residential Dwellings. Where a single family dwelling existed on a lot in a residential zone at the time this section was adopted (July 25, 1977) the residential use may be thereafter continued and the structure may be thereafter enlarged or expanded so long as the proposed alteration conforms to the minimum requirements for height, area, yard and off-street parking as they existed prior to July 25, 1977. If the proposed alteration does not conform to the prior bulk regulations, an application for a Bulk Variance shall be made to the Zoning Board of Adjustment.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

SECTION 5. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect 20 days after final passage adoption and publication according to law.

ORDINANCE #79-161

ORDINANCE AMENDING CHAPTER 228, ZONING, OF THE
CODE OF THE TOWNSHIP OF EAST BRUNSWICK

BE IT ORDAINED by the Township Council of the Township of East Brunswick, Middlesex County, New Jersey, as follows:

SECTION 1. Chapter 228, Zoning, of the Code of the Township of East Brunswick is hereby amended as follows with additions in capitals and deletions in parenthesis.

SECTION 2. Section 228-262A is amended in part as follows:

If the conditions or threat referred to above has not been abated or corrected by the date indicated in the notice, then a summons shall be issued. If an appeal shall have been filed (to) WITH the Board of Adjustment within (thirty (30)) days SIXTY FIVE 65 days of the order, the municipal court action on the summons shall be stayed in accordance with Section (228-258A and 228-258B) 132-24 of the Code of the Township of East Brunswick.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

SECTION 4. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect 20 days after final passage, adoption and publication according to law.

ORDINANCE #79-162

ORDINANCE AMENDING CHAPTER 132, LAND USE
PROCEDURES OF THE CODE OF THE TOWNSHIP
OF EAST BRUNSWICK BY REQUIRING NOTICE ON
APPEALS TO THE ZONING BOARD.

BE IT ORDAINED by the Township Council of the Township of East Brunswick, Middlesex County, New Jersey, as follows:

SECTION 1. Section 132, Land Use Procedures, of the Code of the Township of East Brunswick is hereby amended as follows with additions shown in capitals.

SECTION 2. Section 132-24.A is amended by the addition of the following at the end of the existing paragraph:

THE APPLICANT SHALL SERVE ALL INTERESTED PARTIES AND PUBLISH NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION OF THE APPEAL TO THE ZONING BOARD, WHICH NOTICE SHALL BE SERVED AND PUBLISHED AT LEAST TEN (10) DAYS PRIOR TO THE FIRST ZONING BOARD HEARING DATE.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

SECTION 4. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect 20 days after final passage, adoption and publication according to law.

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.

COMMUNICATION

AUGUST 21, 1979

Hiram
Craftsman
Club

RE: Variance

Dear Owner and Neighbor:

Please take notice that the Hiram Craftsman Club of Carteret, 26 Pershing Avenue, Carteret, New Jersey, Block 250, Lot 14, Borough of Carteret, has applied to the Zoning Board of Adjustment, Carteret, New Jersey for an ordinance to make alterations to the interior of the Clubhouse, and if necessary, a variance from the zoning ordinance of said Borough.

The meeting will be held at the Borough Hall, Cooke Avenue, Carteret, New Jersey at 8:00 P.M., Tuesday, August 28, 1979.

Anyone wishing to appear to raise objections may do so at that time.

SIGNED: Kaplan, Feingold and Kaplan
5 Cooke Avenue
Carteret, NJ

COMMUNICATION

The following communication was read and upon MM&SC, by Councilmen Sitarz and Wutkowski, and unanimous affirmative vote of the full membership present, it was ordered to be received and placed on file.

Volunteer
Fire Company
#1

RE: Resignation
Michael Bosze

July 16, 1979

This letter is to inform you that at our last monthly meeting Mr. Michael Bosze, a member of the Carteret Volunteer Fire Company No. 1 resigned due to the fact that he has moved out of State.

SIGNED: Richard McGillis,
Recording Secretary, Fire Co. No. 1

COMMUNICATION

The following communication was ordered to be received, placed on file and the appointment confirmed, upon MM&SC, by Councilmen Sitarz and Umansky and unanimous affirmative vote of the full membership present.

