

April 23, 2012  
Combined Meeting

Combined Meeting of the Mayor and Borough Council held on Monday, April 23, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Council Mayor Kennedy O'Brien at 6:33 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this combined 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 her office.

- **ROLL CALL:**

Present: Councilpersons Bella, Buchanan, Eicher, Henry, Novak

Absent: Councilman Perrette

Others Present: Municipal Clerk Farbaniec  
Engineer Cornell  
Attorney Mike DuPont  
C.F.O. /Acting Business Admin. Kronowski

Absent: Mayor Kennedy O'Brien

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

- **PROCLAMATION:**

**Proclaiming the month of May, 2012 as "The Fight Against Cancer Month" in the Borough of Sayreville.**

Municipal Clerk Farbaniec read the following Proclamation into record:

## Proclamation

**WHEREAS**, in the mid 1980's Dr. Gordy Klatt, a surgeon in Tacoma, Washington, wanted to enhance the income of his local American Cancer Society. He decided to personally raise money for the fight by doing something he enjoyed-running marathons. In May 1985 he spent a grueling 24 hours circling the track at Baker Stadium for more than 83 miles and raised \$27,000; and

**WHEREAS**, months later he formed a small committee to plan the first relay event known as the City of Destiny Classic 24 Hour Run Against Cancer. Nineteen teams took part in the first team relay event and raised \$33,000; and

**WHEREAS**, the American Cancer Society Relay for Life represents the hope that those lost to cancer will never be forgotten, that those who face cancer will be supported, and that one day cancer will be eliminated; and

**WHEREAS**, Relay for Life is a life changing event that helps communities across the globe celebrate the lives of people who have battled cancer, remember loved ones lost and fight back against the disease; and

**WHEREAS**, each person who shares the Relay experience can take pride in knowing that they are working for one world, one dream, a world without cancer.

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**NOW, THEREFORE**, I, Lisa Eicher, Acting Mayor of the Borough of Sayreville, do hereby proclaim the month of May 2012 as The Fight Against Cancer Month and recognize the importance of the American Cancer Society's Relay for Life events around the World.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 23<sup>rd</sup> day of April 2012 and the same duly attested by the Municipal Clerk.  
/s/ Lisa Eicher, Acting Mayor

**ATTEST:**

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

Councilman Buchanan moved the Proclamation to be adopted on Roll Call vote. Seconded by Councilman Bella.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, all Ayes. Carried.

#### **PUBLIC HEARING ON THE 2012 MUNICIPAL BUDGET**

- Municipal Clerk announced that the Municipal Budget and Tax Resolution was approved by the Borough Council of the Borough of Sayreville, County of Middlesex on March 12, 2012 and the Public Hearing on the Municipal Budget was advertised in the Home News Tribune on March 16, 2012, in accordance with N.J.S.A. 40A:4-6.
- Acting Mayor Eicher announced that anyone that has not secured a copy of the Budget may do so now and opened the meeting to the public on the 2012 Municipal Budget.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street
  - Mrs. Kilcomons said that she is adamantly against the borough raising the taxes, especially inasmuch as revenue is going down.
  - Questioned how much the borough pays out on tax appeals and the cost of the litigation.
  - Wants to see the budget reduced and capital items tabled.
  - Questioned the borough's ability to raise sewer rates through taxes.

Responses to all made by CFO/Business Admin. Wayne Kronowski.

No further questions or comments.

Councilman Buchanan made a motion to close the Public Hearing on the 2012 Municipal Budget. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak.

Councilwoman Novak commented that this budget has not been adopted and that they will be working to further reduce this budget. She said that they have not forgotten the young and the senior citizens.

**OLD BUSINESS**

- a. Public hearing on the following Ordinance(s): (none)

**ORDINANCE #181-12**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XIX OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE**

(Amendment to the Swimming Pool Ordinance)  
[Co. Henry, Planning & Zoning Committee – Public Hearing, April 23, 2012]

At this time Acting Mayor Eicher opened the meeting to the public for questions or comments on Ordinance #181-12.

No one appeared.

Councilman Henry moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, all Ayes. Carried.

**ORDINANCE #181-12**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XIX OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE**

(Amendment to the Swimming Pool Ordinance)

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**19-1. DEFINITIONS.**

As used in this Chapter:

*Barrier.* A fence, wall, building or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

*Residential.* That which is situated on the premises of a detached one or two-family or a one-family townhouse not more than three stories in height.

