

CALL TO ORDER

Regular meeting of the Mayor and Borough Council held on Monday, March 28, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor O'Brien at 6:34 P.M. followed by a short prayer and salute to the flag.

STATEMENT OF NOTICE OF PUBLICATION

Municipal Clerk Farbaniec announced that this regular meeting of the Mayor and Council, 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 the Municipal Clerk.

ROLL CALL:

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette.

Absent: None

Others Present: Mayor O'Brien
Business Admin. Bertrand
C.F.O. Kronowski
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont

PROMOTION OF AND SWEARING IN OF POLICE OFFICER MICHAEL F. GAINES AS POLICE SERGEANT.

- Resolution #2011-82 - Appointment of Michael F. Gaines to the position of Police Sergeant.

Mayor O'Brien opened the meeting to the public for any questions or comments on Resolution # 2011-82, the promotion of Michael F. Gaines as Police Sergeant.

No Questions or comments, Mayor O'Brien asked for a motion to close the public portion.

Councilman Kelly made a motion to close the public portion. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

Mayor asked for a motion to adopt resolution #2011-82.

Councilman Buchanan moved the Resolution be adopted. Seconded by Councilman Henry.

Roll Call: Voice vote, all Ayes.

- Police Chief Burns called Patrolman Michael F. Gaines forward and Municipal Clerk Farbaniec administered the Oath of Office and swore in Michael f. Gaines as Police Sergeant.

PRESENTATIONS

a) CERTIFICATES OF COMMENDATION ISSUED TO THE FOLLOWING SAYREVILLE EMERGENCY SQUAD MEMBERS FOR THEIR EXEMPLARY CONDUCT AND OUTSTANDING PERFORMANCE IN AN EMERGENCY SITUATION:

- Vinnie Buffalino - Feb 27, 2011,
- Vishal Dalal - March 2, 2011
- Jarrett Jirak - March 2, 2011

- **Kevin Ott- Jan. 2, 2011, Feb. 27, 2011,**
- **Stanley Pilch - Jan. 2, 2011, March 2, 2011**
- **Maxwell Siebert- Jan. 2, 2011,**
- **William Toth - March 2, 2011**

BOARD OF EDUCATION PRESENTATION

- **School Board Budget 2011/2012**

Mr. Michael Macagnone, School Board Member introduced the following:

Dr. Frank Alfano, School Superintendent;

Emidio D'Andrea, School Board Business Administrator/Secretary;

Marilyn Zeikler, Director of Curriculum,

Director of Technology, Sandy Paul

- Board Members, Mr. Pat Lembo, Dan Balka, Thomas Biesiada, Helen Bruno-Racua,

Jill Trapp and Phyllis Batko.

Superintendent Dr. Frank Alfano gave the following presentation:

Mayor asked if there were any questions from the governing body.

- Councilman Henry said that at a past Board of Ed meeting there was a discussion about a \$158,000. being used for tax relief or possible tax reserve for this year or next.

Mr. D'Andrea explained that after the budget was put together the Board received a bill for pension benefits and the current year went up 23% over what was budgeted. He also said that at the direction of the board this was transferred over to include this and the Middle School uni-vents along with other line items.

- Councilman Henry asked questions about the five teachers they are hiring and the funding that was received for that purpose.

Dr. Alfano responded that they are being hired with federal money and hope to be able to absorb it in the next year and it is not their intention to lay them off.

- Councilman Henry asked if the School Board has any plans to use Shared Services.

Dr. Alfano responded that they currently use shared services in various areas and Mr. D'Andrea explained the areas of use.

- Councilman Bella questioned the need for additional teachers and if this would reduce class size.

Dr. Alfano explained that this would not have a large impact on class size, possible two or three less in class size, they would need to wait to see enrollment figures, etc.

Comments made by Board Member Mike Macagnone about the current enrollment and the anticipated enrollment down the road and that they want to be proactive.

- Councilman Kelly asked if there were any plans in the future for school expansion.

Response by Dr. Alfano that there were no plans for school expansion in the next four to five years.

- Councilman Buchanan asked if this budget had any program or after school activity cuts.

Dr. Alfano responded that it does not contain any cuts.

No further questions or comments. Mayor O'Brien thanked the Board of Education and school officials for their hard work.

From the audience, Mrs. Streck asked if should could be given the opportunity to speak regarding the school board budget.

Mayor then opened the meeting for questions or comments on the school board budget only.

Those appearing were:

- Mrs. Streck, 140 McCutcheon Avenue
Mrs. Streck made comments with regards to an editorial in the Nov. 22, 2010 Home News Tribune relating to Governor Christie's cap on Superintendents salaries cap which was to take effect Feb 7, 2011 and how some superintendents around the state and Sayreville were able to get new contracts before this took effect.

No other questions or comments.

Councilman Kelly moved to close the Public Portion. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

OLD BUSINESS - None

NEW BUSINESS -

- **Proclamation –Proclaiming the month of April, 2011 as School Library Month**

Read into record by Councilwoman Eicher and presented to the following District Librarians:

- 1) Pam Gunter, Emma Arleth School
- 2) Karen Perno, Sayreville Middle School
- 3) Mary Desmond, Samsel Upper Elementary School
- 4) Susan Steinhardt, Wilson School

BOROUGH OF SAYREVILLE

PROCLAMATION

WHEREAS, the School Library Program is essential to effective education for an information-based society; and

WHEREAS, by supporting the goals of the Sayreville Schools, and by serving all students and teachers, this program is an integral part of the instructional process, Kindergarten through Grade Twelve; and

WHEREAS, the School Library Program offers an environment conducive to reading and learning, critical thinking, creative expression, investigation and research, professional growth, and curriculum development and enhancement; and

WHEREAS, the School Library Program in Sayreville is enriched by its dedicated staff, volunteers, and many P.T.O. gifts.

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, do hereby proclaim the month of April as "**SCHOOL LIBRARY MONTH**" in the Borough of Sayreville and encourage all students to visit the School Library in each of our schools and to partake of the special programs planned for the month-long celebration and to familiarize themselves with the services always available.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 28th day of March, 2011 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C.
Municipal Clerk

Councilman Kelly moved the Mayor's proclamation be approved on Roll Call Vote. Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette, all Ayes.

Mrs. Pam Gunter, Emma Arleth School, thanked the Mayor and Council for supporting the school libraries and all that they do. She said that they try to set a foundation for the children as they come up through the years of their school experience so that they are prepared to go beyond school, college, work experience in their lives so that they can become contributing functioning members of our society. Thank You.

ACTION ITEMS:

a) Minutes of the Mayor and Council

Council President Kelly moved the following Minutes of the Mayor and Council be approved on Roll Call Vote, subject to correction, if necessary:

- ☒ February 14, 2011 - Agenda Meeting
- ☒ February 14, 2011 - Regular Meeting
- ☒ February 14, 2011 - Receipt of Bids (Landscape Maintenance)
- ☒ February 28, 2011 - Agenda Meeting
- ☒ February 28, 2011 - Regular Meeting

Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

b) PUBLIC HEARING ON ORDINANCE

Mayor O'Brien opened the meeting to the Public for questions or comments on **Ordinance #157-11.**

No appearances

Councilman Perrette moved the Public Hearing be closed, the Ordinance adopted on second and final reading and advertised according to law. Seconded by Councilman Kelly.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette, all Ayes.

ORDINANCE No. 157-11

AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VI, SECTION 6-4.1 "ALCOHOLIC BEVERAGE CONTROL-FEES" AND CHAPTER II, SECTION 2-64 ADMINISTRATION -FEES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 6, Section 4.1 Fees** of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented as follows:

(1) **6.4.1 License Fees.** The following fees are hereby determined as the appropriate license fees to be charged for the various licenses listed below. Each of the licenses listed below shall be deemed permissible under N.J.S.A. 33:1-12 et seq.

- a. Plenary Retail Consumption License – One Thousand One Hundred Sixty (\$1,160.00) Dollars.
- b. Plenary Retail Distribution License - One Thousand One Hundred Sixty (\$1,160.00) Dollars.
- c. Seasonal Retail Consumption License – Eight Hundred Sixty Eight (\$868.00) Dollars.
- ** d. Club License – Eighty Five (\$85.00) Dollars.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 2 Administration, Section 2-64.8 FEES LIQUOR LICENSES** of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

(2) 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.

(** No Change)

/s/ Nicholas J. Perrette,

Councilman

(Administration & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Borough Attorney

c) COMMUNICATIONS AND REPORTS OF COMMITTEE

- **Communications** (reviewed on March 14, 2011 Agenda Meeting).

Council President Kelly moved the Consent Agenda Communications be received on Roll Call Vote.

Seconded by Councilman Perrette.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette, all Ayes.

#1 APPLICATION TO AMEND RAFFLE LICENSE

Received from St. Stanislaus Kostka Church removing Katherine Jurkiewicz as member in charge and replacing with Mary Dabroski. - Receive & File.

#2 APPLICATION FOR BINGO/RAFFLE LICENSES

Received from:

- a) The Camp Dill Foundation to conduct On-Premise 50/50's on 19 various dates from May 6, 2011 – Oct. 28, 2011(#1692).
- b) Harry S. Truman School PTO, Inc. to conduct the following games on April 26th, from 5PM-11PM:
 - On-Premise 50/50 (#1693)
 - On-Premise Draw (Tricky Tray)
- c) Our Lady of Victories HSA to conduct a Bingo on April 29th from 7PM-11PM (#BA:465).
- a-c) Approved.

#3 APPLICATION FOR PERMIT FOR SOCIAL AFFAIR

Received from Firefighters Law Enforcement Brotherhood Motorcycle Club of NJ for a fundraiser to be held at Burkes Park on May 11th from 12 Noon – 5 PM. - Approved.

#4 APPLICATION FOR BEAUTY SALON

Received from Simone Flythe and Mitchell Burges to operate a Beauty Salon located 3195 Washington Rd. t/a Rita's Dominican Doobie Salon. - Resolution

#5 SAYREVILLE BOARD OF EDUCATION

Request permission to make their 2011-2012 Budget Presentation to the Mayor and Council on Monday, March 28, 2011. - Approved.

#6 TAX ASSESSMENT APPEALS

2011 Direct Tax Appeal and Complaint was received covering the properties listed below:

<u>Plaintiff</u>	<u>Address</u>	<u>Block/Lot</u>
Gerda Ameristeel US, Inc.	Off Main Street	246/1.07

Gerdau Ameristeel Sayreville	Rear of Main St.	246/1.05
George Margolin	8 Wiczorkowski Ave.	451.01/5
National Amusements, Inc.	8020 Rt. 9 & 35	273/1
Virginia Santora	16 Sixth St.	224/104-105
(Appeal and Amendment to appeal)		
Prologis 200-250 Kennedy, LLC		330.04/1.02
Prologis 300-350 Kennedy, LLC		330.04/1.03
Prologis 309 Kennedy, LLC		330.03/1.18
881 Sayreville TIC, LLC		246/2.11
The Younan Family, LP		412.02/23

- Refer to Tax Counsel

REPORT OF CHAIR.

#7

- PLANNING & ZONING – Co. Henry

REPORT OF CHAIR.

- PUBLIC SAFETY – Co. Bella

#8 MORGAN HOSE & CHEMICAL CO. NO. 1

a) Application for (new) **Regular Membership** received from:

Patrick J. Vasquez, 180 Norton Street.

(Accepted by Fire Co. on March, 2011)

- Approved

b) Request to travel to a Parade in Keyport on March 20th -Approved at Agenda Mtg.

REPORT OF CHAIR.

- Board of Health will be conducting a Free Rabies Clinic for dogs and cats on Saturday, May 7th. Dogs will be vaccinated from 9AM-12 Noon and cats will be vaccinated from 1PM-3PM. Clinic will take place in the Road Dept. Garage, behind Borough Hall.

- PUBLIC WORKS – Co. Buchanan

#9 SAYREVILLE EMERGENCY SQUAD, INC.

Request to hang banners to announce their Annual EMS Day banners on the following telephone polls locations:

- Washington Rd & Bissett St.
- Washington Rd & Parkway overpass

NOTE: Council approval required prior to requesting permission from Verizon and JCP&L

- Approved

REPORT OF CHAIR.

- RECREATION – Co. Eicher

#10

REPORT OF CHAIR.

#11

- WATER & SEWER – Co. Kelly

REPORT OF CHAIR.

#12

- MAYOR O'BRIEN

#13

- BUSINESS ADMINISTRATOR'S AGENDA/REPORT

Administration & Finance: none

Public Works:

- a. Authorization to apply for the Recycling Tonnage Grant as a result of our 2010 recycling efforts.
- Resolution.
- b. Authorization to enter into a contract with Goose Control Technology for the provision of services for the 2011 season at a total cost of \$12,250 as per the recommendation of the Director of Public Works.
- Resolution.

Authorization to contract with USA Architects to prepare bid specifications for the monthly inspection, annual tests, maintenance and repair for all elevators in municipally owned buildings. The fee to develop the specifications will not exceed \$3,500. - Resolution.

Recreation:

- a. Authorization for the Coast Guard Auxiliary to host an open house on May 21, 2011 at the Borough Hall Annex Building. The open house will feature a free vessel safety check in the parking lot adjacent to the Annex building.
- Approved.

Water & Sewer: none

Public Safety: none

Planning & Zoning:

- a. Review and discussion of a proposed resolution in support of full funding of the Federal Community Development Block Grant (CDBG) Program in response to proposed programmatic cuts currently being considered in Washington, D.C. Currently, the Borough receives approximately \$250,000 annually through this entitlement program.
- Resolution.

Personnel:

- a. Police Department
Replacement of a Sergeant through promotion due to retirement –
Resolution approved earlier.

#14

- C.F.O. WAYNE A. KRONOWSKI

1. Transfer Resolution

2. Bill Resolution

3. Resolution authorizing the borough to apply for funding under the Safe and Secure Communities program (Grant #P-5245-11)

#15

- BOROUGH ATTORNEY AGENDA/REPORT

#16

- BOROUGH ENGINEER AGENDA/REPORT

1. Ernston Road / Bordentown Avenue Intersection Improvements – Agreement with Middlesex County (Report).

FOR YOUR INFORMATION

- **ADMIN. & FINANCE**
- **PLANNING & ZONING**

#1 **NOTICE TO ADJACENT PROPERTY OWNERS**

Applicant: K-Land, No. 59, LLC (Towne Lake West)

Appearing before the Planning Board on March 16, 2011.

Seeking: Modification or elimination of condition #18 of the September 1, 2004 Planning Board Resolution to allow a maximum of 5 bedrooms instead of 4.

- **PUBLIC WORKS**
- **ENVIRONMENTAL**
- **PUBLIC SAFETY**

#2 **SHRI DWARKADHIS TEMPLE**

Notice of the following events:

March 19, 2011 - Bonfire

March 20 or 26, 2011 - Bonfire Rain dates

#3 **BOROUGH OF METUCHEN**

Resolution received from the Twp. of Metuchen adopting the Middlesex County Multi-Jurisdictional Hazards Mitigation Plan.

- **RECREATION**

#4

<u>MINUTES</u>		<u>Rec. & File</u>
Board of Education	-	February 15, 2011
Board of Health	-	February 3, 2011
Commission on Aging	-	February 18, 2011
Main Street By-Pass Committee	-	January 27, 2011
Middlesex County Planning Board	-	February 8, 2011
Planning Board	-	February 2, 2011
Rent Leveling Board	-	March 8, 2011

- **Reports of Committee -**

Admin. & Finance Committee

Councilman Perrette moved the following reports be received and filed:

- 1) Municipal Clerk's Report for the month of February, 2011.

Seconded by: Councilman Buchanan.

Planning & Zoning Committee

Councilman Henry moved the following Reports be received and filed:

- 1) Construction Official's Report for the month of February, 2011.

Seconded by: Councilman Buchanan.

Public Safety Committee

Councilman Bella moved the following Reports be received and filed:

- 1) Municipal Court's Report for the months of January and February, 2011.
- 2) Fire Prevention Reports for the months of January and February, 2011.

3) Board of Health Reports for January and February, 2011.

Seconded by: Councilman Henry.

Recreation Committee & Public Safety Committee – Co. Eicher
– None

Public Works Committee

Councilman Buchanan moved the following reports be received and filed:

- 1) Parks Department Report for the month of February, 2011.
- 2) Garage Services Report for the month of February, 2011.
- 3) Sanitation Department Report for the month of February, 2011.
- 4) Road Department Report for the months of February 2011.
- 5) Building and Grounds Reports for the month of February, 2011.

Seconded by Councilman Kelly.

Water & Sewer/Environmental - Kelly

Council President Kelly moved the following reports be received and filed:

- 1) Water & Sewer Director's Report for the month of February, 2011.
- 2) Office on Aging Department Report for the month of February, 2011.

Seconded by: Councilman Buchanan.

d) Consent Agenda Resolutions

Mayor O'Brien opened the meeting to the Public for questions or comments on Consent Agenda Resolutions.

Those appearing were:

- Ellen McConnell
-Questioned how the governing body intends to handle geese control.

Response from the Business Administrator on what the borough has tried in the past and what the company we now use are doing to control the population.

Mayor also expressed his concerns regarding the geese and their droppings coming in contact with the children. He said that we have conferred with many groups but if there is one you would like us to check with please provide the information.

No further questions or comments on the Consent Agenda Resolutions.

Council President Kelly made a motion to close the Public Hearing and approve the Consent Agenda Resolutions on Roll Call Vote. Seconded by Councilman Perrette.

Roll Call: Councilpersons Bella, Buchanan, Henry, Kelly, Perrette, all Ayes.

Councilwoman Eicher Nay to Resolution #2011-75, Ayes to all the rest.

RESOLUTION #2011-73

WHEREAS, Simone Flythe and Mitchell Burgess has applied to the Mayor and Council for approval of a beauty shop license located at 3195 Washington Road, Parlin, NJ; and

WHEREAS, said application has been referred to the proper departments for investigation; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of said beauty shop;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is hereby authorized and directed to issue a Beauty Shop License Simone Flythe and Mitchell Burgess to operate a Beauty Salon t/a Rita's Dominican Doobie Salon located at 3195 Washington Road, Parlin, NJ.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2011-74

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for **calendar year 2010** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Borough Council to the efforts undertaken by the Borough of Sayreville and the requirements contained in the Recycling Act and the recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the Borough of Sayreville hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and **designates Pamela Lubeski, Municipal Recycling Coordinator** to ensure that the application and reports are properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2011-75

BE IT RESOLVED that the proper borough officials are hereby authorized and directed to execute and agreement with Goose Control Technology for the removal of geese and associated services for the 2011 season.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2011-76

BE IT RESOLVED, that USA Architects, Planners and Interior Designers, P.A., 20 North Doughty Avenue, Somerville, NJ 08876 is hereby authorized and directed to prepare bid specifications for the monthly inspection, annual tests, maintenance and repair for all elevators located in municipally owned buildings.

BE IT FURTHER RESOLVED and that USA Architects, Planners and Interior Designers, P.A. shall be paid for said services at a fee not to exceed \$3,500.00.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2011-77

**SUPPORTING CONTINUED FULL FUNDING OF
COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)**

WHEREAS, the Borough of Sayreville supports the continued funding of the Community Development Block Grant (CDBG) Program and calls for support by the State and Federal entities to do the same; and

WHEREAS, Community Development Block Grant (CDBG) funding could be facing a significant reduction, and this reduction would severely impede or eliminate thousands of local and state projects and programs that are directly contributing to local and regional recovery; and

WHEREAS, without CDBG funds, the Borough of Sayreville would not be able to continue to improve infrastructure such as streets and sidewalks, preserve historic sites while providing barrier free access to public facilities and to rehabilitate affordable housing for homeowner occupants; and

WHEREAS, in the past five years the \$786,219 of CDBG funds were spent to reconstruct five roadways, providing improved access and service to 2, 261 low and moderate income residents living in the service areas of these public facilities; and

WHEREAS, \$403,426 of CDBG funds supported housing activities, including the rehabilitation of 20 homes owned by low and moderate income residents, lead based paint testing and abatement, and housing counseling services for 347 individuals over the past five years; and

WHEREAS, the Borough of Sayreville will act with other New Jersey communities to clearly communicate and demonstrate the positive effects of CDBG across the State in order to work collaboratively with Governor Christie, Senator Lautenberg, Senator Menendez, Congressman Pallone, Senator Vitale, Assemblyman Wisniewski and Assemblyman Coughlin on this vital effort to preserve CDBG funding.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Sayreville, County of Middlesex State of New Jersey, as follows:

1. That it opposes cuts to the CDBG program and requests funding in FY2012 to be frozen at the FY2011 level of \$3.9 billion
2. That this resolution shall be in effect immediately and will be disseminated to the above State leaders and local counterparts across New Jersey.

/s/ Councilman William Henry
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION 2011-78

WHEREAS, the Mayor and Council of the Borough of Sayreville wishes to apply for funding a project under the Safe and Secure Communities Program (Grant #P-5245-11); and

WHEREAS, the governing body of the Borough of Sayreville has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Sayreville for the purpose described in the application;

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

1. As a matter of public policy the Borough of Sayreville wishes to participate to the fullest extent possible with the Department of Law & Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

Frank J. Bella, Councilman
(Public Safety

Committee)

ATTEST:

Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

Kennedy O'Brien, Mayor

RESOLUTION #2011-79

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND
BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH MIDDLESEX COUNTY FOR
PAYMENT OF ELECTRIC SERVICE
FOR TRAFFIC SIGNALS TO BE CONSTRUCTED FOR THE
ERNSTON ROAD/BORDENTOWN AVENUE INTERSECTION PROJECT**

WHEREAS, the County of Middlesex, a municipal corporation of the State of New Jersey (hereinafter "County") and the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") agree that the signalized intersection of Ernston Road will be revised; and

WHEREAS, it is the parties intention to discharge their public duties pursuant to N.J.S.A. 39:4-120.1 and mutually agree to jointly provide all costs for the electrical current and maintenance for the traffic control signal; and

WHEREAS, the Borough has agreed that it will continue to furnish and provide, at its own cost and expense, the necessary electric current for the traffic control signal through the Utility Company, and shall pay all bills for the electric current; and

WHEREAS, the County has agreed that it will, at its own cost and expense, maintain the traffic control signal; and

BE IT AND IT IS HEREBY RESOLVED Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the Agreement with Middlesex County which provides for the payment and maintenance of the traffic signals to be constructed for the Ernston Road/Bordentown Avenue Intersection Project.

Councilman

/s/ Daniel Buchanan,

(Public Works Committee)

ATTEST:

/s/ Theresa A. Farbaniec
Municipal Clerk

BOROUGH OF SAYREVILLE

/s/ Kennedy O'Brien, Mayor
Mayor

RESOLUTION #2011-80

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the necessary renovations to the Department of Public Works Mechanic's garage roof and rear wall section and that he be paid for said services at a fee not to exceed \$12,500.00.

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien,
Mayor

RESOLUTION #2011-81
(Zoning Review Advisory Committee)

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, NEW JERSEY,
AMENDING PARAGRAPH #4 OF RESOLUTION #2011-42**

WHEREAS, the Governing Body of the Borough of Sayreville are knowledgeable that an Ordinance was passed creating an informal advisory committee to review the Borough's current Zoning Ordinances, and to recommend amendments intended to facilitate commercial development within the Borough; and

WHEREAS, the Mayor and Council have decided on a time frame that the Zoning Review Advisory Committee will exist; and

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution amends Resolution #2011-42 of the Borough of Sayreville as follows:

RESOLUTION #2011-42

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF
MIDDLESEX, NEW JERSEY, CREATING AN INFORMAL ADVISORY COMMITTEE TO
REVIEW THE BOROUGH'S
CURRENT ZONING ORDINANCES, AND TO RECOMMEND AMENDMENTS INTENDED
TO FACILITATE COMMERCIAL DEVELOPMENT WITHIN THE BOROUGH**

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

1. There is hereafter created in the Borough of Sayreville a temporary Zoning Review Advisory Committee (the "Committee").
2. The Committee shall consist of five members, appointed by the Mayor with the advice and consent of the Council. Two of the members of the Committee shall be members of the Sayreville business community. Of the remaining three members of the Committee, one shall be a member of the Sayreville Economic and Redevelopment Agency, one shall be a member of the Sayreville Planning Board, and one shall be a member of the Sayreville Zoning Board of Adjustment. In addition to these five members, the Borough Engineer and Construction Official shall serve as professionals advising the Committee.
3. The Committee shall undertake a review of the Borough's current land use ordinances, and shall explore and recommend possible amendments to the Borough's ordinances that may facilitate commercial development within the Borough. The Committee's recommendations shall not be binding upon the governing body.
4. ***The Committee shall present its recommendations to the Mayor and Council at a meeting held no later than August 22, 2011. The Committee shall cease to exist upon completion of its recommendations, but no later than December 31, 2011.***

/s/ Frank J. Bella, Councilman

(Sponsor)

ATTEST:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-82

BE IT RESOLVED that the following person is hereby appointed to the following:

NAME OF APPOINTEE: Michael F. Gaines
POSITION: Police Sergeant
DEPARTMENT: Police
EFFECTIVE: April 1, 2011

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2011-83

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2010 Budget Appropriation Reserves be and the same are hereby authorized to be made in the following manner to wit:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Police Department (1240-310-1-1003)	\$ 20,000	\$
Engineering Services (1165-145-4210)		10,000
Board of Adjustment (1185-160-2-3123) (1185-160-2-5025)		5,000 5,000
	<u>\$ 20,000</u>	<u>\$ 20,000</u>

WATER UTILITY FUND

Water Operating		
(1501-7010-1-1001)	\$ 30,000	\$
(1501-7010-1-1002)	25,000	
(1501-7010-1-1302)	25,000	
(1502-7010-2-16050)		<u>80,000</u>
	<u>\$ 80,000</u>	<u>\$ 80,000</u>

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2011-84

WHEREAS, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

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

That all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien
Mayor

/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

/s/ Kenneth P. Kelly, Sr.
Councilman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

e) Resolutions to be read in full - None.

g) Introduction on Ordinance(s): Discussion

Borough Attorney DuPont said that he met with the Borough Engineer and the Attorney for American Properties. He said that this is the appropriate language to change the Redevelopment Plan. He said that it is his understand that the Planning will be discussing this Ordinance on Wednesday April 6th, so any vote on the passage of this ordinance would to occur after.

ORDINANCE NO. 158-11

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE ROUTE 35 – PHASE I STUDY
AREA – REDEVELOPMENT PLAN IN THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

(Co. Henry, Planning & Zoning Committee - Public Hearing April 11, 2011)

Councilman Henry moved the Ordinance #158-11 be approved on first reading, advertised according to law and a Public Hearing to be held on April 11, 2011 or subject to concurrence from the Planning Board. Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette, all Ayes.

PUBLIC PORTION

Mayor O'Brien opened the meeting to the Public for any and all questions or comments.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.
 - Felt that if the Board of Ed came in with a zero tax increase it would restore the public's faith in the board of education and it's administration.
 - Suggested that the water bills be mailed in envelopes.
- Jorge M. Nolau, 1 Rodio Ct.
 - Received a warning from the Fire Prevention Specialist about having his BBQ grill on his deck.

Mayor asked the Fire Prevention Specialist to respond.

Kevin Krushinski said that the ordinance was issued in 1986. He said that these were courtesy notifications that were issued to the Home Owner's Assoc. after an inspection to the facility and noted a high number of grills that had the potential to cause wide spread destruction.

Mayor asked Mr. Krushinski if there was any reason to change the ordinance. He responded that there was not. He went on to say that if the borough were to look the other way (such a Fire and Construction Officials) and not up hold the law or look the other way or give someone a free pass and something bad were to happen, they stand to go to jail for negligence. So therefore he does not interfere with their jobs nor ask them to look the other way for doing their job.

Mayor asked that the Fire Prevention specialist go over the law with Mr. Nolau.

- Kathy Halimo, 3 Woodlawn Avenue
 - Commented on the parking problem when the Temple has functions. She said that the police do put up signs but people do not adhere to the signs on Deerfield, Maple, Woodlawn, Greenhill.

Mayor asked the police chief to work with the residents, his staff.

Acting Police Chief Burns said that Councilwoman Eicher sent him an e-mail regarding the Temple issues and they are working on a plan so to alleviate these problems in the future. He said that there will be a meeting between the special events committee within the police department and the police committee and their suggestions would be reviewed.

- Questions from resident from their seat.

No further public comment.

No further questions or comments.

Council President Kelly moved to close the Public Portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION ITEMS -

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 10 minutes to discuss the following matters:

Tax Appeals
Personnel
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. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

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

/s/ Councilman Kenneth P. Kelly, Sr.

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Voice Vote, all Ayes.

Time 6:50 P.M.

RECONVENE

Councilman Buchanan moved to reconvene the meeting. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

Time: 7:07 P.M.

ADJOURNMENT

No further business.

Councilman Kelly made a motion to adjourn. Motion seconded by Councilman Buchanan.

Roll Call: Voice vote, all Ayes.

Time: 7:07 PM

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved