

Combined Meeting of the Mayor and Borough Council held on Monday, January 27, 2014, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien 7:02 P.M. followed by a short prayer and salute to the flag led by the Sayreville Boy Scouts of America who were in attendance tonight to learn about citizenship. The Scout leader explained that in attendance were five weblows and one boy scout working on their citizenship activity pin, learning the laws and enforcement of government and citizen organizations who work within the government.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and filing with her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Eicher, McGill,  
Melendez, Novak, Rittenhouse

Absent: None

Others Present: Kennedy O'Brien, Mayor  
Daniel E. Frankel, Business Administrator  
Theresa A. Farbaniec, Municipal Clerk  
Wayne A. Kronowski, C.F.O./Treasurer  
Jay Cornell, P.E., Borough Engineer  
Michael DuPont, Esq., Borough Attorney

Others Absent: None

**APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES - None**

**PRESENTATIONS - None**

**OLD BUSINESS**

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

The clerk read the following into record.

**ORDINANCE #243-14**

**AN ORDINANCE REPEALING ORDINANCE #242-13 ADOPTED ON DEC. 16, 2013  
AND FURTHER AMENDING AND SUPPLEMENTING CHAPTER VIII – GENERAL LICENSING  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE  
TO SECTION 8-4 SOLICITORS AND CANVASSERS AND  
AMEND SECTION 8-4.6 UNLAWFUL TO SOLICIT; DO NOT KNOCK LIST – SIGNS POSTED.**

(Co. Buchanan, Sponsor – Public Hearing January 27, 2014)

Ordinance explained by the Borough Attorney and Councilman Buchanan.

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #243-14.

There were no appearances.

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

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes. Carried.

**ORDINANCE # 243-14**

**AN ORDINANCE REPEALING ORDINANCE #242-13 ADOPTED ON DECEMBER 16, 2013 AND FURTHER SUPPLEMENTING AND AMENDING CHAPTER VIII - GENERAL LICENSING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 8-4 SOLICITORS AND CANVASSERS AND AMEND SECTION 8-4.6 UNLAWFUL TO SOLICIT; DO NOT KNOCK LIST - SIGNS POSTED.**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Ordinance #242-13 adopted on December 16, 2013 is hereby Repealed and that the Revised General Ordinances of the Borough of Sayreville are hereby supplemented and amended as follows:

**8-4.1 PERMIT & LICENSE REQUIRED**

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**8-4.2 DEFINITION**

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**8-4.3 APPLICATION**

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**8-4.3 FEES**

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**8-4.3 TIME RESTRICTIONS**

There shall be no soliciting or canvassing activities conducted between the hours of 9:00 P.M. and 9:00 A.M. for commercial and non-commercial establishments.

**8-4.6 DO NOT KNOCK LIST & UNLAWFUL TO SOLICIT SIGNS POSTED**

a. It shall be unlawful for any non-exempt person or organization to engage in any of those practices regulated by this section without having first obtained a license therefore in accordance with the applicable provisions of this section.

b. The Borough Clerk shall maintain a list of names and addresses of residents who have determined that solicitors, canvassers or hawkers shall not be invited to their respective residence. Any resident shall be included on such list if they complete a form indicating their name, address, phone number and if they intend to post a sign. The form shall be made available by the Borough Clerk. The list shall be kept and maintained by the Borough Clerk and distributed to the Police Chief and all applicants seeking a license for the purpose mentioned herein. The licensee shall not solicit, canvass, or hawk upon premises listed on the DO NOT KNOCK LIST. Any solicitor, hawker or canvasser who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence, when such residence is on the list provided shall be considered to be engaging in uninvited soliciting as set forth in this Section and shall be subject to the penalties set forth in Section 1.5 of the Revised General ordinances of the Borough of Sayreville.

c. Those residents who have registered with the Borough Clerk pursuant to this section may post a sign in a conspicuous place on the resident's property stating:

No solicitation is permitted pursuant to Section 8-4.6 of the Revised General Ordinances of the Borough of Sayreville.

d. The “No Solicitation Permitted;” sign shall be no larger than six (6) inch by (9) nine inches in size and the sign shall be supplied by the homeowner/resident.

**8-4.7 APPLICABILITY**

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All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ Daniel Buchanan, Councilman

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esquire  
Borough Attorney

**NEW BUSINESS:**

. **NEW BUSINESS:**

a. Introduction of the following Ordinance were read into record by the Clerk.

**ORDINANCE # 244-14 - Tabled**  
**AN ORDINANCE AMENDING CHAPTER II, “ADMINISTRATION”,**  
**SUBSECTION 2-62, “RECREATION ADVISORY BOARD” OF THE REVISED GENERAL**  
**ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
(Co. Eicher, Recreation Comm. – Public Hearing February 10, 2014)

Councilwoman Eicher made a motion to table Ordinance #244-14 in order to have it and the committee further examined. Motion seconded by Councilman Buchanan.

Roll Call: Voice Vote, All Ayes. Carried.

**ORDINANCE # 245-14**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII OF THE**  
**REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO**  
**ADD SECTION 17-8 “MUNICIPALLY SPONSORED ORGANIZATIONS”**  
(Co. Eicher, Recreation Comm. – Public Hearing February 10, 2014)

Councilwoman Novak made a motion to table this ordinance, recognizing a number of members from various athletic organization in attendance here tonight wishing. She recommended it be tabled tonight and a special meeting be scheduled involving that this meeting deal with that sole item in order for everyone to have a fair amount of time to express their concerns and come out with a clean ordinance that everyone will be happy with. Motion was seconded by Councilman McGill.

Mayor asked for comments. Councilwoman Novak stated no comments were to follow a motion to table.

Mayor called upon Councilwoman Eicher.

Councilwoman Eicher stated that she met with five of the six organizations for over two hours and everyone had their input and all questions were answered and changes were made. She was not sure what more could be talked about. She explained that it was a cut and dry ordinance placing accountability, transparency and fairness into the youth organization and everyone that was in attendance agreed that that is what was needed.

Councilwoman Novak said that the new changes were only presented to them a few minutes ago. Councilwoman Eicher said that the changes were e-mailed. Councilwoman Novak questioned the attorney if she was right that there are no comments to be made on a motion to take from the table. The Attorney said that there is a motion on the table and it is a simple vote and were done with comments. The Mayor stated that we are not done with comments. Mayor asked Councilwoman Eicher is she has concluded her comments.

Councilwoman Eicher said that there is not much more that can be said. A two hour meeting was held with the organizations. Changes were made and discussed earlier today.. One organization has a few verbiage changes such as dates but there are no major changes.

Councilman Melendez said that he is a coach for the Panthers and a trustee. He said that he does not have any voting power on the board so he said that he is not quite sure where it leaves him on voting on the ordinance. He said that he was not here as a representative for the Panthers. The President for the Panthers is in town and believe they want to have a discussion and vote before this ordinance is passed. He then asked the attorney to explain what tabling meant.

The Borough Attorney explained that you are taking an item from the Agenda, so it is not voted on, no action is taken on it and it may be brought up at a later time.

Councilwoman Novak said if we pass this ordinance now then when the general public portion is held and organizations come up and have other changes it would be too late to change it. The way it is introduced tonight will be how it is advertised.

Mayor O'Brien explained that a former councilman described an ordinance as living documents and over time situations change and we may need to adjust, amend, abolish or recreate the ordinance. Mayor asked if there were any other comments before we vote on tabling the ordinance.

Councilwoman Novak asked which ordinance they would be voting on. The one we just received a few minutes ago or the one received in the agenda packet. The clerk stated that the vote should be on the one in the agenda package.

At this time Mayor O'Brien called for a roll call vote.

The Clerk read the roll call:

Councilpersons Buchanan, No

Councilwoman Eicher said that the one she sent this morning to the Business Admin., the Attorney and Clerk is that not the one in the agenda packet, where she had spent two hours with the organizations making changes.

Clerk Farbaniec explained that the one in the packet was what she had on Friday and is the one listed for introduction. The changes were presented to her at a later date. She said that the changes could be discussed tonight if they want to incorporate them into the Ordinance before introduction.

Councilwoman Eicher said that there were very minimal changes such as instead of two weeks they now had 30 days to file rosters, etc.

The Borough Attorney stated that the vote to table is on the ordinance that was in the packet on Friday.

Councilwoman Eicher then asked, because these are not major changes from that of the original ordinance, if they could be made before the final adoption. Mr. DuPont said that after looking at the changes that they would be substantial changes so what you could do is

- 1) Table the Ordinance currently before you;
- 2) Make a motion to introduce the ordinance with the changes presented;
- 3) Table and hold off until he can make / incorporate the changes into one complete ordinance.

Councilman Buchanan asked what the difference is in pulling an ordinance for the next meeting and tabling an ordinance. It was also his understanding that if an ordinance was tabled the only person that can bring it back up is the person who tabled the ordinance. if the ordinance was pulled anyone could bring it back up.

The Borough Attorney said that was true.

Councilwoman Eicher then voted, No for Tabling.

Councilman McGill, Yes to Table;

Councilman Melendez, Yes to Table;

Councilwoman Novak, Yes to Table;

Councilman Rittenhouse, No on Tabling.

Clerk declared that it was a Three Yes / Three No tie vote.

Mayor then voted No and broke the tie and the Ordinance would not be Tabled.

Councilwoman Eicher then stated that as sponsor of this Ordinance and Council Liaison she would like to Pull this Ordinance, make the changes and bring it up for introduction at the next meeting.

Mayor said that at this time would like to interrupt the meeting and conduct a Public Portion and comments on this Ordinance only. Stating that this ordinance is about the kids and doing the right thing for the kids.

Those Appearing were:

- Joseph Schlaline, 55 Jensen Road  
Sayreville Girls Little League  
Expressed how long this issue has been going on and how he felt things have deteriorated and about the number of meetings that have been held beginning back in July in 2013 and we're still talking about it.

Mayor responded that he has heard that things have not been getting resolved out there and wants it finally resolved here - so that it would be law.

Mr. Schlaline expressed his concerns about there being more than one softball program in Sayreville, and about the leasing out of fields.

Mayor said that no one has the right to lease out fields and if that is going on it will stop immediately and he will have it investigated. That is Municipal property owned by the taxpayers for the use of teams and Sayreville players.

Mr. Schlaline spoke about the Sayreville Girls Little League Charter and about a proposal made by Mr. Esposito to his organization.

Mr. Frankel said that he was in attendance in that meeting and felt that Mr. Esposito was trying to think out of the box to resolve an issue and in his opinion there was no ambiguity.

Mayor asked if the girls had a place/field to play on.

Response made by Mr. Schlaline and Councilwoman Eicher that field #2 was made available but the other two fields were not readily available.

Councilwoman Eicher said that this ordinance puts checks and balances, makes organizations accountable for the subsidies they get from the borough. Creates transparency and fairness. Nothing contained in this ordinance hurts the organizations or the children.

Councilwoman Novak asked if he was aware of any applications for permits to use the baseball fields in the Borough of Sayreville around Jan. 2<sup>nd</sup>.

Mr. Frankel said that applications for permits have come in for field use. The governing body discussed who and how many fields.

Mayor asked that the council discussion be held off so that we can hear from the public.

- Mike Carey  
President-Morgan Parlin Panthers

He said that he was not able to attend the meeting on Saturday and that Co. Melendez was not there as a representative of the Panthers.

He said from what he hears this is a baseball issue not a football issue. He said the Panthers requested one field - Kennedy Park and was told they could not use it by the Director of Recreation because they (spring league) did not apply. They would have to share the field with the Cricket League. Mr. Carey said he would never apply for the Leprechaun field that is their field. He said that he felt this ordinance was good for transparency and all organizations should be represented but the ongoing issue has nothing to do with football.

Councilwoman Eicher apologized for the short notice about the meeting. She said that she wanted the input from all organizations before the Ordinance was introduced.

Mr. Carey commented on when registration begins.

Councilman Melendez stated that the reason he was in agreement with tabling the ordinance was so that these changes could be made to the ordinance.

Councilwoman Novak said that this ordinance has substantial repercussions to all of the organizations and explained them. The Mayor and other council members questioned what packet they were reading from as they did not receive a copy.

Councilman Buchanan asked Mr. Carey if he received a personal phone call from any borough official or employee regarding this ordinance. Mr. Carey responded that he did not.

- Karen Sisak,  
Treasurer of the Sayreville Leprechauns

-Questioned if there would be a special meeting scheduled to specifically address the ordinance that was tabled.

Councilwoman Novak stated this is what she would like and would like to set a date and time right now.

Mayor explained that ordinances are living documents that are changed and modified as necessary. This ordinance is not a one size fits all and it can be a long process, but in the end it is about the kids competing and not the adults.

Councilman Buchanan asked Ms. Sisak if she received a phone call regarding this ordinance.

- Jeff Bertrand, 13 Church Street  
Coach for Sayreville Leprechauns and Vice President of Sayreville Little League
  - Stated as past Business Admin. he was very familiar about the figures in the Recreation Budget and what is deducted from that budget and what is not. He said the adults of the organizations are at each other and that this is a starting point and people have to be held accountable.
  - Expressed concerns why the Chairperson of the Recreation Committee or the committee did not have a copy of a report supplied to other people.
  - Asked that the vote be based on what is right for the kids of Sayreville.

Councilman Buchanan asked Mr. Bertrand the same question about receiving a phone call .

Councilman Melendez explained the reason why he voted to wait on this ordinance.

Councilwoman Novak explained that she was the person who requested the report from the Recreation Director and that she has every right to request information so she would be informed on what she was voting on and that she had passed it to the 2<sup>nd</sup> on committee to bring to that meeting.

Councilman Melendez then explained that is why he presented those questions the night of the meeting so that he would understand what was in the report.

Further discussion carried on regarding the lining and maintenance of the fields, the budgets and what would be deducted.

Councilwoman Eicher expressed concerns regarding the report discussed here tonight supplied by the Recreation Director which are not what they have discussed and what is in the ordinance. It is not changing any finances and what they usually get.

- Joanna DeMild  
She stated that they do not really track who are not Sayreville residents- and the impact it would have on their organization if particular monies were taken away say for lining the fields it would have a huge impact on them.

Councilwoman Novak commented on why the Recreation Director put certain items in his report.

Mayor O'Brien expressed his dismay in the Recreation Director not being in attendance at this meeting tonight when he supplied reports and input to the ordinance and is not here to address it and answer questions.

Ms. DeMild said that she particularly asked Jerry for this information today and that is how she got it.

Discussion again followed regarding the numbers and the report.

Councilwoman Eicher said that she would like Jerry Ust at the next meeting because the majority of things in this ordinance were discussed by him.

Councilman Rittenhouse stated that inasmuch as each Councilperson did not receive a copy of the report the ordinance should not be discussed any further.

Councilman Melendez said that there is a lot of misunderstanding regarding this ordinance and thought it was going to be tabled.

Councilwoman Eicher asked the Clerk to explain what is going on with the ordinance and that nothing got voted on tonight.

The Clerk explained stated that there was a motion made and seconded to table this Ordinance. A roll call was taken and the vote was 3 Yes to Table - 3 No to Table and the Mayor broke the tie and voted No to Table. Which means this Ordinance was not tabled. Then Councilwoman Eicher wanted to Pull the Ordinance in order to make the necessary changes. She did not hear a second to the motion to pull and there was no roll call taken.

Mayor asked that she withdraw the motion until the council hears all public comment on this issue.

Councilwoman Eicher then withdrew the motion to pull the ordinance.

Councilman Melendez asked if there will be an opportunity to change the ordinance.

Mayor explained that at the moment it is live. It is as it was before the motion to table.

Mayor asked if there were any other comments from the organizations.

- Tom Pollando, 15 Oakwood Dr.,  
Chairman Sayreville AA

He said that they looked at the Ordinance and do not have any issues with it. But just wanted to clarify he did not want “them- girls softball” to leave, he was willing to change schedules. They did apply for the permits and if someone wanted play time he would give it, if open.

Councilwoman Eicher stated that Ordinance 17.6 reads that if the fields were not being used by the particular organization they are to tell the recreation director that they are available and he would give them back out.

Mr. Pollando stated this has been done for the past 42 years and would never turn down any group if the field was available. He further went on record to state that they never lease or rent out any fields. He told the mayor to bring in auditors, forensics or whatever he needs to do. His treasurer report was submitted to Mr. Frankel. He said that his only problem would be if someone came in and would take fields away from the AA, the Leprechauns, the Panthers that is a problem. Mr. Pollando brought up an ordinance that was passed in about 2002 when he was on the council that 51% of members would have to be Sayreville residents and we were sued and had to go back. He then questioned who would be able to vote on this ordinance.

Councilman Buchanan asked Mr. Pollando if he had received a call from anyone and he responded that he did not.

Councilman Buchanan than questioned Mr. Frankel if he had called anyone regarding this ordinance, specifically 17.8-2b. He responded that he did not.

- Ed Streck, Nickel Avenue  
Commented about the conflict between the organizations and the lining of the fields.
- Carmine Melendez, 18 Driftwood Dr., Parlin  
Commented that she has two girls and one boy and now with the split organizations have to be a two locations paying two sets of fees.



- Jayden (child)  
Plays football, basketball and LaCross and felt that they should not have to pay all these fees.

Mayor explained where the fees go and how much the borough pays toward these recreation programs.

- Karen Schlaline, 55 Jensen Road  
Expressed her disappointment on how the girls were treated and how everything had been run, the conditions of the girls field, bathroom as well as access and use of the concession stand. Due to that the numbers have depleted and now Sayreville AA is going to run a girls softball league also. There should only be the one team of Sayreville Girls Softball and fees.
- Mr. Gregory, 22 Grand Street  
Trustee of the Sayreville AA

Explained their fees.

- Joe Schlaline, Jensen Road  
Addressed the bathroom issue and talked about a working agreement they have with the Sayreville Little League; the AA fees and discounted rate for multiple children in the league.

No other questions or comments.

Mayor asked Councilwoman Eicher to put together a date working with the Borough Clerk for a Council Meeting with the Recreation Executive Board Members.

Councilwoman Eicher made a motion to pull Ordinance #245-14. Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

Mayor asked the Borough Clerk to obtain the Non-Profit Status on all of the Recreation Organizations that receive a subsidy from the borough.

Introduction of the following Ordinance read by Municipal Clerk Farbaniec.

**ORDINANCE # 246-14**  
**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

(Co. Buchanan, Admin. & Finance – Public Hearing February 10, 2014)

Councilman Buchanan moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 10, 2014. Motion Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**ORDINANCE # 247-14**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER II OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION  
2-64.23 TO ADD “MISCELLANEOUS FEES”**

(Co. Buchanan, Admin. & Finance – Public Hearing February 10, 2014)

Increasing the fees charged for Master Plan to \$125.00  
and fees charged for Land Use Law Books to \$65.00

Councilman Buchanan moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 10, 2014. Motion Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

Mayor noted that our Labor Counsel was present and that there are a few issued for closed session that he would like to take care of at this point.

Mayor O'Brien announced that the Council will be going into Closed Session.

- **EXECUTIVE SESSION ITEMS** - Contract Negotiations & Personnel - 5 minutes- Attorney DuPont read the following Resolution into record:

**RESOLUTION FOR CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 15 minutes to discuss the following matters:

- Litigation & Contract Negotiations

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

**NOW, THEREFORE BE IT RESOLVED** that the public be excluded and this resolution shall take effect immediately.

/s/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien  
Mayor

Councilman Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. Carried.  
Time: 8:45 PM



Legal Services (1155-130-2-3110)	15,000
Natural Gas (1446-946-2-18150)	25,000
	<u>\$ 40,000</u>
	<u>\$ 40,000</u>

/s/ Daniel Buchanan, Councilman  
 (Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
 Municipal Clerk

/s/ Kennedy O'Brien  
 Mayor

**RESOLUTION #2014-38**

**WHEREAS**, Victory Entertainment, Inc. is the holder of Plenary Retail Consumption License #1219-33-028-008, issued by the Council of the Borough of Sayreville as the Issuing Authority for a “pocket License” for the 2012-2013 license year; and

**WHEREAS**, the applicant has complied with the necessary requirements including payment of fees, etc; and

**WHEREAS**, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2011-2012 and 2012-2013 license terms; and

**WHEREAS**, on July 19, 2011, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 06-11-6975 for a **two-year period**, covering the **2011/2012 and 2012/2013 license terms**; and

**WHEREAS**, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2012/2013 license term and to grant or deny said application in the reasonable exercise of its discretion;

**WHEREAS**, on November 14, 2013 the Division of Taxation issued the necessary Tax Clearance Certificate for the renewal of the 2012/2013 License Term;

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-028-008 to the licensee for the 2012/2013 license term, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on July 19, 2011 as well as the following Conditions that remain part of the said license:

- (a) The applicant must have an attendant at the door at all times that said premises are open and that go-go entertainment is in operation.
- (b) The door attendant aforesaid is also required to act as a supervisor for the parking lot in order to report to police any violations of law, noise disturbances or other illegal acts which may take place in said parking area.
- (c) The applicant shall take the following action with regard to the parking area:

- Install exterior lighting on the rear and both sides of the building in order to maintain security in the parking area and aid in vehicle parking, all lighting to shine inward to the property;
- Clearly mark the driveway as to ingress and egress with appropriate signs to regulate the flow of traffic in and out of the premises.

**NOW THEREFORE BE IT FURTHERRESOLVED** that the Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau  
 Division of Alcohol Beverage Control  
 140 E. Front Street  
 P.O. Box 087  
 Trenton, NJ 08625-0087
- b. Police Chief John Zebrowski
- c. Licensee

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

/s/ Daniel Buchanan, Councilman  
 (Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
 Municipal Clerk

/s/ Kennedy O'Brien  
 Mayor

	Buchanan	Eicher	McGill	Melendez	Novak	Rittenhouse
<b>Ayes</b>	X	X	X	X	X	X
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2014-39**

**WHEREAS**, pursuant to Ordinance Section 26-104.2, the Planning Board of the Borough of Sayreville (the “Board”) has forward to the Mayor and Council for review the Board’s determination that the extension of Lakeview Drive is a necessary and reasonable off-tract improvement to be made in connection with that certain preliminary major subdivision, preliminary major site plan and variance approval granted by the Board in connection with Block 251, Lot 1, all as set forth in the memorializing Resolutions of the Board dated November 6, 2013 and January 8, 2014 (the “Resolutions”); and

**WHEREAS**, also pursuant to Ordinance Section 26-104.2 and the Resolutions, the Board has forwarded to the Mayor and Council the Board engineer’s initial cost estimate for the construction of the extension of Lakeview Drive; and

**WHEREAS**, Ordinance Section 26-104.2 requires that the Mayor and Council make a determination whether it concurs with the findings of the Board, in whole or in part; and

**WHEREAS**, the Mayor and Council have considered the recommendations of the Board, have reviewed the Resolutions and the Board engineer’s initial cost estimate and have heard comments from the Board engineer regarding the extension of Lakeview Drive and the initial

cost estimate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Sayreville do and hereby concur with the recommendations of the Planning Board regarding the necessity of the off-tract improvement and the initial cost estimate.

/s/ David J. McGill, Councilman  
 (Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
 Municipal Clerk

/s/ Kennedy O'Brien  
 Mayor

	Buchanan	Eicher	McGill	Melendez	Novak	Rittenhouse
<b>Ayes</b>	X	X	X	X	X	X
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2014-40**

**WHEREAS**, the following named persons have applied for the renewal of an auto wrecker’s license under the existing ordinances covering the following locations for the year 2014:

**APPLICANT**

**LOCATION**

Joseph V. Juliano Julian’s Garage	919 Route #9 South Amboy, NJ 08879
John Krist A-1 Auto Center	236 Main Street Sayreville, NJ 08872
Donald M. Rzepka Al’s Auto Body	2070 Hwy. #35 South Amboy, NJ 08879
Mark Dombrowski Parlin Collision II, Inc.	925 Main Street Sayreville, NJ 08872
Wayne Wagner-Wagcar, Inc. Walter’s Auto Body	502 Raritan Street Sayreville, NJ 08872
Steve Vrabel Economy Auto, Inc.	Victory Bridge Plaza South Amboy, NJ 08879
Thomas DePasquale Wayne’s Auto Body	South Pine Ave. & 10 <sup>th</sup> St. South Amboy, NJ 08879

**WHEREAS**, the Governing Body has considered the applications and the same appear to be in conformity with the terms of the ordinances; and

**WHEREAS**, it further appears that there are no present violations pending against said applicants;

**NOW, THEREFORE, BE IT RESOLVED:**

- 1.) That the said applications are hereby approved and granted for the year 2014.
- 2.) That upon receipt of the proper insurance coverage and satisfactory wrecker inspection reports, the Borough Clerk is hereby authorized and directed to issue said licenses.

/s/ Daniel Buchanan, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**RESOLUTION #2014-41**

**WHEREAS**, on August 13, 2012 the Borough of Sayreville awarded a one year contract for “Calgon” to Coyne Chemical Company, and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for a one-year period at no additional increase in price contained therein; and

**WHEREAS**, Coyne Chemical Company, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Calgon C-4” is hereby renewed for one additional year period at no additional increase in price.

/s/ Ricci Melendez, Councilman  
(Water & Sewer Committee)

**APPROVED:**

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**RESOLUTION #2014-42**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: 2010 Roadway Paving & Reconstruction  
Project- Phase III  
Improvements to Taft Pl., /Sherwood Rd.,  
& Cambridge Drive project
- Contractor: F & P Contractors, Inc.  
659 Washington Avenue  
South Amboy, NJ 08879
- Net Decrease: \$92,498.67

- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:
2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**RESOLUTION #2014-43**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: 2010 Roadway Paving & Reconstruction Project- Phase III  
Improvements to Taft Pl., /Sherwood Rd., & Cambridge Drive project
- Contractor: F & P Contractors, Inc.  
659 Washington Avenue  
South Amboy, NJ 08879
- Balance Due: \$ 17,919.94

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.



2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$134,399.58 and the approval of same as to form and sufficiency by the Borough Attorney.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**RESOLUTION #2014-44**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: War Memorial Park Veterans Field Track Replacement project
- Contractor: Mario's Concrete & Paving Co., Inc.  
3237 Bordentown Avenue  
Parlin, NJ 08859
- Net Increase: \$7,530.91
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**RESOLUTION #2014-45**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: War Memorial Park Veterans Field Track Replacement project
- Contractor: Mario's Concrete & Paving Co., Inc.  
3237 Bordentown Avenue  
Parlin, NJ 08859
- Balance Due: \$ 9,326.10

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.
2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.
3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.
4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$13,989.14 and the approval of same as to form and sufficiency by the Borough Attorney.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**RESOLUTION #2014-46  
 ACCEPTING FINAL WORK  
 AND AUTHORIZING FINAL PAYMENT  
 UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Improvements to Stevens Avenue Project
- Contractor: DeFino Contracting Co.  
 28 Industrial Drive  
 Cliffwood Beach, NJ 07735
- Balance Due: \$ 10,000.00

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
 Municipal Clerk

/s/ Kennedy O'Brien  
 Mayor

	Buchanan	Eicher	McGill	Melendez	Novak	Rittenhouse
<b>Ayes</b>	X	X	X	X	X	X
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2014-47**

**WHEREAS**, on December 19, 2013 the Mayor and Council of the Borough of Sayreville, have received bids for the “One (1) Wildland Pumper Fire Apparatus”; and

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

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

1. Contract for the “One (1) Wildland Pumper Fire Apparatus” be awarded to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI on their bid price of \$456,897.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Arthur Rittenhouse, Councilman  
(Public Safety Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien, Mayor

**RESOLUTION #2014-48**

**BE IT RESOLVED** that James Revel is hereby granted as twelve (12) week leave of absence, from his position as Laborer in the Department of Public Works effective January 13, 2014 in accordance with the State of New Jersey Family Leave Act.

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

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien, Mayor

- **RESOLUTIONS TO BE READ IN FULL & VOTED ON: - none**

**Business Session Agenda – January 27, 2014**

**COMMUNICATIONS & COMMITTEE REPORTS**

• **ADMINISTRATIVE & FINANCE – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

- Councilman Buchanan moved the following Minutes and or Reports be Received & Filed:

- 1) Municipal Clerk’s report for the month of December, 2013
- 2) Municipal Clerk’s Parking Permit Fee report for the year 2013
- 3) CFO’s Investment Activity report for the month of November, 2013

Motion seconded by Councilwoman Novak.

- b) Request for **Ordinance Increasing Annual Liquor Licenses Renewal fees;** Consumption and Distribution Licenses from \$1,670. to \$2,000.; Club Licenses from \$100. to \$140.

- Approved / Ordinance

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

- 1) Old Bridge School of Dance Competition Team to conduct a Tricky Tray and an On-Premise 50/50 on March 9, 2014 at the Sayreville VFW Post 4699 #RL:1849 & RL:1850.
- 2) Music Association for the Visually Impaired Students of New Jersey to conduct an On-Premise 50/50 and Tricky Tray on May 16, 2014 at the Monsignor Dalton Hall #RL:1851 & RL:1852.
- 3) Harry S. Truman Elementary School PTO to conduct Bingo Games on March 7, 2014 at 820 Washington Rd. BA:485.

(1-3) Approved

d) Committee Report –

- 1) Requested the Borough Engineer review options and present them to the governing body on a traffic light on Ernston and the entrance to Camelot by LeMer.

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

Councilman McGill made a motion to have the following minutes/reports be Received & Filed:

- 1) Board of Adjustment Minutes of December 11, 2014
- 2) Sayreville Planning Board Minutes of Jan. 8, 2014
- 3) Middlesex County Planning Board Minutes of Nov. 12, 2013
- 4) Sayreville Housing Authority Minutes of Nov. 8, 2013

Motion seconded by Councilwoman Novak.

b) **Public Notices & Notices to the Borough of Sayreville as an Adjacent property Owner:**

- 1) Notice of application of NRG REMA LLC to the DEP for property located on River Rd., Blk 174, Lot 1/Blk 176, Lots 2.01, 3, 4, 4.01, 4.02 5, 6 & 7 to obtain a Waterfront Development permit for work in a regulated waterfront area, Flood Hazard Area permit for work in a flood hazard area or riparian zone - Permit package in Clerk's Office.
- 2) Notice of Freshwater Wetlands Application submitted by Sayreville Seaport Assoc. County of Middlesex.
- 3) Notice of an application before the Zoning Board on Jan 22<sup>nd</sup> received from Lenahan Properties, LLC for preliminary and final major site plan approval with bulk variance and design waivers for premises located on Rt 9 No., Blk 400, Lot 8. Property was previously approved for use as a chiropractic medical office and residential apartment.

(1-2-3) - Receive & File.

c) Received the following **Planning Board Resolution** which was **Memorialized on Jan. 8, 2014:**

- NRG Energy REMA, LLC, Upgrade to Generation Station, Blk. 174, Lot 1-Blk. 176, Lots 2.01, 3, 4, 4.01, 4.02 ,5, 6, 7, River Road, preliminary & Final Major Site Plan.

- Receive & File.

d) Committee Report:

• **PUBLIC SAFETY – Councilman Rittenhouse**

a) **Minutes & Departmental Reports:**

Councilman Rittenhouse made a motion to have the following Minutes/Reports be Received & Filed:

- 1) Municipal Court Administrator's report for the month of Dec. 2013.

- 2) Fire Prevention Official's report for the month of Dec., 2013.
- 3) Police Chief's report for the month of Dec., 2013.

Motion seconded by Councilwoman Novak.

- b) Firemen's Application received from Robert E. Bartlinski, Jr. as a Regular Member of the Melrose Hose Co. No. 1 was accepted on January 27, 2014 and is being forwarded to Gov. Body for approval.

- Approved

- c) Request for coin toss at the corner of Washington & Ernston Roads received from:

- a) Sayreville Riverdogs Select U14 Travel Baseball- May 10, 2014, 10am-2pm
- b) Sayreville Riverdogs Blue Travel Baseball – March 22, 2014, 10am-2pm (Ordinance reads 1 per Org/per yr)

- Mayor asked the Clerk to get clarification on the organization.

- d) Committee Reports - Progress.

- **PUBLIC WORKS – Council President Novak**

- a) **Minutes & Departmental Reports:**

Councilwoman Novak made a motion to have the following Minutes/Reports be Received & Filed:

- 1) Public Works reports-

Bldg. & Grounds, Nov. & Dec., 2013;  
Parks Division, Garage Service Services, Road & Sanitation Division  
all for the month of December, 2013;

- 2) Office on Aging Supervisor's report December, 2013.

- 3) Rent Leveling Board Minutes of Jan. 14, 2014.

- Motion seconded by Councilman McGill.

- b) Request for authorization for the Borough Attorney to prepare plans and specifications for Heil Replacement parts and after approved the Borough Clerk is authorized to advertise for the receipt of bids.

- Resolution.

- c) Committee Reports:

- 1) Thanked the employees in the Department of Public Works for the great job they did in the last storm.

- **RECREATION – Councilwoman Eicher**

- a) Minutes & Departmental Reports: (None)

- b) Committee Reports:

- 1) Thanked all those who helped and participated in "Tar's Fund" last week.

2) Questioned and raised an issued regarding those in condominiums moving their vehicles out of their lots and into streets such as Ernston Road in order for their lots to be plowed and cleaned up and then the streets can not be cleaned properly.

- Mayor suggested requesting Sgt. Bartlinski to meet with the respected Association and have them put a plan in place.

Councilwoman Novak said that there is currently an Ordinance in place that states "No Parking When Roads are Snow Covered".

She requested the Engineer to have the County look into the left turn lane from Ernston onto Bordentown Ave heading towards the UES as traffic is still backing up to the high school, perhaps they could open the turn lane up down further.

Mr. Rittenhouse stated that coming up Ernston toward Bordentown you cannot see the turn signs and people end up in the wrong lane.

Councilman Melendez asked why there was a No Turn on Red making a right onto Bordentown Avenue at the gas station.

- Under Review.

- **WATER & SEWER/ENVIRONMENTAL – Councilman Melendez**

a) Minutes & Departmental Reports:

Councilman Melendez made a motion to have the following Minutes/Reports be Received & Filed:

- 1) Water & Sewer Director's report for the months of Nov. & December, 2013 and Dec. 2013 Budget Refunds  
Seconded by Councilwoman Novak.

b) Committee Reports-

- 1) Reported on the number of water main breaks so far due to the cold and snowy season we have been having.
- 2) Reported on the IT needs of the borough and requested having an IT Computer Technician placed into the budget for hire.

Mayor asked for a deadline. He set for the first meeting of March.

Councilman Rittenhouse recommended a presentation at the next meeting in February so that the public is clear on the IT needs of the borough.

- **MAYOR – Kennedy O'Brien**

**Mayor O'Brien made the following appointments:**

**- Board of Adjustment - 4 Year Term - Kenneth Kreismer**

Councilman Rittenhouse moved the Moved the Mayor's appointment. Seconded by Councilwoman Eicher.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Rittenhouse, all Ayes.  
Councilwoman Novak, Nay.

5 – Ayes  
1 – Nay.  
Carried.

**- Cultural Arts Council - 1 Year Term - Cecelia Dunn**

Councilman Buchanan moved the Moved the Mayor's appointment. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**- Shade Tree Commission -5 Year Term -Jenneifer Manet**  
**- Shade Tree Commission -5 Year Term -Diane Kelly (replacing Mr. Schafer)**  
**- Shade Tree Commission -5 Year Term – Joyce Major (replacing Ms. Koslov)**

Councilwoman Eicher moved the Moved the Mayor's appointment. Seconded by Councilman Buchanan.

**- Commission on Aging - 3 Year Unexp Term - Bill Lellig**

Councilman Buchanan moved the Moved the Mayor's appointment. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**- Commission on Aging - 3 Year Non-Voting Member – Michelle Golba-Norek  
Raritan Bay Affiliate**

Councilwoman Novak moved the Moved the Mayor's appointment. Seconded by Councilman Rittenhouse.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**- Commission on Aging- 3 Year Non-Voting Member – Marie Cook /Housing  
Authority**

Councilman Buchanan moved the Moved the Mayor's appointment. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**- Commission on Aging - 3 Year Non-voting Member – Mary Ann Spisso,  
Business Owner**

Councilman Buchanan moved the Moved the Mayor's appointment. Seconded by Councilman McGill.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

**-Occupational Health Services – 1 Yr. Term – Raritan Bay Medical Center**

Councilwoman Novak moved the Moved the Mayor's appointment. Seconded by Councilman McGill.

Roll Call: Councilpersons Buchanan, No –  
Councilpersons Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

Mayor appointed Councilwoman Novak as the Council Liaison for the Commission on Aging.

**- (Mayoral Appointment)**

**- Environmental Commission – 3 yr. Term – Rosetta Fisher**

**- Rent Leveling Board – 3 yr. Term – Rosemary Zera**

Councilman Buchanan moved the Moved the Mayor's appointment. Seconded by Councilman McGill.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.



**-Housing Authority - 5 Yr. Term- Beverly Rappleyea**

Councilman Rittenhouse moved the Moved the Mayor's appointment. Seconded by Councilwoman Eicher.

Roll Call: Councilpersons Buchanan, Eicher, Melendez, Rittenhouse, Ayes – Councilpersons McGill, Novak, Rittenhouse, Nays.

4 – Ayes  
3 – Nays  
Motion Carried.

**- Board of Health - 3 Yr. Term - Beverly Rappleyea**

Councilman Rittenhouse moved the Moved the Mayor's appointment. Seconded by Councilwoman Eicher.

Roll Call: Councilpersons Buchanan, Eicher, McGill, Melendez, Novak, Rittenhouse, all Ayes.

Mayor said the Dept. of Public Works did an outstanding job during the past snow storms as well as the Water & Sewer Dept. for their work on the broken water main during the incredible cold days.

- **BUSINESS ADMINISTRATOR – Daniel E. Frankel**

- **Admin. & Finance**

- **Planning & Zoning**

- **Public Works**

- **Public Safety**

- 1) Request for authorization to advertise for the annual notice of sale of abandoned, unclaimed & junk motor vehicles at various garages as well as the 1994 twenty Passenger Sr. Citizen Bus.

- Resolutions.

- **Recreation**

- **Water & Sewer**

- 1) Discussion –

- a) Request for council's consent for the DEP to terminate Water & Sewer lines at curb box covering demolition of homes in Hurricane Sandy affected areas.

- Approved.

- b) Authorization to execute a Memorandum of Understanding with the DEP, defining the properties and terms of the agreement for the Buy-Outs and demolition.

- Approved.

Mayor stated that he asked the Business Admin. & Engineer coordinate and put together a map of the Weber Avenue/MacArthur Avenue area Buy-Out section so that we can see/view of the lay of the land.

- **Personnel**

- 1) Discussion – S.A.M.S Contract – No discussion.

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

- 1) Bill List Resolution

- 2) Transfer Resolution

- 3) Budget Update

- Meeting with Dept. Heads then followed by a Budget Workshop meeting to review requests.

- 4) Bond Ordinance for ongoing Remediation of Underground Storage Tanks in the amount of \$100,000.

Mayor also asked for Council's approval in having the Borough Engineer inspect the offices in the basement for use by council people as offices.

- **BOROUGH ENGINEER -Jay Cornell**

- 1) Improvements to Stevens Avenue – Closeout of Contract

- Listed on Consent Agenda.

Councilman Buchanan asked the engineer for an update on the Water Treatment Facility on Bordentown Avenue and the move off MacArthur, he would like to see this move forward and put into the budget. Asked for Council's approval.

- Engineer reported he would need further direction from the Council.

Councilman Buchanan also asked for an update on the purchase/rental of a Public Works Facility.

- Mr. Frankel stated that they have been looking and that the Engineer was to have a conversation last week with the owner of a building and that we also would need to speak with the MCUA.

- **BOROUGH ATTORNEY - Michael DuPont**

None

## **PUBLIC PORTION**

**At this time the Mayor opened the meeting to the public for questions or comments on any and all subjects. Those appearing were:**

- Pete Don, Ciecko Ct.

- Asked if there was going to be a burm or some type of levy built in that area to stop any water from coming up in the future.

Council President Novak reported that a while back they asked the Engineer to prepare a report on what would be needed to remediate the problem in the Ciecko Ct. area.

- Mr. Cornell stated that the report had been supplied to the Business Admin. C.F.O., DPW Director and herself for budgetary purposes.

The Engineer further indicated that the Army Corp. Project is being re-evaluated and will not have an answer if they were going to peruse it. The Mayor felt that now that the State is pursuing the buy-out that the levy probably would not happen.

Councilman Melendez asked if there was any funding for drainage in the buyout program for what may happen after the homes are gone. He questioned if there was a solution included in the buyout program.

Mr. Frankel said that after the buyout the land will be Open Space and at that point it would be up to the town.

No other questions.

Council President Novak made a motion to close the public Portion. Motion seconded by Councilman Rittenhouse.  
Roll Call: Voice vote, all Ayes.

**EXECUTIVE SESSION – (Earlier in meeting)**

- **ADJOURNMENT**

No further business.

Councilwoman Novak made a motion to adjourn. Motion seconded by Councilman Rittenhouse.

Roll Call: Voice Vote, all Ayes.

Time: 10:05P.M.

SIGNED:

\_\_\_\_\_  
Theresa A. Farbaniec, Municipal Clerk

\_\_\_\_\_  
Date Approved