

Mayor Kennedy O'Brien opened the Agenda Meeting at 8:51PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, March 9, 2015 had 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 is on file in her office.

- **ROLL CALL:**

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

Absent: None

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

Others Absent: None

- **OLD BUSINESS**

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

- Clerk announced that the following Ordinance was introduced at the council meeting and a Public Hearing was scheduled for March 23, 2015.

Mayor asked Mr. Kronowski to review the following Ordinance.

Mr. Kronowski, C.F.O. explained the reason for the increase and that the Sewer User fees relates to Water User costs. He also explained how it would affect the average homeowner.

Mayor asked if there were any questions, comments or discussion on the ordinances.

-There were none.

**ORDINANCE #284-15**

**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV,  
"WATER & SEWER", SECTION 49, SCHEDULE A, SEWER USER CHARGES  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE,  
1986, AS SUPPLEMENTED AND AMENDED**

(Co. Rittenhouse, Water & Sewer Committee – Public Hearing, March 23, 2015)

- **NEW BUSINESS:**

a. Introduction of the following Ordinance(s): - None

b. Ordinances for **Discussion**

Councilman Rittenhouse brought up the following Ordinance for discussion and introduction on March 23, 2015.

Councilman Rittenhouse read the following Ordinance into record for the council to discuss, he felt it would give more transparency.

**AN ORDINANCE PROHIBITING ELECTED OFFICIALS REPRESENTING  
SAYREVILLE FROM REPRESENTING DEVELOPERS APPEARING BEFORE  
THE GOVERNING BODY OR ANY OF THE BOROUGH'S BOARDS,  
AGENCIES OR INSTRUMENTALITIES**

**WHEREAS**, public office is a public trust; and

**WHEREAS**, the vitality and stability of representative democracy depend upon the public's confidence in the integrity of its elected and appointed representatives; and

**WHEREAS**, whenever the public perceives a conflict between the private interests and the public duties of a government official, that confidence is imperiled; and

**WHEREAS**, governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and

**WHEREAS**, the appearance before or the representation of parties before the governing body, its boards, agencies and instrumentalities by public and political party officials representing the Borough of Sayreville or its residents imperils the public's confidence in the integrity of the Borough's elected and appointed representatives;

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Sayreville, New Jersey, as follows:

1. No elected or appointed public official or political party official, including any state, county, or local official, representing the citizens of the Borough of Sayreville, or any portion thereof, or any business organization in which he or she has an interest shall represent any person or party in connection with any cause, proceeding, application or other matter pending before the Borough of Sayreville or any of its boards, agencies, or instrumentalities, including but not limited to the Borough's Planning Board, Zoning Board of Adjustment and Sayreville Economic and Redevelopment Agency.

2. This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

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Councilwoman Novak asked if the Borough Attorney had reviewed this ordinance. She said that this was proposed once before and as she recalls this was not legal and would like to get a legal opinion before this is put on for first reading.

Councilman Rittenhouse said that he had no problem having the attorney look it over but would like it ready for introduction at the next meeting.

Councilwoman Novak said that it cannot be on the next meeting agenda until we get a legal opinion. The Mayor disagreed stating that it could be listed if it is the will of the council and that it could always be pulled or tabled as they have in the past. He then recommended that we have it on the Agenda.

Councilwoman Novak made a Motion that this Ordinance not be place on the agenda until we get a legal opinion on this ordinance as to if it can be enforced.

Mayor asked the borough attorney for his opinion. Mr. DuPont stated that in light of the fact that he just received the ordinance he would like to look up the State Statutes as well as the Ethics Rules. Mayor went on to ask if he would have any objection placing the ordinance on the agenda and then if there were any issues we could have it removed.

Councilwoman Novak said that there was a motion of the floor.

Motion seconded by Councilman McGill.

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

Councilman Rittenhouse said yes for the attorney to review but asked that it be done in a timely manner and that he have a response at the next meeting.

**COMMUNICATIONS & DISCUSSIONS**

• **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

- a) Received **Bingo/Raffle Applications** from the following Organizations:
- 1) **Southwood School PTA**, to conduct an On Premise Draw (Tricky Tray); and an On-Premise 50/50 at the VFW Memorial Post 4699, on May 1, 2015 (RA:1925 & 1926).
  - 2) **Sayreville Engine Co.** to conduct an Off-Premise Raffle at the fire house on July 13, 2015 (RA:1927)
  - 3) **Sayreville Little League** to conduct an Off-Premise Raffle on June 7, 2015 and an Off-Premise 50/50 at Burke’s Park on May 17, 2015 (RA:1928 & 1929).
  - 4) **RJC Charities, Inc.** to conduct an On-Premise 50/50 and an On Premise Draw Raffle at the High School on June 7, 2015 (rain date June 14). (RA:1930 & 1931).
  - 5) **St. Stanislaus Kostka RC Church** to conduct Off Premise Non-Draw Raffles (Wheel Games, Money Wheel, Pull Tabs), On Premise 50/50 on June 24-27, 2015 and an Off Premise 50/50 on June 27, 2015
  - 6) **Sayreville Leprechauns** to conduct Bingo Games at the Knights of Columbus Hall on April 18, 2015 (BA:496)

(1-6) - Approved

- b) Application(s) for **Social Affair Permits** received from:
- 1) **St. Stanislaus Kostka RC Church** to distribute beer & wine at their annual carnival being held on June 24-27, 2015 from 4:40 PM-12 midnight.

- Approved.

c) **2015 Tax Appeal(s) received from:**

Plaintiff/Petitioner	Block	Lot	Address
Khalil Samir Magda	451	1-08	310 Sunshine Court
Gold Rock, LLC	13	3.01	4500 Bordentown Avenue
1965 Route 35 Assoc., LLC	453	6	1965 Hwy. 35

- Forward to Tax Counsel

- d) Committee Reports  
 1) \_\_\_\_\_

• **PLANNING & ZONING – Councilman Buchanan**

- a) **Notice to Adjacent Property Owners** received from:
- 1) Notice received from the Borough of South River amending their Zoning Ordinance.
- Receive & File

- b) Committee Reports Councilman Buchanan:
- 1) Commented about the use of our reverse 911 in advising residents that when it snows those residents who do not have access to parking, information be provided about opposite site of the street parking.
  - 2) Traffic – He asked the status of the Main Street By-Pass. The Borough Engineer stated that the Main Street By Pass Committee is coming before the council at the next meeting to provide an update.

- **PUBLIC WORKS – Councilwoman Kilpatrick**

a) Request to hang promotional banners received from Sayreville Police Dept. to advertise the NJ L.E.A.D. carnival in Kennedy Park. Banners to be placed at Pole #JC519SE, Washington Rd. & Bissett St., and BT1944 Washington Rd. & GSP Overpass from March 23-April 13, 2015.

- Approved, pending proper approvals and certificate of insurance.

b) Committee Reports – None.

- **RECREATION – Councilman Melendez**

a) Committee Reports - Councilman Melendez:

1) Reported that we experienced outages today on the Cable Access Channel and the problem was diagnosed and repaired by our IT Director.

2) IT Director has been assessing all the needs of the borough and will prioritize the items.

Two main projects are: Security Cameras as well as radio system at the Police Department; the need for a consultant for the police radio system; Updates to our web site.

Councilwoman Novak questioned the status of the Media Advisory Board. Municipal Clerk Farbaniec informed the governing body that the ordinance is still on the books, however no one has been appointed in years. The Council could appoint, revise or disband the board. Councilwoman Novak felt that if they appointed members to the board they could be helpful to the IT person. She also commented on the Cable TV Advisory Board. Councilman Melendez said that they may just redesign that board also.

Councilwoman Kilpatrick said that she would like our web site to have the ability to just click on our council meetings and being able to view it at will. Councilman Melendez said that this is on the list of upgrades.

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

a) Committee Reports – Progress.

Councilwoman Novak asked Councilman Rittenhouse about the discharging of water from residents sump pumps into the roadway and thought that the council should think about installing more storm sewers on Eugene Blvd. because of issues in that area. Discussion followed regarding code enforcement and building code requirements.

Mayor O'Brien asked Councilman Buchanan to review this issue because it comes under the Planning and Zoning Committee and that he have a report for the next meeting.

- **PUBLIC SAFETY – Council President McGill**

a) Request for **coin toss** at the intersection of Washington & Ernston Roads from 10am-2pm received from:

1) Knights of Columbus on April 11 & 12, 2015 (County approval received).

-Approved.

b) Request for approval on the following Firefighter applications received and accepted by President Park Fire Co. No. 1. on July 7, 2014.

1) George Lestuck

2) Nicholas Luciano

-Approved.

c) Committee Reports – Co. McGill

1) Commended Councilman Buchanan for bringing up the traffic and the Main Street By-Pass as well as the Engineer for having the Committee come to the next meeting to give a report.

2) Commended Co. Melendez for his work on improving the security cameras and his work with IT Director.

-Progress.

- **MAYOR – Kennedy O’Brien**

Mayor O’Brien read a letter he received from the Sayreville Little League regarding the programs they provide and the improvements and costs associated with the improvements over the years and gave an overview of their future planned improvements. And that this was all accomplished through donations, fund work and the hard work of the volunteers. They are requesting the borough’s approval in expanding the second floor of the League Club House by adding an additional 160 sq. ft. which would be done at their expense.

- Little League Opening Day is scheduled for April 11, 2015
- Sayreville Little League has been chosen to host the 2017 State Championship Tournament.

Mayor asked if everyone was in favor of approving the Sayreville Little League’s request to expand their club house and move ahead with all planning, fundraising, permits, etc.

Request moved by Councilwoman Novak and seconded by Councilman Melendez.

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

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

- Admin. & Finance**

- Request for authorization to contract with a consultant for radio and security camera project.
- Hold for next meeting. Obtain statement of work and pricing.

- Planning & Zoning**

- 1) Authorization to amend Right of Entry Agreement with the US Army of Corps of Engineers previously approved on Nov. 10, 2014 covering Block 169, Lot 13.01 – to include Block 169.21, Lot 2 for project known as South River, Raritan River Basin Storm Damage Reduction project for the period of Oct. 2014-October 2015.
- Approved.

- Public Safety**

- a) Authorization to appoint a Public Safety Telecommunicator (per diem).
- Resolution to appoint.
- b) Police Chief received a request from Sayreville Animal Hospital to designate approximately 60’ on the north side of Roll Avenue next to his hospital as “Animal Hospital Parking Only”.
- Would require an ordinance if approved.
  - Referred to the Borough Attorney.

- Public Works**

- Recreation**

- a) **Special Event Permit Application** received from RJC Charities, Inc. to hold a car show on June 7, 2014 (rain date 6/14) at the War Memorial High School.
- **No departmental issues.**
- Approved/Resolution.

- Water & Sewer**

- a) Authorization for the Borough Clerk advertise for the receipt of Bids for Misc. Water Department Supplies.
- Approved/Resolution.
- b) Authorization to appoint David Leitner, Guy Targonski and Allen Hays permanently to the title of Senior Water Treatment Plant Operator as per NJ Civil Service Commission Promotional Procedures.
- Resolution to Appoint.
- Closed Session Items**

- a) Discussion – Personnel/Grievances
  - Request for Step 3 Hearings
  - Contract Negotiations
  - Possible Litigation
- **C.F.O. - Wayne Kronowski**
  - a) Bill List Resolution
  - b) Transfer Resolution
- **BOROUGH ENGINEER - Jay Cornell**
  - None
- **BOROUGH ATTORNEY - Michael DuPont**
  - None
- **EXECUTIVE SESSION –**  
Mayor O'Brien announced that the Council will be going into Closed Session and council action may be taken after.

Mr. 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 10 minutes to discuss the following matters:

- Personnel
- Contract Negotiations
- Litigation

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, Councilman

APPROVED:

/s/ Kennedy O'Brien  
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.

- **RECONVENE – 9:43 PM**

Councilwoman Novak moved to reconvene the meeting. Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

- **Birthday wishes to Councilman Melendez**

Before the meeting was adjourned the entire governing body wished the Councilman Melendez.

- **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting to the public or any and all issues. Those appearing were:

There were no appearances.

Councilwoman Novak made a motion to close the public portion. Motion seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. Carried.

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:45 P.M.

SIGNED:

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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