Volunteer
Fire Company
#2
RE: Appointment
George Tardiff

July 19, 1979

This letter is to inform you that George Tardiff has been accepted as a regular member of Volunteer Fire Company No. 2 as of July 10, 1979. We would appreciate the Mayor and Council accepting this man at their next regular council meeting so he may begin performing the duties of a volunteer fireman as soon as possible.

SIGNED: Daniel T. Donovan, Recording Secretary
Fire Company No. 2

AUGUST 21, 1979

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

COMMUNICATION

June 21, 1979
Councilman Joseph W. Sitarz
Public Safety Director

This letter is to inform you that at our last monthly meeting a vote was taken and unanimously approved to accept eighteen year old applicants. This decision did not come about over night, but after months of extensive research. This research has been conducted throughout the nation by many of the top executives involved in the fire service. There has been but one general conclusion, that with proper training and supervision, eighteen year olds have proven themselves without question.

Volunteer
Fire Company
#1
RE: 18 Year Old
Applicants

We are also aware of the fact that Fire Company No. 2 refuses to recognize eighteen year old applicants for reasons that are irrelevant to fire fighting.

Due to the tremendous physical exertion required in fire ground operations, we find a younger person more suitable to withstand this punishment. We are also trying to fill our seriously undermaned company. We have on file numerous requests for applications by young men between the ages of eighteen and twenty years old.

We are therefore asking that the Borough Ordinance be changed from twenty-one years of age to eighteen years of age. Your kind and speedy considerations will be greatly appreciated. If there are any further questions regarding this matter please feel free to contact me.

SIGNED: Richard McGillis,
Recording Secretary, Fire Co. No. 1

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

COMMUNICATION

July 23, 1979

Please accept my resignation as a member of the Carteret Board of Adjustment effective immediately.

John Hutnick
RE: Resignation-
Board of
Adjustment

SIGNED: John Hutnick,
567 Roosevelt Avenue, Carteret, NJ

AUGUST 21, 1979

APPOINTMENT

Robert Bauer
Board of
Adjustment

The Mayor then appointed Robert Bauer to the vacancy on the Board of Adjustment for the unexpired term and upon MMS&C, by Councilmen Sitar and Toth, and unanimous affirmative vote of the full membership present, the appointment was confirmed.

COMMUNICATION

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

Borough
Treasurer
RE: Sale Bond
Anticipation
Notes

July 27, 1979

This is to advise you that I sold Borough of Carteret Bond Anticipation Notes, dated July 27, 1979 and maturing July 25, 1980, in the sum of One Hundred Forty Two Thousand Five Hundred (\$142,500.00) Dollars to the Perth Amboy National Bank. The notes will bear interest at the rate of 5.50.

The following bids were received:

<u>BANK</u>	<u>RATE</u>
Perth Amboy National	5.50
Fidelity Union Trust Company	5.97

SIGNED: John Florentino,
Collector-Treasurer

COMMUNICATION

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

Kraft &
Hughes,
Bonding
Attorneys
RE: Legal
Opinion on
Sale

July 27, 1979

We have examined a record of proceedings relating to the issuance of a \$142,500 Bond Anticipation Note of the Borough of Carteret, a municipal corporation of the State of New Jersey, situate in the County of Middlesex. The Note is dated July 27, 1979, matures July 25, 1980, bears interest at the rate of five and fifty hundredths per centum (5.50%) per annum payable at maturity, is numbered 1979-3, is bearer in form without coupons, is registrable as to principal and interest and is issued pursuant to the Local Bond Law of the State of New Jersey and by virtue of an ordinance of the Borough finally adopted June 6, 1979, duly approved and published as required by law.

The Note is a temporary obligation issued in anticipation of the issuance of bonds.

AUGUST 21, 1979

In our opinion, the Note is a valid and legally binding obligation of the Borough of Carteret, payable in the first instance from the proceeds of the sale of the bonds in anticipation of which the Note is issued, but, if not so paid, payable ultimately from ad valorem taxes that may be levied upon all the taxable real property within the Borough without limitation as to rate or amount.

Further, in our opinion, interest on the Note is exempt from Federal income taxes under the existing statute, regulations and court decisions.

We have examined the form of the Bond Anticipation Note and have found it to be regular and proper. We have not examined the executed Bond Anticipation Note.

SIGNED: Kraft & Hughes

COMMUNICATION

The following communication was read and upon MMS&C, by Councilmen Umansky and Sitarz, and unanimous affirmative vote of the full membership present, the Deputy Clerk was directed to send a letter of authorization to proceed with the necessary work.

July 13, 1979

PSE&G Company
RE: Recommendation
on Lighting Survey -
Jessie & Edgar
Streets

Enclosed please find a street lighting survey for Jessie Street, as requested in your letter of July 2, 1979.

Also, as requested in another letter of July 2, 1979, regarding 137 Edgar Street, the 100 watt mercury vapor lamp on pole 60345 will be relocated to pole 62133.

Upon receipt of your authorization, the necessary orders to proceed with these lights will be issued.

SIGNED: Peter P. Pesetsky,
Senior Marketing Representative

COMMUNICATION

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

July 30, 1979

Thank you for sending me a copy of your letter to Governor Byrne regarding the Mayor and Council's request for restoration of rail service to Carteret. As I am sure the Mayor and Council know, the railroads in New Jersey are in very bad shape.

Assemblyman
Deverin
RE: Rail Service
for Carteret

AUGUST 21, 1979

The Assembly has just passed and the Governor has already signed into law S-3137 which sets up a Transportation Authority with the power to acquire buses and involve itself in rail transportation. I feel confident it is the first giant step for a rail transportation system in our state and trust it will include restoration of rail service to the Borough. I shall convey my personal feelings on this matter to the Governor and to Commissioner Louis Gambaccini, Chairman of the Transportation Authority.

SIGNED: Thomas J. Deverin,
Speaker Pro Tem
Assemblyman, District 21

REPORTS

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

INSPECTION OF BUILDINGS - June, 1979: Estimated Cost of Construction \$45,940.00; \$952.80 to Borough Treasurer.
CLERK'S OFFICE - July, 1979: Total Receipts to Borough Treasurer \$1,580.00.
COLLECTOR-TREASURER - July, 1979: Total Receipts \$1,589,166.38; Total Disbursements \$976,903.96.
WELFARE DEPARTMENT - July, 1979: Total Expenditures \$5,437.64.

RESOLUTION #79-126

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, Wilson and Wutkowski voted in the affirmative.

Authorizing
Bingo License -
K of C

WHEREAS, application has been properly made to the Mayor and Council of the Borough of Carteret, New Jersey by Knights of Columbus, Carey Council #1280 of the Borough of Carteret, and

WHEREAS, it appears that the applicant is qualified to be licensed and that the members designated to conduct BINGO GAMES and to assist are bona fide members of the applicant; and

WHEREAS, the applicant has signified that the games will be played in accordance with Rules 6, 7 and 8 of the Legalized Games of Chance Control Commissions regulations;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk is hereby directed to execute the endorsement of the Mayor and Council by issuing for the remainder of the year, upon proper presentation of application, a BINGO LICENSE to the applicant;

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent forthwith to the Legalized Games of Chance Control Commission, 1100 Raymond Boulevard, Newark, New Jersey.

AUGUST 21, 1979

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

RESOLUTION
#79-127

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CARTERET:

Authorizing
Foreclosure
Tax Sale Certificates

WHEREAS, on the 9th day of November, 1978, the municipality did adopt resolution authorizing the re-tention of ALVIN B. LEBAR, Attorney at Law, to serve the municipality as Special Counsel for the purpose of foreclosing twenty-nine tax sale certificates held by the municipality; and

WHEREAS, several of the said liens have been redeemed since said resolution was adopted and twenty-two tax liens remain to be foreclosed under the In Rem Tax Foreclosure Act; and

WHEREAS, contract to foreclose said liens has been executed in furtherance of said resolution on November 10, 1978; and

WHEREAS, the municipality is presently the holder of twenty-two liens as aforesaid subject to said contract, upon which proceedings are in progress, and title examinations completed and which said contract provides for the herein enabling resolution; and

WHEREAS, the IN REM TAX FORECLOSURE ACT also known as N.J.S.A. 54:5-104.29 et seq. is applicable to municipalities for the purposes aforementioned;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE BOROUGH OF CARTERET:

1. That the Borough of Carteret foreclose the said tax sale certificates as set forth on the list annexed hereto and enumerated in prior resolution of municipality.
2. That the said list marked Schedule A, annexed hereto, shall be known as the TAX FORECLOSURE LIST for the Causes of Action to be embraced in an action or actions to be commenced in the Superior Court, which said liens have been duly authorized to be foreclosed by said Special Attorney.

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

RESOLUTION
#79-128

AUGUST 21, 1979

Appointing
Seasonal
Employees -
Recreation
Department

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

WHEREAS, there is a need for various personnel to implement the Baseball and Playground Programs;

NOW, THEREFORE, BE IT RESOLVED, that the following persons be employed as part of said programs under the supervision of the Department of Recreation as Temporary Seasonal Employees pursuant to the rate established by Borough Ordinance:

BASEBALL PROGRAM - SPORTS OFFICIAL:

Harry Mudrick

PLAYGROUND PROGRAM - ASSISTANT DIRECTOR:

James McFadden

RECREATION LEADER:

Robert Chamra

ASSISTANT RECREATION LEADERS:

Thomas Gallagher

Jeffrey Olear

RESOLUTION
#79-129

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

Authorizing
Execute...
Application
Federal Aid
Re Industrial
Road

WHEREAS, the Borough of Carteret requires construction, reconstruction or improvement on Carteret Industrial Road, FAU-8695, from Roosevelt Avenue to Middlesex Avenue to the New Jersey Turnpike, Exit 12; and

WHEREAS, Federal aid is needed and available; and

WHEREAS, a completed application must be submitted for the obtaining of said Federal aid funds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Carteret, County of Middlesex and State of New Jersey, that the Mayor and Borough Clerk be and hereby are authorized to execute the application for said Federal aid funds, a copy of which is annexed hereto and made a part hereof.

RESOLUTION
#79-130

The following resolution was introduced and adopted upon MMS&C, by Councilmen Wilson and Sitarz. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky, Wilson and Wutkowski voted in the affirmative. COUNCILMAN WILSON stated he was happy to make this appointment. Mrs. Serson was serving as a provisional for some time now and is a very good worker.

AUGUST 21, 1979

WHEREAS, the Department of Civil Service of the State of New Jersey, called for an examination for the position of Chauffeur, Senior Citizens Transportation in the Borough of Carteret; and

Certification
Chauffeur -
Senior Citizens
Transportation -
Ann Serson

WHEREAS, the Department of Civil Service has served a Certification of Eligibles for Appointment, dated July 19, 1979 for said position; and

WHEREAS, the Department of Civil Service has certified that ANN SERSON is eligible for appointment to the position of Chauffeur, Senior Citizens Transportation in the Borough of Carteret;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that ANN SERSON be and is hereby appointed to the position of Chauffeur, Senior Citizens Transportation of the Borough of Carteret from the Certification list dated July 17, 1979 as provided by law, effective August 22, 1979.

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.

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

RESOLUTION
#79-131

WHEREAS, there exists a need for professional services to defend Police Officers Karwecki, Pusillo and Wurst in a counter complaint; and

Professional
Services
Re Police Officers
Defense - Steven
D. Altman

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carteret:

1. Steven D. Altman, Esq., is hereby appointed to represent the Borough in said services for a fee not to exceed \$750.00
2. Said appointment is made without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because legal services by a professional attorney is a recognized profession, licensed and registered by law.
3. A notice of this action shall be printed once in The News Tribune on August 24, 1979.

AUGUST 21, 1979

RESOLUTION
#79-132

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

Authorizing
Raffles
License -
High School
Band Parents
Association

WHEREAS, application has been properly made to the Mayor and Council of the Borough of Carteret, New Jersey, by Carteret High School Band Parents Association of the Borough of Carteret; and

WHEREAS, it appears that the applicant is qualified to be licensed and that the members designated to conduct RAFFLES games, and to assist are bona fide members of the applicant; and

WHEREAS, the applicant has signified that the games will be played in accordance with Rules 6,7 and 8 of the Legalized Games of Chance Control Commissions regulations;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk is hereby directed to execute the endorsement of the Mayor and Council by issuing a RAFFLES license to the applicant;

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent forthwith to the Legalized Games of Chance Control Commission, 1100 Raymond Boulevard, Newark, New Jersey.

RESOLUTION
#79-133

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, Wilson and Wutkowski voted in the affirmative.

Authorizing
Filing of
Grant
Request
Re Green
Acres Fund

ENABLING RESOLUTION AUTHORIZING THE FILING OF A
GRANT REQUEST 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 to assist them in the acquisition and development of lands for outdoor recreation/conservation purposes;

WHEREAS, the Borough of Carteret desires to develop lands known as Carteret Park Development Project;

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

1) That the application be made to the Commissioner of Environmental Protection for a grant in an amount of \$96,100.00 equal to 50% of the estimated project cost.

- 2) That the Borough of Carteret estimates the operating expense increment to the annual operating budget for Carteret Park will be approximately a 3% increase in operating costs over the previous Carteret Park Operating and Maintenance Cost.
- 3) That the Borough of Carteret has the ability and intention to finance its share of the cost of the project,
- 4) That the Director of Community Development is hereby authorized and directed to execute and file such application with the Commissioner of Environmental Protection to provide additional information and furnish such documents as may be required; to execute such contracts as are required; and to act as the authorized correspondent of the Borough of Carteret.
- 5) That the Borough of Carteret has adopted regulations governing the administration and use of all lands held by the local unit for recreation and conservation purposes.
- 6) That the Borough of Carteret does hereby hold the State of New Jersey, and the departments and agencies thereof, harmless from any damages, losses and claims which may arise directly or indirectly from the execution of this project.
- 7) That the Borough of Carteret hereby accepts the terms and conditions set forth in the Act and the rules and regulations promulgated thereunder.

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

RESOLUTION
#79-134

WHEREAS, in this day and age, there is a tendency for members of the public to indiscriminately file quasi-criminal and/or civil actions against municipal police officers; and

Petitioning
for Reimbursement
for Fees & Costs
Re Police Officers
Defense

WHEREAS, in many of these instances, no valid cause of action does in fact exist against said municipal police officers; and

WHEREAS, the law requires that said officers be provided with legal representation at municipal expense; and

WHEREAS, the rules of court and the statutes of the State of New Jersey make no provision for municipalities to seek and/or to obtain reimbursement of legal fees so expended when there are findings of not guilty and/or civil judgments rendered in favor of the municipal police officers and/or when the members of the public fail to appear to even prosecute the matters instituted by them;

AUGUST 21, 1979

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Carteret, County of Middlesex, and State of New Jersey either the legislature for the State of New Jersey or the Supreme Court for the State of New Jersey, whichever be the appropriate body, be and are hereby petitioned to amend either the statutes of the State of New Jersey and/or the rules of civil procedure so as to permit municipalities to seek reimbursement for counsel fees and costs in those instances where a member of the public brings a legal action against a municipal police officer and 1) fails to appear to prosecute said action; 2) there is a finding of not guilty in the municipal court; and/or 3) a judgment is rendered in favor of the municipal police officer in a civil court.

RESOLUTION

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

Professional
Services
Re Tax
Appeals -
Capital
Appraisal
Services, Co.

WHEREAS, there exists a need for professional services to supply expert testimony to the County Tax Board on behalf of the Borough of Carteret on various tax appeals; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carteret:

1. Capital Appraisal Services Co., Inc. is hereby appointed to represent the Borough in said services for a fee not to exceed \$200.00 per diem.
2. Said appointment is made without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because this is a professional, extraordinary, unspecifiable service.
3. A notice of this action shall be printed once in The News Tribune on August 24, 1979.

ORDINANCE
#79-10
Authorizing
Mayor & Clerk
to Execute
Agreement Re
Interlocal
Services

Ordinance #79-10 was introduced and adopted on first reading and the Clerk authorized and directed to advertise same for public hearing to be held September 4, 1979, upon MMS&C, by Councilmen Wilson and Umansky. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky, Wilson and Wutkowski voted in the affirmative.

First Reading

ORDINANCE #79-10

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL,
CLERK TO EXECUTE AN AGREEMENT WITH MIDDLESEX
COUNTY TO MODIFY THE INTERLOCAL SERVICES
AGREEMENT DATED MAY 30, 1975

WHEREAS, certain Federal Funds are potentially available to Middlesex County under Title I of the Housing and Community Development Act of 1974 and 1977, commonly known as Community Development Block Grants; and

WHEREAS, it is necessary to amend an existing inter-local services agreement between the County and participating municipalities, for the County and its people to benefit from this program; and

WHEREAS, an agreement has been proposed under which the Borough of Carteret and the County of Middlesex in cooperation with other municipalities will modify an Interlocal Services Program pursuant to NJSA 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Carteret to enter in such agreements.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Carteret, that the agreement, entitled, "Supplemental Contract to Modify Interlocal Services Agreement, dated May 30, 1975 for the Purpose of Inserting a Description of Activities for the Fifth Year Urban County Community Development Block Grant Program", a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk, in accordance with the provision of law; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon its enactment.

Ordinance #79-11 was introduced and adopted on first reading and the Clerk authorized and directed to advertise same for public hearing to be held September 4, 1979, upon MMS&C, by Councilmen Sitar and Wutkowski. Upon individual roll call vote, Councilmen Sitar, Sitarz, Toth, Umansky, Wilson and Wutkowski voted in the affirmative. MAYOR TOMCZUK stated there will be no cost to the taxpayers, however, the Borough will receive 2% gross revenues received by the Company for subscription ---- a good deal. It will benefit the Borough; can be used to cover sports, political debates, parades and even be brought into these chambers.

ORDINANCE
#79-11

Granting
Municipal Consent
Cable Television
Services

First Reading

(Ordinance #79-11 on following pages)

ORDINANCE #79-11

AN ORDINANCE GRANTING MUNICIPAL CONSENT
FOR THE PLACEMENT OF FACILITIES IN THE
ESTABLISHMENT OF CABLE TELEVISION SER-
VICE IN THE BOROUGH OF CARTERET, MIDDLESEX
COUNTY, NEW JERSEY.

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF CARTERET:

SECTION 1. PURPOSE OF THE ORDINANCE.

The Municipality hereby grants to the company its consent to place in, upon, along, across, above, over and under the highways, streets, alleys, side-walks, public ways, and public places in the Municipality poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the municipality of a cable television system and cable communications system.

SECTION 2. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission (47 C.F.R. 76.5) and the Cable Television Act (N.J.S.A. 48:5A-1 et seq) and shall in no way be construed to broaden, alter or conflict with the Federal or State definitions:

- (a) "Municipality" is the Borough of Carteret, County of Middlesex, in the State of New Jersey.
- (b) "Company" is the grantee of rights under this Ordinance and is known as Suburban Cablevision.
- (c) "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, 1972, Section 48:5A-1 et seq.
- (d) "F.C.C." is the Federal Communications Commission.
- (e) "Board" is the Board of Public Utilities Commissioners, State of New Jersey.
- (f) "Office" is the Office of Cable Television of the P.U.C.

SECTION 3. STATEMENT OF FINDINGS.

A public hearing concerning the franchise herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held as above stated and said hearing having been fully open to the public, and the Municipality having received at said hearing all comments regarding the qualifications of the Company to receive this franchise, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.