

Mayor Kennedy O'Brien opened the Agenda Meeting at 7:29PM 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, April 27, 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  
Wayne A. Kronowski, C.F.O./Treasurer  
Daniel E. Frankel, Business Administrator  
Theresa A. Farbaniec, Municipal Clerk  
Jay Cornell, P.E., Borough Engineer  
Michael DuPont, Esq., Borough Attorney

Others Absent: None

- **OLD BUSINESS**

a. The following Ordinance were introduced at the Council meeting and will be listed for Public Hearing and Adoption on May 11, 2015.

**ORDINANCE #285-15**

**AN ORDINANCE AMENDING CHAPTER IX, "ANIMAL CONTROL",  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**

(Animal Cruelty Investigator- Co. McGill, Public Safety Committee, Public Hearing May 11, 2015)

**ORDINANCE #286-15**

**ORDINANCE AUTHORIZING THE ACCEPTANCE OF A TRAFFIC SIGNAL  
AT THE INTERSECTION OF MAIN STREET (C.R. 670) AND  
SAYREVILLE BOULEVARD IN THE BOROUGH OF SAYREVILLE,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

(Co. Buchanan, Planning & Zoning Committee, Public Hearing May 11, 2015)

- **NEW BUSINESS:**

a) Ordinances for Discussion

**COMMUNICATIONS & COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

Councilwoman Novak moved the following minutes and reports be Received & Filed:

- 1) Municipal Clerk's report for the month of March, 2015
- 2) CFO's Investment Activity report for the month of February, 2015
- 3) Office on Aging report for the month of March, 2015
- 4) Board of Education minutes of March 31, 2015.

- Motion seconded by Councilman Buchanan.

b) Moved the following **Bingo/Raffle Applications** be approved.

- 1) **St. Stanislaus Kostka RC Church** to conduct an Off Premise Raffle on June 27, 2015 on School property (RA:1944).
- 2) **St. Stanislaus Kostka RC Church** to conduct an On-Premise 50/50

June 24, 25, 26, & 27, 2015 (RA:1945).

- Approved

- (Carried Over from April 13, 2015)

c) Moved the council support the following:

New Jersey General Assembly requesting a **Resolution in support of Bill A4235** known as the "Transparent Tax Act of 2015".

- Approved/Resolution.

d) Notice received from NJ Transit of Public Hearings regarding proposed fare increases.

- Receive & File.

e) Committee Reports

1) Councilwoman Novak thanked everyone for their hard work and due diligence on getting the budget cut and adopted.

• **PLANNING & ZONING – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

Councilman Buchanan moved the following minutes and reports be received and filed:

- 1) Construction Official's, Zoning & Code Enforcement and Fire Prevention reports for the month of March, 2015
- 2) Board of Adjustment minutes of March 25, 2015
- 3) Middlesex County Planning Board minutes of March 10, 2015

- Seconded by Councilwoman Novak.

b) Request received from Highview Homes, LLC for the release of cash bond in the amount of \$33,167.50, Letter of Credit has been posted as required by the Borough Engineer.

- Refer to Borough Engineer

c) Committee Reports:

1) Requested a report on the past By-Pass Committee meeting.

The borough Engineer reported that they had summarized the discussion before the Mayor and Council as well as the traffic light at Kimball Drive East and Main Street. They want the County to look into approving the installation of that traffic light, so it would go concurrently with the project. He said that the Borough has also received the Freehold Soil Conservation permit and that the only other two permits outstanding now is the MCUA and the Army Corp.

Also at the last Council meeting was a discussion on the extension of Boehmhurst Ave. to the By-Pass that was discussed by the Council and referred to the Police Dept. and the police department recommended that it be opened on an emergency basis. So that is something that will be further discussed with public works.

Councilman Buchanan asked what the next step would be for that committee.

The Engineer said that there was a discussion on Phase II of the By-Pass-from Kimball East to Crossman Road and the layouts and planning for that phase. Also discussed was having the O'Neill representatives make a presentation as to how the National lead Development was going to connect to the by-pass. Councilman Buchanan and McGill asked if this was shown in the Master Plan. Mr. Cornell said the Master Plan does show the by-pass extending the roadway all the way out to National Lead.

Councilman McGill asked when Phase I would be shovel ready.

Mr. Cornell stated that we have the two permits that we have to obtain – the Army Corp and there will also be some wet land mitigation.

Mr. McGill asked if this project was far enough along that it be turned over to Planning. The engineer said it would not be a Planning Board issue it would be the Mayor and Council's. Once the Permits are obtained the council would proceed with the bidding of the project. At the last meeting you authorized the second Phase to move forward. The first Phase is moving forward with the permit stage and the second phase is moving forward with design.

Councilman Buchanan thought that the By-Pass committee's job was to give recommendations on the first section and the cut thru and that is what they did and now it is up to the council and they are no longer necessary. Discussion followed about paying professionals to attend the meetings and it was no longer necessary. He stated that he wanted the project to move forward.

Councilman Rittenhouse stated that the By-Pass committee is not holding up the project in any way they are giving their in-put and recommendations to the council.

Mayor asked what the pleasure of the council was.

Councilman McGill suggested that we thank the committee for all their work and dismiss them. Councilman Buchanan seconded the suggestion.

Mayor asked for it in the form of a motion.

Councilman Buchanan moved that we thank the by-pass committee and move forward.

Mayor asked forward how-what are you going to do.

Councilman Buchanan made a motion that we cease the operation of the Main Street By-Pass Committee.

Mayor O'Brien stated that they are a Mayor's Advisory Board but you can vote to do whatever you want such as begin construction, etc. He said that they are a committee made up of effected residents of the by-pass and was created to have some input of their destiny.

Discussion followed regarding the money that has been spent so far.

Councilwoman Novak said that their last presentation they sounded like they were all for all phases. Councilman Rittenhouse concurred that is what they said but have safety concerns such as if Phase II does not move forward then traffic will pump out of Kimball Drive East where it will jeopardize the safety of school children because the school busses. But if you have Phase II the traffic will go to Crossman and restrict Kimball Drive East. He also said that there are people on that committee who were opposed to it in the beginning and now realize the need for it. Mayor expressed his concern that if Phase II does not go through it will not be a by-pass it will be a loop.

Mayor asked if there was a motion.

Councilman McGill said that the motion is to dismiss the by-pass committee - thank them for their diligent work and have it move to the Planning Board and Council and have a shovel in the ground. Councilman Buchanan seconded the motion.

Comments -

Mayor O'Brien stated that if Phase II does not go through we will be spending \$10 million dollars on a loop, from Sayreville Blvd/River Road to Kimball Drive East.

Councilman Rittenhouse said that if Phase II does not go through and the traffic will flow through Kimball Drive East and sit at a stop sign or the borough will pay for a traffic light if the development does not occur across the street (Mocco property) if that development occurs first then the developer will pay for the traffic light.

Councilman McGill said that we have been looking at eight years of this.

Mayor asked for a Roll Call - although action is not supposed to be taken during an agenda meeting.

Councilwoman Novak stated that the By-Pass committee is no longer necessary, agreed with the Mayor and suggested that the matter be placed on the next Council Consent agenda.

Mayor stated that the motion would have to be amended.

Council President McGill amended his motion and asked that it be placed on the next consent agenda. Motion seconded by Councilman Buchanan.

The Borough Clerk asked what the action was that is to appear on the next agenda.

The Borough Attorney stated that the Motion was to disband the Main Street By-Pass Committee and to allow the matter to be brought before the Mayor and Council and Planning Board. This Resolution will be on for the May 11, 2015 Agenda. The Mayor said that also the Council will no longer pay the Engineer for attending the meetings.

- **PUBLIC WORKS – Councilwoman Kilpatrick**

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

Councilwoman Kilpatrick moved the following Minutes/Reports be Received & Filed:

- 1) Rent Leveling Board minutes of April 14, 2015.
- 2) Public Works Supervisor reports for the month of March, 2015.

Seconded by Councilwoman Novak.

- b) Request from B&W Construction Co. for the refund of Road Opening Permit fee in the amount of \$288.00, covering Permit #5249, issued on June 13, 2013, upon approval of properly verified Borough Voucher.

- Approved/Resolution

- c) Notice of Public Hearing received from the County Division of Solid Waste Management for an amendment to the Solid Waste Management Plan scheduled for May 6, 2015 at 5PM County Admin. Bldg. The purpose is to delete a facility no longer in operation.

- Receive & File.

- d) **Committee Reports:**

- 1) Held our first Community Clean-up day this past Saturday in Buchanan Park.
- 2) Reported that the Dept. of Public Works is down two employees who are out on sick leave, in the mean time look at replacing these people so that the work can get done.
- 3) Sayreville A.A. Opening Day success.

- **RECREATION – Councilman Melendez**

- a) **Committee Reports:**

- 1) Reported on the success of Opening Day.
- 2) Various Recreation sponsored programs.
- 3) Library leadership breakfast
- 4) Various Library sponsored programs
- 5) Sayreville AA Cheerleaders/Sayreville Stars 2015
  - Requested certificates for presentation at next meeting.
- 6) IT report – Cameras at Public Safety Complex
  - Integrator, will also be looking at linking Sr. Ctr. to PD.
  - Radio/Communications
  - Video System up-grade
  - Audio/Visual/Camera System for council chambers

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

- a) **Committee Reports:**

- 1) Questioned if the borough received a report regarding our Animal Shelter in Tinton Falls and their letting their volunteers go.

Mr. Frankel reported that they need to correct a problem they had with a few volunteers by the way they process. They put new systems in place. All have been retrained and are confident with the new volunteers and program outlined for them.

2) Announced that May 9<sup>th</sup> the State History Fair will take place at Monmouth Battle Field and the Seniors will be providing a bus anyone interested to contact the Sr. Center.

• **PUBLIC SAFETY – Council President McGill**

a) **Minutes & Departmental Reports:**

Councilman McGill moved the following Minutes/Reports be Received & Filed:

- 1) Court Administrator's Report for the month of March, 2015
- 2) Board of Health County & Registrar's reports for the month of March, 2015.

Motion seconded by Councilwoman Novak.

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

- 1) Sayreville Bomber's Golf team on June 14, 2015.

-Approved

c) Request for approval on the following **Firefighter applications:**

- 1) Morgan Hose & Chemical Co. No. 1 – Ryan Braun as a Full member, applicant was accepted at their January, 2015 meeting.

-Approved

d) Committee Reports –

1) Reported on receiving a letter from Mr. Scully regarding issues with drainage, waste pipes. He said that he and public works reviewed the issues and public works will take care of the issue with drainage. He reviewed the other issues he had listed in his letter and some he can help with and others he cannot.

2) Kevin Ciak was elected Secretary/Treasurer of the National School Board Association. He said that he was first elected to the Board at the age of 19 and has now been a member for 21 years. He requested that he be recognized with a Certificate of Recognition or Proclamation.

3) Attended the Autism Awareness program at the Arleth School. Thanked the Board of Ed for a great program.

4) Reported on the Park and Ride facility and will be meeting with the Chief of Police to review ideas to get the cars off the side streets and fill up the lot.

5) Thanked the Sayreville PD for the arrest made the other night and the excellent police work.

6) Announced that the County Board of Chosen Freeholders honored our Police Officers Sean McGrath, Chris Engelhardt, Jeff Taylor and Dispatcher Mark Hurley for their rescue of the young child.

7) Little League Opening Day success.

Councilwoman Novak stated that the saving of the little boy's life was magnificent and that there were a lot of EMS personnel who were also at the scene and would like to give them recognition and that they are out there every day with no pay. So she would like to also thank them.

• **MAYOR – Kennedy O'Brien**

- Mayor announced that Sayreville lost two of its residents this past week. Edwin Burch and Joe Hogan.

Mayor called for a moment of Silence for both Edwin Burch and Joe Hogan.

A Moment of silence was observed by all in attendance.

- Mayor stated that we never took action on closing of soccer field #6. He asked what the pleasure of the Governing Body was.

Councilman Buchanan stated that Councilman McGill asked for the engineer to go there and evaluate the field right away.

Mayor said that it has been brought to our attention that there is a clear and present danger there. Councilwoman Novak asked Co. Melendez if there were any soccer games between today and tomorrow and if you think it is something that we can't remedy before the next soccer game than we have to close it.

Mayor asked for the advice of the Borough Attorney.

Mr. DuPont said we need to send out the Borough Engineer, Recreation Director and Parks Dept. for an immediate evaluation and if there is a safety hazard or a dangerous condition then the soccer field can be closed. Councilman Melendez said that Jerry Ust has the authority to do so.

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

**- Admin. & Finance**

a) Notice of retirement received from Judy Smith from her position in the Borough Clerk's office effective, July 1, 2015 and authorization to post and/or advertise for a replacement. : (

- Approved.

b) Authorization to accept the Safety Management Program as required by Central Jersey Joint Insurance Fund Incentive.

- Resolution.

c) Request received from AT&T to install fiber optic cable on existing poles and conduits located in the public right-of-way in the Borough of Sayreville. Would like to refer to Borough Attorney and Engineer to see if borough could recover any cost associated with the request and review the need to impose conditions.

- Report given by borough Engineer.

- Borough Attorney to prepare Resolution.

d) Authorization to amend Salary Guide/Ordinance to reflect changes in accordance with the Dept. of Personnel Title Consolidation. Review and approval received from AFSCME leadership.

-Approved/Ordinance.

**- Planning & Zoning**

**- Public Safety**

a) Authorization to appoint a full time Public Safety Telecommunicator (replacement for Angela Moat).

- Approved/Resolution.

b) Authorization to adopt a Sports Related Concussion Protocol.

- Approved/Refer to Recreation Dept. and Rec. Advisory Bd.

c) Authorization for the borough's continued participation in 1033 Program which allows for the acquisition of specific military equipment to be utilized for specific functions within the department.

- Approved/Resolution.

**- Public Works**

a) Authorization to appoint Dusty Kemple to the title of Maintenance Repairer in the Dept. of Public Works, effective April 28, 2015.

- Approved/Resolution.

**- Water & Sewer**

**- Closed Session Items**

a) Tax Appeal(s)

b) Discussion – Retired PBA Members

Mr. Frankel also requested having a Grant Writer come in for a presentation for a better understanding of what a Grant Writer means, what it costs them to do.

- Approved.

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

- 1) Capital Items / Bond Ordinance(s)

- Approved.

- **BOROUGH ENGINEER - Jay Cornell**

- 1) 2015 Roof Replacement Project – Receipt of Bids (Verbal Report)

- Resolution.

- 2) Major Drive Waterfront Improvements – Receipt of Bids (Verbal Report)

- Need bond ordinance as Wayne discussed.

- **BOROUGH ATTORNEY - Michael DuPont**

- None

- **PUBLIC PORTION**

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

Those appearing were:

- Bob Kominkiewicz, Ernston Road
  - Kudos to the Police Dept. for help with his dog
  - Bridge Graffiti
  - Professional employees the borough has in the Borough clerk's Office as well as the Tax Office.
  - Think they should eliminate the night at the movies.
  - He should be exclusive hot dog sales person at the 4<sup>th</sup> of July Celebration and Sayreville Day.  
Mayor asked Councilman Melendez to look into this.
  - Fort Grumpy Recycling Clean-Up
  - SERA Appointments – Mayor should be on the Redevelopment Agency

No other questions or comments.

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

Roll Call: Voice Vote, all Ayes. Carried.

- **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
- Tax Appeal / Litigation
- Contract Negotiations

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

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

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

/s/ Mary J. Novak, Councilwoman

APPROVED:

/s/ Kennedy O'Brien  
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.

**Time: 8:27 PM**

• **RECONVENE - 8:37 PM**

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

Roll Call: Voice Vote, all Ayes.

• **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:37 P.M.

SIGNED:

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

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