*Swimming Pool.* Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This include in-ground, above ground, and on ground swimming pools, hot tubs and spas.

*Wading Pool* shall mean artificially constructed pools not designed or used for swimming, with a maximum area of one hundred (100) square feet and a maximum water depth of twelve (12") inches. This Chapter shall not cover wading pools which are portable.

**19-2. PERMITS.**

**19.2.1 Permit Required.**

- (a) No person shall establish or construct or alter a swimming pool without first having obtained a permit therefore in the manner prescribed in this article.
- (b) No permit shall be required for any portable pool less than twelve (12) inches in water depth at any point and with a water surface area of less than one hundred (100) square feet.

### **19.2.2 Application for Permit.**

Applications for the permit specified in Section 19-2.1 shall be made to the construction official and zoning officer, on forms to be supplied, by the owner of the property or an accredited agent. The application shall be accompanied by two sets of:

- (1) A plot plan showing property lines of the premises on which the private swimming pool is to be located, all existing houses and structures thereon, the location and dimensions of the proposed private swimming pool or alterations, remodeling or additions thereto, and the distances between the nearest public road and the private swimming pool, septic system (if applicable) on the property, and water, gas and other underground utility lines. The plot plan may be drawn by the property owner or architect, engineer or surveyor.
- (2) Plans and specifications for the proposed swimming pool and all auxiliary structures and appurtenances related thereto and the location and height of the fence or wall, if required, together with the gate and its locking device.
- (3) Permits, plan review and subsequent inspections will be conducted in accordance with Borough Ordinance, New Jersey Uniform Construction Code, and International Residential Code (New Jersey Edition).

Permits for excavations on either public or private property shall not be issued unless the applicant presents a written statement of compliance with N.J.S.A. 2C:17-4, concerning underground gas pipes.

### **19.3 - TESTS.**

Bacteriological samples may be collected from any swimming pool by order of the Middlesex County Health Department as contracted by the Borough of Sayreville. These bacteriological samples shall be tested at the expense of the owner of the swimming pool.

### **19-4 - LOCATION.**

- a. No swimming pool shall be constructed or installed in a front yard as the term "front yard" is defined in the Zoning Chapter of this Code. On a corner lot as the term "corner lot" is defined in the Zoning Chapter, no swimming pool shall be constructed or installed nearer to the side street line than the minimum number of feet required for the width of the side yard of the street side of such lot.
- b. No swimming pool shall be constructed or installed nearer than ten (10') feet to any property line of the property on which the pool is located.
- c. No private swimming pool or wading pool shall be constructed or installed on any lot unless a residence building is located on the lot, as permitted in the Zoning Chapter.

### **19-5 - FENCES, WALLS AND GATES.**

(a) All private swimming pools or additions thereto shall be completely enclosed by a substantial, self-supporting fence or wall of brick, stone or masonry material which meets the approval of the construction official and zoning officer. The fence or wall shall be at least 48 inches above grade and the bottom of the barrier shall be 2 inches. The barrier shall be so constructed as not to have openings that allow passage of a 4 inch diameter sphere. A building may be used as part of such enclosure. Barbed wire shall not be used as fencing. In no event shall the fence or wall be constructed in such a manner or way as to be in violation of any existing ordinance or regulation of the International Residential Code.

(b) All gates used in conjunction with the fence or wall shall meet the same specifications as the fence and wall and shall be equipped with a self-engaging lock or latch. The gate shall be locked when the pool is not in use or properly supervised.

(c) Spas or hot tubs with a safety cover which complies with ASTM F 1346 shall be exempt from these provisions.

**19-6 - PORTABLE POOLS.**

This Chapter shall not apply to or prevent the installation of portable swimming pools which can be set up wholly above the ground, without the construction of a foundation or permanent extensions to the water or sewer systems of the Borough.

Portable pools shall be maintained in a safe and sanitary manner and shall not be an annoyance or nuisance to adjacent property owners or a hazard or danger to the persons using the pool or to any members of the general public likely to come upon the premises where the portable pool is erected and in operation. The owner of the pool shall provide facilities and appliances to render the pool safe and sanitary at all times.

**19-7 - ELECTRICAL INSTALLATIONS.**

All electrical installations in connection with a swimming pool shall be installed in accordance with the New Jersey Uniform Construction Code and the National Electrical Code. The electrical subcode official or the electrical inspector shall inspect and approve all installations. No such installation or altered installation shall be placed in operation until the construction official has confirmed that such inspection has been made.

**19-8 - ENFORCEMENT.**

Private swimming pools shall comply with the requirements of all health authorities having jurisdiction in the Borough. A nuisance or hazard to health which may exist or develop in consequence of the operation of a pool shall be removed by the person in possession of the pool or receipt of notice from the Middlesex County Health Department, Police Department, Code Enforcement Officer, Zoning Official or Construction Official.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Nineteen- Swimming Pools**, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

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/ William J. Henry, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esq.  
Borough Attorney

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**ORDINANCE #182-12**  
**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. Buchanan, Water & Sewer Committee - Public Hearing, April 23, 2012]

At this time Acting Mayor Eicher opened the meeting to the public for questions or comments on Ordinance #182-12.

No one appeared.

Councilman Buchanan moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

Roll Call:

Comments: Councilman Bella said that he cannot support this ordinance. He said that a 12% rate hike is excessive.

Councilman Buchanan said that he would be supporting this ordinance, acknowledging that the burden of the industry should not be put on the taxpayers.

Councilwoman Eicher said that she wasn't sure how she would vote on this ordinance. She said that she listened to the recommendation of the Finance Committee and that the sole burden should be placed on the user and not the taxpayer.

Councilman Henry said that with passing this ordinance tonight then we will be able to decrease the budget by about \$200,000. Councilwoman Novak said that it's not fair to the resident taxpayers because the biggest users of water & sewer are businesses, the bill has to get paid and by putting the charge through taxes it would be hurting the residents.

Ayes: Councilpersons Buchanan, Eicher, Henry, Novak

Nays: Councilman Bella

**ORDINANCE #182-12**

**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**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville that chapter XIV “Water & Sewer”, Section 49, Schedule A “Sewer User Charges” is hereby supplemented and amended by deleting and inserting in lieu thereof, the following amended Schedule A:

**SCHEDULE A**  
**SEWER USER CHARGES**

*Class A Users Discharging Normal Domestic Sewage.* All Class A users of the Borough of Sayreville sanitary sewer system discharging normal domestic sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of twenty-two dollars and ten cents (\$22.10) per thousand cubic feet of water consumed.

*Class B Users Discharging Non-Domestic Industrial Wastes.* All users of the Borough of Sayreville sanitary sewer system discharging other than normal sewage shall be billed quarterly as follows:

a. For Middlesex County Utilities Authority (MCUA) charges based on the ratio of the actual flow and actual flow parameters of each Class B user to the total actual flow and total actual flow parameters from the Borough to MCUA using the billing rates prescribed by the MCUA at the beginning of the year.

b. For Borough of Sayreville charges based upon the actual flow of each Class B user at a rate of two dollars (\$2.00) per thousand gallons.

Actual flow shall be established based on sewage flow where metered or water consumption where un-metered.

Billing procedures for Class B users shall be more specifically described in Schedule B of Article IV Industrial Wastes of the Borough of Sayreville Code.

*Class C Users Discharging Non-Domestic Sewage.*

All Class C users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of fifty-eight dollars and thirty cents (\$58.30) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

*Class D Users Discharging Non-Domestic Sewage.*

All Class D users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of forty-eight dollars and sixty-five cents (\$48.65) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

*Class E Users Discharging Non-Domestic Sewage.*

All Class E users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of sixty-five dollars and ninety cents (\$65.90) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

*Class F Users Discharging Non-Domestic Sewage.*

All Class F users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of ninety-four dollars and eighty cents (\$94.80) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

*Class G Users Discharging Non-Domestic Sewage.*

All Class G users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty-three dollars and ninety-five cents (\$33.95) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

*Class H Users Discharging Non-Domestic Sewage.*

All Class H Users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of twenty-four dollars and forty-five cents (\$24.45) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Where any building or structure is used for purposes comprised of more than one classification, the service fee in such case shall be the total of the fees for each such classification.

*Minimum Charge.*

Notwithstanding any of the schedules contained herein to the contrary, the minimum annual charge for any property connected to the Borough sanitary sewer system shall be one hundred twelve dollars (\$112.00).

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The rates or charges as set forth in "Schedule A" above shall take effect on May 1, 2012 and be billed on or after May 1, 2012 for all customers.

Councilman

/s/ Dan Buchanan.

(Water & Sewer Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esq.  
Borough Attorney

**NEW BUSINESS:**

- Introduction of the following Ordinance(s): (None)
- Discussion on Resolution to be read in full. (resolution listed below).

**CONSENT AGENDA/RESOLUTIONS**

• ***PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY***

At this time Acting Mayor Eicher opened the meeting to the Public on the Consent Agenda Resolutions.

Those appearing were:

- Barbara Kilcommons, 22 Schmitt St.  
Questioned Resolution #2012-123, Temple's request for Special Event Permit. That it was inconsiderate of the Temple to list an event for April 21<sup>st</sup> for approval tonight and that this was not the first time.

- Mr. Kronowski said that they had applied for this Special Event Permit over a month ago and all of the reports were finally in and now the item is listed for approval. He noted that the dates of main concern were the series of dates in November, 2012.

No further questions or comments.

Councilwoman Novak moved the Public Hearing on Consent Agenda Resolutions be closed and the resolutions be approved on Roll Call vote. Seconded by Councilman Bella.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry, Novak.  
Nays: None.

**RESOLUTION #2012-114**

**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.



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Absent

Mayor

/s/ Frank J. Bella  
Councilman

/s/ William J. Henry  
Councilman

/s/ Daniel Buchanan  
Councilman

/s/ Mary J. Novak  
Councilwoman

/s/ Lisa Eicher  
Councilwoman

/s/ Nicholas J. Perrette  
Councilman

**Bill list of April 23, 2012, in the amount of \$3,720,805.92  
(Bill List – See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

**RESOLUTION #2012-115**

**RESOLUTION MEMORIALIZING ACTION TAKEN ON  
CERTAIN COMMUNICATION ITEMS AT THE  
March 26, 2012 and April 9, 2012 COUNCIL MEETINGS**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the March 26, 2012 Council Meeting approving the following:

- **Application(s) for Bingo/Raffle Licenses received from:**  
Sayreville Senior Center, St. Stan's Club - Application #RA:1752.  
Sayreville Senior Center, Thursday Club - Application #RA:1755

BE IT FURTHER RESOLVED that the following memorializes action taken by the Governing Body on April 9, 2012:

- **Application for Special Permit for Social Affair** received from Our Lady of Victories R.C. Church to serve beer and wine at their annual picnic at Burkes Park on June 9, 2012 from 12 Noon – 5PM
- **Application for Special Permit for Social Affair** received from Sayreville PBA Local #98 to serve beer at their annual picnic at Burkes Park on August 5, 2012.

/s/ Frank J. Bella, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC \_\_\_\_\_ /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION #2012-116**

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2010 and 2011 tax year, effective July 16, 2010, in the total amount of \$13,788.31 due to the approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 69.01, Lot 10, 121 Bissett Street.

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/s/ Frank J. Bella, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC                      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION #2012-117**

**WHEREAS**, on March 22, 2012 the Mayor and Council of the Borough of Sayreville received bids for the "PETZL EXO" Hands Free Personal Safety/Escap System with In-Service Training"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 23<sup>RD</sup> day of April 23, 2012:

1. Contract for the "PTZEL EXO" " Hands Free Personal Safety/Escap System with In-Service Training be awarded to Fire Ground Technologies, Pompton Plains, NJ on their bid price of \$79,400.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC                      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION #2012-118**

**WHEREAS**, the Mayor and Council of the Borough of Sayreville is in need of services for the provisions of "Routine Inspection and Preventative Maintenance on Emergency Generators" throughout the Borough of Sayreville; and

**WHEREAS**, the Director of Public Works of the Borough of Sayreville solicited informal price quotations from the following vendors for "Routine Inspection and Preventative Maintenance on Emergency Generators":

March 2, 2012	Atlantic Power Systems	\$19,950.00
March 6, 2012	R&J Control, Inc.	\$11,156.00
March 5, 2012	Foley Caterpillar-Power Systems	\$10,702.00

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 23<sup>rd</sup> day of April, 2012, that:

1. Contract for the provisions of "Routine Inspections and Preventative Maintenance on (9) Emergency Generators" throughout the Borough of Sayreville

be awarded to Foley Caterpillar Power Systems, 855 Centennial Avenue, Piscataway, NJ 08854 who presented the lowest in the informal price quotes for said contract.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

**RESOLUTION #2012-119**

**WHEREAS**, on March 22, 2012 the Mayor and Council of the Borough of Sayreville received bids for the "Water Meters and Related Equipment"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 23rd day of April, 2012 that:

1. Contract for the "Water Meters and Related Equipment," be awarded to H.D. Supply Waterworks, 61 Gross Ave., Edison, NJ 08837 on their bid price of \$377,685.00 as appears on copy of bid documents attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Dan Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

**RESOLUTION # 2012-120**

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

**NAME OF APPOINTEE:**      Ronald J. Connors, III  
**POSITION:**                      Truck Driver  
**DEPARTMENT:**                  Public Works  
**EFFECTIVE:**                      April 24, 2012,

**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.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION # 2012-121**

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

**NAME OF APPOINTEE:** Joseph Kabara  
**POSITION:** Truck Driver  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** April 24, 2012,

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION # 2012-122**

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

**NAME OF APPOINTEE:** Gerald Zakrewski  
**POSITION:** Truck Driver  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** April 24, 2012,

**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.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**  
/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION # 2012 -123**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN  
THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
AUTHORIZING SHRI DWARKADHIS TEMPLE'S  
RELIGIOUS EVENTS**

**WHEREAS**, the Shri Dwarkadhish Temple's has requested permission from the Mayor and Council of the Borough of Sayreville to conduct religious events on April 21, 2012; August 10, 2012 and November 10, 11, 12, 13, 14 & 24, 2012.

**WHEREAS**, the Mayor and Council wish the Borough of Sayreville to be an ecumenical community;

**WHEREAS**, the schedule of the events are religious and holy in nature; and

**WHEREAS**, the Shri Dwarkadhish Temple has agreed that before each religious event they will notify the Sayreville Police Department, the Department of Public Works, the Recreation Department and the Sayreville Emergency Squad days prior to each event on the Shri Dwarkadhish Temple property; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that on April 23, 2012 the Borough Council authorized the Shri Dwarkadhish Temple to hold its religious events on April 21, 2012; August 10, 2012 and November 10, 11, 12, 13, 14 & 24, 2012.

/s/ William J. Henry, Councilman  
(Recreation Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**  
/s/ Theresa A. Farbaniec, RMC      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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**RESOLUTION(S) READ IN FULL:**

**RESOLUTION #2012-124**

**WHEREAS**, on April 3, 2012 the Mayor and Council of the Borough of Sayreville received bids for the "HVAC Upgrade at Sayreville Borough Hall"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 23<sup>RD</sup> day of April 23, 2012:

1. Contract for the "HVAC Upgrade at Sayreville Borough Hall" be awarded to Thassian Mechanical Contracting, Inc., 641 St. Route 36, Belford, NJ 07718 on their bid price of \$355,000.00 as appears on copy of bid document attached hereto and made a part hereof.

<b>April 23, 2012</b> <b>Combined Meeting</b>	
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2. This resolution shall take effect immediately, upon execution of the proper documents.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE** \_\_\_\_\_

/s/ Theresa A. Farbaniec, RMC                      /s/ Lisa Eicher, Acting Mayor  
Municipal Clerk

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At this time Acting Mayor Eicher opened the meeting to the Public on the following Resolution #2012-124 to be read in full:

No one appeared.

Councilwoman Novak moved the Public Hearing be closed and the resolution be approved on Roll Call Vote. Seconded by Councilman Buchanan.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry, Novak.  
Nays: None.

**COMMUNICATIONS/COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette
  - a) **Minutes:** (none)
  - b) **Received the following application(s) for Bingo/Raffle Licenses:**  
(Applications available upon request and are on file in the Clerk's Office)
    - **Sayreville War Memorial High School Touchdown Club (Bombers)**  
to conduct:
      - a) Off-Premise 50/50 on Sept. 14, 2012-#RA:1757.
      - b) On-Premise 50/50 on Sept. 14, 21, 2012; Oct. 19, 2012; Nov. 2, 2012-RA:1758.
    - **b Approved-Resolution Memorializing Council's Action on May 14, 2012.**  
**Seconded by Councilwoman Novak.**

- c) **TAX ASSESSMENT APPEAL(S)**  
Received the following 2012 Tax Appeals from:

Plaintiff/Petitioner	Block	Lot	Address
Alana Inc.	276	9	7090 Highway 35 & 9
Shmuel Farro	449.02	19	10 Oakwood Dr.
Jadwiga Shahat	148	238.01	64 Whitehead Avenue
Bhaven Shah	229.03	1C2410	10 Wellington Court
Maged Mikhail	530	117.01	210 Midland Ave.

- **Referred to Tax Counsel**

**d) Committee Reports**

- **PLANNING & ZONING** – Councilman Henry

Councilman Henry moved the following be received and filed (a-d) - Seconded by Councilman Buchanan:

- a) **Minutes-**
  - Middlesex County Planning Board – March 13, 2012
  - Sayreville Planning Board – April 4, 2012
- b) Received Notice from the Twp of Woodbridge Planning Board of a hearing to be held on April 25, 2012 regarding Amendments to the Housing Plan Element, Fair Share Plan and the Land Use Element of the Master Plan.

c) Copy of Ordinance #12-02 from the Twp of East Brunswick amending their Land Use Procedures and Chapter 228, Zoning of the Twp. of East Brunswick.

d) Received the following **Planning Board Resolutions** which were **Memorialized on April 18, 2012:**

- Twin Boro Physical Therapy, 3276 Washington Rd., Preliminary and Final Major Site Plan and Bulk Variance Approval.

e) **Committee Reports:**

- Councilman Henry asked for authorization to have the borough attorney amend the current Peddler's License Ordinance to allow for the sale of bait at the River Road Park.

No objections. The Borough Attorney said that would be ready for the next meeting.

- Councilman Henry also asked the attorney to look into the damages from the storm in 2010, he said that there were repairs done to such things like the batting cages he wanted to make sure that all of the funds were appropriated properly.

- **PUBLIC SAFETY** – Councilman Bella

a) **Minutes-**

Councilman Bella moved the following minutes be received and filed:

- o Board of Health - March 1, 2012  
Seconded by Councilman Buchanan.

b) **Committee Reports:**

- **PUBLIC WORKS** – Councilwoman Novak

a) **Minutes:** (none)

b) Request for refundable portion of fees posted for Road Opening Permit #5162 issued on Nov. 29, 2010 to Gabriel Lotesto to open 11 Kolb Ave., pending up-dated report for the Road Division.

- Approved- Resolution.

c) **Committee Reports:**

Progress.

- **WATER & SEWER** – Councilman Buchanan

a) **Minutes** (none)

b) Authorization for the Municipal Clerk to advertise for the receipt of bids for Orthophosphate (Calgon C4) and Hydrated Lime.

- Approved - Clerk to Prepare Resolution.

c) Authorizing the extension of a contract for Water Department Chemical-Sodium Hypochlorite to Miracle Chemical Co. for an additional one year term at the current price.

- Approved - Clerk to Prepare Resolution.

e) **Committee Reports:**

Councilman Buchanan said that he received a notice that Katelyn Klosek will be going to San Antonio Texas, representing Sayreville and one of three chosen from the State of New Jersey for the Future Business Leaders of the Year Conference in June and asked that she be recognized at our next meeting.

- **RECREATION** – Councilwoman Eicher

a) **Minutes:**

Council President Eicher moved the following minutes be received and filed:

- o Cultural Arts Council – January 12, 2012  
Seconded by Councilman Buchanan.

**b) Committee Report –**

Council President Eicher made a motion to accept the resignation of Dennis Grobelny from the Zoning Board of Adjustment. Motion moved by Councilwoman Novak and seconded by Councilwoman Novak.

Council President also made a motion to appoint Dennis Grobelny to the unexpired term on the Sayreville Economic & Redevelopment Agency. Motion moved by Councilman Buchanan and seconded by Councilwoman Novak.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry, Novak.  
Nays: None

Council President made a motion to appoint John Corrigan to the Zoning Board of Adjustment filling Dennis Grobelny's position. Motion moved by Councilwoman Novak and seconded by Councilman Buchanan.

Roll Call: Ayes: Councilpersons Bella, Buchanan, Eicher, Henry, Novak.  
Nays: None

Council President said that she would like to form a committee to review the Business Administrators resumes. She suggested herself, Councilman Bella and Councilman Henry be on this committee and that the council review the resumes and give their top five candidates to the committee and that out of those they would select the top three choices and conduct interviews.

She then asked the Borough Engineer for the status of the Tennis court Repairs.

Mr. Cornell responded that they were to work on them today but due to the weather it would be done this week.

Council President asked why the entire intersection of Bordentown and Ernston Road had to be closed and not just parts of it at a time to allow for some traffic flow.

Mr. Cornell responded that the biggest reason is that Middlesex Water Co. has a 30" diameter water main on Bordentown Avenue that runs from one side to the other so you can't just close portions and Verizon has underground conduits that have to be located which spans the entire intersection, so work is going to take place on the entire intersection.

She then asked if the businesses on Bordentown will be accessible.

Police Chief explained that all the businesses, schools, church and residents will be accessible.

- **MAYOR** – Kennedy O'Brien
  - a) **Appointments (Hold Over)**
  - b) **Other Business**

**BUSINESS SESSION AGENDA**

**- NEW BUSINESS -**

**- BUSINESS ADMINISTRATOR -**

- I) Authorization to issue an RFP for Police Accreditation Mentoring.  
- Resolution authorized.



II) Sec. 125 Flexible Spending Plan  
- Resolution authorizing AFLAC to be the Borough's Section 125 Flexible Spending Plan Administrator.

III) Designation of Clean Communities Coordinator.  
- Resolution designated Elyse Barone as the Clean Communities Coordinator.

IV) Agreement with County for services of "SkyWatch" Surveillance Platform.  
- Discussion between the governing body and the police chief, as the chief explained the SkyWatch Surveillance platform. – Resolution.

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

I) Bill List Resolution

II) Schedule Budget Workshop  
- April 30, 2012 at 6:30

III) Refunding Bond Sale – Verbal Report

- **ENGINEER -Jay Cornell**

I) Middlesex County Utilities Authority – Odor Complaints (Report Attached)  
- Report also given by the Borough Attorney.

II) Sayreville Landfill III – Congressman Pallone Visit (Verbal Report)

III) Ernston Road/Bordentown Avenue Intersection Improvements – Verbal Status Report on the local businesses.

Councilman Bella questioned which phone number would be the correct one to call on odor complaints against the MCUA, etc.

Phone #877-924-6337 1-877-WARD DEP and the County Environmental Health Office at 732-745-8480 or after hours at 732-745-3271.

- **BOROUGH ATTORNEY - Michael DuPont**

- **PUBLIC PORTION**

At this time Acting Mayor Eicher opened the meeting to the public for any and all issues.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street  
- Questioned why the trees in front of borough hall were cut down and who authorized it.  
Mr. Kronowski said the Shade Tree Commission authorized their removal due to their uplifting the sidewalks, they also block the front on borough hall and complaints have been received. He also said that one was also damaged due to the storms. He also indicated that the Shade Tree Commission will come up with a type of tree that will not grow so tall or wide and they will be planted on other side balancing out the front of the building.
- Eloise Hansen, Price Street  
- Questioned what the purpose of the Main Street By-Pass Committee was. The question was deferred to the Borough Engineer.  
Mr. Cornell said that the Main Street By-Pass Committee meets the last Thursday of every month and they are in favor of the roadway. He said that they are seeking funding, assist with the permitting, learn what is happening

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with the National Lead property and how that will impact the roadway and that every month they have a different topic.

- Commented about the MCUA and the odor and asked when we last re-negotiated the contract with the MCUA as the hosting community.

Mr. Kronowski said that the contract is up at the end of 2013 and the borough attorney said that he toured the facility and with talking with them they do realize that the borough would be wanting to re-negotiating an increase.

- Ed Strek, 58 Nickel Ave.

He questioned if it was the Veteran's Alliance that requested that the trees in front of borough hall be removed.

Mr. Kronowski said that the trees were so thick that you could not see the grandstand during events.

- Mr. Strek said that all of the other trees along Main Street should be looked at also as they are lifting up the grates and creating a hazard.

No further questions or comments.

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

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

- **EXECUTIVE SESSION (none)**

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 7:34 P.M.

SIGNED:

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved