

Combined Meeting of the Mayor and Borough Council held on Monday, May 13, 2013, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 7:00 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 Buchanan, Eicher, Henry, McGill, Melendez, Novak

Absent: None

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

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Council President Buchanan made a motion to approve the following minutes of the Mayor and Council, subject to correction if necessary:

☒ February 19, 2013	-	Budget Meeting
☒ March 21, 2013	-	Combined Meeting
☒ March 21, 2013	-	Closed Session
☒ April 2, 2013	-	Receipt of Bids (Rescue Boat)

Motion seconded by Councilwoman Eicher.

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

OLD BUSINESS

a. Public Hearing on 2013 Budget Amendment Resolution #2013-117

Clerk announced that this is a Public Hearing on the Amendment to the 2013 Municipal Budget what was presented and approved at the April 22, 2013 and known as Resolution #2013-117.

Amendment was further explained by CFO Kronowski that this amendment brings the tax increase to just above .04 cents. He went on to say that following this public hearing is another amendment, however that amendment does not require advertisement or a separate public hearing and can be finally adopted tonight. He said that this amendment will bring the tax rate increase to below .04 cents.

Mayor O'Brien opened the meeting to the public on Resolution #2013-117 Amendment to the 2013 Municipal Budget.

There being no appearances, Councilwoman Novak made a motion to close the Public Hearing. Motion seconded by Councilman Henry.

Roll Call:

Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak, all Ayes.

- b. Resolution further amending the 2013 Municipal Budget –
Resolution #2013-124 (Does not require advertising or public hearing)
- The following resolution was read into record by Mr. Kronowski, then opened to the public by Mayor O’Brien.

Appearing was:

Barbara Kilcomons, 22 Schmitt Street

- Questioned the water operating surplus which was explained by the C.F.O.

No further questions or comments and Mayor O’Brien called for a motion.

Councilwoman Novak moved the Public Portion be closed and that Resolution #2013-124 Amendment to the 2013 Municipal Budget (#2) be adopted on Roll Call Vote. Motion seconded by Councilman Henry.

Roll Call:

Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak, all Ayes.
Carried.

BOROUGH OF SAYREVILLE
2013 BUDGET AMENDMENT- RESOLUTION #2013-124

WHEREAS, the Local Municipal Budget for the year 2013 was approved on the 11TH day of March, 2013; and

WHEREAS, the Budget was Amended on April 22, 2013; and

WHEREAS, it is desired to **further amend** said approved Budget.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Sayreville, County of Middlesex that the attached amendments to the approved Budget of 2013 be made:

RECORDED VOTES

<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>	<u>Absent</u>
Buchanan	None	None	None
Eicher			
Henry			
McGill			
Melendez			
Novak			

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of Division of Local Government Services for the Certification of the 2013 Local Municipal Budget so amended.

/s/ Mary J. Novak, Councilwoman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

BOROUGH OF SAYREVILLE
2013 BUDGET AMENDMENT
GENERAL REVENUES

	<u>FROM</u>	<u>TO</u>
1. Surplus Anticipated	<u>2,000,000.00</u>	
<u>\$2,075,000.00</u>		
Total Surplus Anticipated	2,000,000.00	
\$2,075,000.00		

5. Sub Total General Revenues (Item 1,2,3&4)	<u>24,221,159.00</u>	<u>24,296,159.00</u>
6. Amount to be raised by Taxes for Support of Municipal Budget		
a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	<u>26,473,531.97</u>	<u>26,397,000.97</u>
 Total Amount to be raised by Taxes for Support of Municipal Budget	 <u>28,040,472.54</u>	 <u>27,963,941.54</u>
7. Total General Revenues	<u>52,261,631.54</u>	<u>52,260,100.54</u>

BOROUGH OF SAYREVILLE
2013 BUDGET AMENDMENT
GENERAL APPROPRIATIONS

	<u>FROM</u>	<u>TO</u>
(L) Subtotal General Appropriations {(H-1) and (O)}	<u>50,147,881.54</u>	<u>50,147,881.54</u>
(M) Reserve for Uncollected Taxes	<u>2,113,750.00</u>	<u>2,112,219.00</u>
 9. Total General Appropriations	 <u>52,261,631.54</u>	 <u>52,260,100.54</u>

c) Adoption of 2013 Municipal Budget as listed on the
Consent Agenda Resolutions #2013 -123
(will be voted on with the consent agenda resolutions)

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

ORDINANCE #219-13
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER IV OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 4-18.1 "ADOPTION BY REFERENCE"

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:

4-18 – ADOPTION OF POLICE MANUAL

4-18.1 Adoption by Reference. Rules and regulations governing the operation of the Sayreville Police Department entitled "Sayreville Police Department – Police Manual" *are supplemented with the adoption of a new manual of "Rules and Regulations" which were penned in April 2013.*

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Four, Section 4-18.1**, of the Revised General Ordinances of the Borough of Sayreville, shall be added 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/ Daniel Buchanan, Councilman
(Public Safety Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Ordinance was explained by Police Chief Zebrowski.

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

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

• **NEW BUSINESS:**

a. Supplemental Debt Statement

Clerk reported having received the Supplemental Debt Statement filed as of May 13, 2013 from our C.F.O. Mr. Kronowski.

Council President Buchanan moved it be received and filed. Motion seconded by Councilwoman Novak.

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

b. Introduction of the following Ordinance(s):

ORDINANCE #220-13
**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT
OF THE FLOATING BOAT DOCKS AT BUCHANAN PARK IN, BY AND
FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on May 28, 2013. Motion Seconded by Councilman Henry.

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

• **CONSENT AGENDA/RESOLUTIONS**

At this time Mayor O'Brien opened the meeting to the Public on the Consent Agenda Resolutions.

There were no appearances.

Councilman Buchanan made a motion to close the public portion and adopt the Consent Agenda Resolutions. Motion was seconded by Councilwoman Novak.

Roll Call:

Councilman Buchanan voted Ayes to all except Nay on Resolution #2013-123.

Councilwoman Eicher, Ayes to all;
Councilman Henry votes Ayes to all except Nay on Resolution #2013-123;
Councilman McGill, Ayes to all; Councilman Melendez, Ayes to all;
Councilwoman Novak, Ayes to all.

Councilman Buchanan and Henry both commented that they wish to see the budget cut even further.

RESOLUTION #2013- 118

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/ Daniel Buchanan
Councilman

/s/ David McGill
Councilman

/s/ Lisa Eicher
Councilwoman

/s/ Ricci Melendez
Councilman

/s/ William J. Henry
Councilman

/s/ (Absent)
Mary J. Novak, Councilwoman

**Bill list of May 13, 2013, in the amount of \$13,765,529.64
(Bill List – See Appendix 2013-A for this date, in a separate Bill List
File for 2013).**

RESOLUTION #2013 - 119

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND
BOROUGH CLERK TO EXECUTE A CONSENT AND INDEMNITY
AGREEMENT AND EASEMENT AGREEMENT WITH CPV SHORE, LLC**

WHEREAS, the Governing Body of the Borough of Sayreville has been made aware of CPV Shore, LLC's intentions to build the Woodbridge Energy Center, a highly efficient 725 MW combined-cycle natural gas-fired power plant ; and

WHEREAS, the Governing Body of the Borough of Sayreville finds that the aforementioned natural gas-fired power plant will bring increased electric system reliability to Northern New Jersey and save rate payers millions of dollars through lower electricity costs; and

WHEREAS, the Woodbridge Energy Center will electrically connect into the PJM operated grid at JCP&L's 230kV Raritan River substation located on River Road in Sayreville, making an Easement Agreement and Consent and Indemnity Agreement between the parties imperative; and

WHEREAS, Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville agree that the building of the Woodbridge Energy Center will contribute to the general welfare of the residents of the Borough of Sayreville; and therefore,

BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the Consent and Indemnity Agreement and Easement Agreement with CPV Shore, LLC which will provide Shore CPV, LLC access to complete its project.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2013-120

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, EXTENDING THE LEASE AGREEMENT BETWEEN THE BOROUGH OF SAYREVILLE AND THE CIVIL AIR PATROL USAF AUXILIARY, CHAPTER #29103

WHEREAS, the Governing Body of the Borough of Sayreville by Ordinance No. 602-99 entered into an Agreement with the Civil Air Patrol USAF Auxiliary, Chapter #29103, to provide space for the Civil Air Patrol USAF Auxiliary, Chapter #29103; and

WHEREAS, this Lease Agreement is made for a public purpose, and satisfies the requirements of N.J.S.A. 40A:12-15, said public purpose being to promote the health, safety, morals and general welfare of the community; and

WHEREAS, this Lease Agreement has served the residents of the Borough of Sayreville and the surrounding communities by the excellence shown by the Civil Air Patrol USAF Auxiliary, Chapter #29103; and

BE IT AND IT IS HEREBY RESOLVED Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville wish to extend this Lease Agreement between the Borough of Sayreville and the Civil Air Patrol USAF Auxiliary, Chapter #29103 for an initial period of one (1) year with successive annual terms of one (1) year, not to exceed ten (10) years; and therefore, the Mayor and the Clerk of the Borough Clerk are directed to execute the attached Lease Agreement and such other documents as are necessary to accomplish the contemplated transaction.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2013-121

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BIDS RECEIVED FOR THE ANNUAL MAINTENANCE AND REPAIR OF BOROUGH ELEVATORS

WHEREAS, the Borough of Sayreville accepted Bid Proposals for the Annual Maintenance and Repair of Borough Elevators on April 30, 2013; and

WHEREAS, after all of the packages were reviewed it was found that the two (2) lowest bids contained numerous irregularities; and

WHEREAS, the two (2) lowest bids exceeded the funds available for said contract; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that all of the bids received for the Annual Maintenance and Repair of Borough Elevators are rejected, and the Borough Clerk is authorized to re-advertise for bids.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2013 - 122

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BIDS
RECEIVED FOR THE ANNUAL MAINTENANCE AND
REPAIR OF EMERGENCY GENERATORS**

WHEREAS, the Borough of Sayreville accepted Bid Proposals for the Annual Maintenance and Repair of Emergency Generators on May 7, 2013; and

WHEREAS, after all of the packages were reviewed it was found that the two (2) lowest bids contained numerous irregularities; and

WHEREAS, the two (2) lowest bids exceeded the original project estimate; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that all of the bids received for the Annual Maintenance and Repair of Emergency Generators are rejected, and the Borough Clerk is authorized to re-advertise for bids.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

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

BUDGET RESOLUTION 2013-123

(Adopting Budget)

BE IT RESOLVED by the Council of the Borough of Sayreville, County of Middlesex that the budget herein before set forth is hereby adopted as amended and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 26,397,000.97 for municipal purposes, and
- (b) \$ 0 for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0 to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 455,322.81 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

(e)\$1,566,940.57 Minimum Library Lev e (R.S. 40:54-8 et seq.)

RECORDED VOTE

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Eicher	Buchanan	None	None
McGill	Henry		
Melendez			
Novak			

SUMMARY OF REVENUES

GENERAL REVENUES

Surplus Anticipated	\$ 2,075,000.00
Miscellaneous Revenues Anticipated	\$ 20,821,159.00
Receipts from Delinquent Taxes	\$ 1,400,000.00

AMOUNT TO BE RAISED BY TAXATION
 FOR MUNICIPAL PURPOSES \$ 26,397,000.97

AMOUNT TO BE RAISED BY TAXATION
 MINIMUM LIBRARY LEVY \$ 1,566,940.57

TOTAL REVENUES \$ 52,260,100.54

SUMMARY OF APPROPRIATIONS

GENERAL APPROPRIATIONS

WITHIN "CAPS"	
(a&b) Operations Including Contingent	\$ 35,026,038.00
(e) Deferred Charges and Statutory Expenditures – Municipal	\$ 4,134,578.29

EXCLUDED FROM "CAPS"

(a) Operations – Total Operations Excluded From "CAPS"	\$ 5,183,569.00
(c) Capital Improvements	\$ 230,000.00
(d) Municipal Debt Service	\$ 4,773,696.25
(e) Deferred Charges – Municipal	\$ 800,000.00
(m) Reserve for Uncollected Taxes	\$ 2,112,219.00

SCHOOL APPROPRIATIONS – TYPE I SCHOOL
 DISTRICTS ONLY (N.J.S. 40A:4-13)

TOTAL APPROPRIATIONS \$ 52,260,100.54

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the governing body on this 13th day of May, 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

/s/ Mary J. Novak, Councilwoman
 (Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
 Municipal Clerk

/s/ Kennedy O'Brien
 Mayor

BOROUGH OF SAYREVILLE
2013 BUDGET AMENDMENT- RESOLUTION #2013-124

WHEREAS, the Local Municipal Budget for the year 2013 was approved on the 11TH day of March, 2013; and

WHEREAS, the Budget was Amended on April 22, 2013; and

WHEREAS, it is desired to **further amend** said approved Budget.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Sayreville, County of Middlesex that the attached amendments to the approved Budget of 2013 be made:

RECORDED VOTES

<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>	<u>Absent</u>
Buchanan	None	None	None
Eicher			
Henry			
McGill			
Melendez			
Novak			

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of Division of Local Government Services for the Certification of the 2013 Local Municipal Budget so amended.

/s/ Mary J. Novak, Councilwoman
 (Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
 Municipal Clerk

/s/ Kennedy O'Brien
 Mayor

BOROUGH OF SAYREVILLE
 2013 BUDGET AMENDMENT
 GENERAL REVENUES

	<u>FROM</u>	<u>TO</u>
1. Surplus Anticipated	<u>2,000,000.00</u>	
<u>\$2,075,000.00</u>		
Total Surplus Anticipated	2,000,000.00	
<u>\$2,075,000.00</u>		
5. Sub Total General Revenues (Item 1,2,3&4)	<u>24,221,159.00</u>	<u>24,296,159.00</u>
6. Amount to be raised by Taxes for Support of Municipal Budget		
a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	<u>26,473,531.97</u>	<u>26,397,000.97</u>
Total Amount to be raised by Taxes for Support of Municipal Budget	<u>28,040,472.54</u>	<u>27,963,941.54</u>
7. Total General Revenues	<u>52,261,631.54</u>	<u>52,260,100.54</u>

BOROUGH OF SAYREVILLE
 2013 BUDGET AMENDMENT
 GENERAL APPROPRIATIONS

	<u>FROM</u>	<u>TO</u>
(L) Subtotal General Appropriations {(H-1) and (O)}	<u>50,147,881.54</u>	<u>50,147,881.54</u>
(M) Reserve for Uncollected Taxes	<u>2,113,750.00</u>	<u>2,112,219.00</u>

9. Total General Appropriations 52,261,631.54 52,260,100.54

- **BUSINESS SESSION AGENDA**

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

- Move the following Minutes and or Reports be Received & Filed:

1) **(None)**

b) **Application for Special Permit for Social Affair** received from:

1) Sayreville PBA Local #98 to dispense beer at their annual Picnic to be held

on

August 18, 2013 at Burkes Park. (Application for Special Event also filed and is being processed)

- Approved

c) **Application to Extend Licensed Premises** received from the American Legion Post

211 to conduct a Picnic in the picnic area outside of the licensed premises on June 22,

2013 from 12 Noon-6:00 PM.

- Approved

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

i) Application from Sayreville War Memorial High School Touch Down Club to conduct an Off Premise 50/50 on Sept. 11, 2013 (RA:1808) and On

Premise 50/50's on Sept. 11; Oct. 2, 11, 18; Nov. 1, 2013 (RA:1809).

ii) Application from St. Stanislaus Kostka R.C. Church to conduct an Off Premise Raffle on June 22, 2013 (RA:1810)

iii) Application from St. Stan's Rosary Altar Society to conduct an Off Premise 50/50

on Sept. 1, 2013 (RA:1811).

- Approved.

e) Committee Reports:

1) Councilwoman Novak commented on the hard work, time and effort the finance committee and officials put into this years' budget, especially considering the impact that Hurricane Sandy had on every municipality.

- **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

Councilman McGill made a motion to have the following Minutes and or Reports be Received & Filed:

1) Board of Adjustment Minutes - March 27, 2013

Motion seconded by Councilman Henry.

b) Request to release performance Bonds covering Towne Lake, Orta Ct in the amount of

\$107,960.64.

- Referred to Borough Engineer

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

1) Notice to Adjacent Property Owner:

i) – On an application before the Planning Board on June 5, 2013 submitted by Patriot Hills Homeowners Association to remove & replace post and

rail fence

near and around detention basins.

- ii) – On an application before the Zoning Board on May 22, 2013 submitted by Thomas & Joyce DePascale for a bulk variance relief to install an accessory building on Block 201, Lot 27.01, 154 Standiford Avenue.
 - iii) - That the Old Bridge Planning Board will hold a public meeting for the purpose of updating their Land Use Element of their Master Plan and adopt the Master Plan on May 21, 2013.
 - iv) – Former Getty Service Station, 957 Rt. 9, Blk 440, Lot 5, notice of continuing work to investigation & remediate property.
- (i-iv) – Receive & File

- 2) Public Notification-
- i) Middlesex County Planning Board will hold a public hearing on the update of the Middlesex County Transportation Plan on May 14, 2013.
- (1 & 2) Receive & File

d) Request received from French & Parello on behalf of 800 Hartle Street, LLC for an

Administrative Waiver Letter for Bedrock Concrete Corporation's Site Plan, Block 60.07, Lot 6. Applicant is proposing to install a bridge to cross over the existing drainage ditch to access the property and NJDEP is requiring the governing body provide a letter that indicates that they are ok with the construction of the bridge on the referenced property.

- Referred to the Business Admin to respond on behalf of the Borough.
(Will seek the assistance from the Engineer)

e) Received the following **Planning Board Resolutions** which were **Memorialized on May 1, 2013:**

- Bedrock Concrete Corp, Block 60.07, Lot 6, Hartle Street Extension Preliminary & Major Site Plan Approval.
- Receive & File.

f) Committee Reports: 1. _____

- Mayor O'Brien called forward Dr. John Misiewicz, Planning Board Chairman and John Leoncovello the Planning Board Planner to give a presentation on the Master Plan.

Dr. Misiewicz gave an overview of what the Master Plan actually is. He explained the lengthily review process and the changes that were included in the final version.

He indicated the only exception was the inclusion of the COAH Plan.

Mr. Leoncovello further explained the types of changes that were made to the Master Plan and how they came about. He also gave examples as well as described the various elements contained in the plan.

Mayor asked the he provide copies to the Library and post it on the web site.

Councilman Melendez asked for an example of a Specialty Use.

Mr. Leoncovella gave examples such as Antique Retail, etc. He said that the Master Plan is a recommendation of uses in areas. The implementation of this document is the Zoning Ordinance. the Master Plan is under the control of the Planning Board and the Zoning Ordinance is under the Council's control so the next step is to set up the zoning regulations and standards that would be needed to implement this document. So there needs to be changes in the zoning ordinance.

Councilman McGill commented on the hard work and thought process that has gone into this Master Plan.

Dr. John Misiewicz reiterated that the next phase will be to go through it and re-do the zoning ordinance and to be sure that everything is done properly so that there will not be any litigation down the road. He thanked everyone involved in the process for the time and dedication.

Mayor asked that he extend the governing bodies sincere thanks and gratitude to the Planning Board members.

He then called for the next item on the agenda.

- **PUBLIC WORKS – Councilman Henry**

a) Minutes & Departmental Reports:

Move the following Minutes and or Reports be Received & Filed: **(none)**

b) Request received from the Recycling Coordinator to partner with Somerset County Cooperating Pricing System for the purchase of Leaf Bags. (resolution required).

- Approve, clerk to prepare a Resolution.

c) Request received from the Sayreville Emergency Squad & Morgan First Aid Squad's for the use of the borough's portable stage for their Annual EMS Day Celebration at the

Raritan Bay Waterfront Park on Sat. May 18, 2013 from 3PM – 9PM.

- Approved

d) Request for authorization for CME to prepare the specifications for one (1) Tandem Hook Lift Truck and upon approval of plans & specifications authorization for clerk to

advertise for the receipt of bids.

- Approved, clerk to prepare resolution.

e) Request for authorization to award contract for Goose Control to Goose Control Technology of Metuchen, NJ. (Three quotes attached & Resolution Required).

- Approved, clerk to prepare resolution.

Committee Reports:

1. Reported on the success of the Paper Shred Day.

2. Commented on the list of outdated items still running on the cable access channel and asked that it get corrected.

3. Expressed his thanks and gratitude to Sandy Triolo, Water & Sewer Dept. Head and wished him luck on his retirement at the end of November luck and gratitude also expressed to Mr. Blanda Municipal Prosecutor on his retirement in a few months.

4. Progress.

- **RECREATION – Councilwoman Eicher**

a) Minutes & Departmental Reports: **(none)**

b) Received letter of resignation from Linda Kanc as a Trustee on the Library Board, effective immediately.

- Receive & File

c) Request received from the Recreation Director to combine all fees associated with the Independence Day Celebration to ONE Registration Fee in the amount of \$300.00.

This would include all vendor fees, Special Event Permit, Fire Inspection & Health Inspection fees.

- Approved, clerk to prepare resolution.

d) **Applications received for Special Event Permits** from:

- i) First Presbyterian Church – Picnic to be held in church parking lot on May 25, 2013.
- ii) Truman School PTO – Free Movie night for families of Truman School at Kennedy Park on Friday, May 31, 2013 from 8:15-10:30PM (rain date June 14).
- iii) RJC Charities/Sayreville War Memorial HS Auto Club – Car Show/Fundraiser on High School Property on June 23, 2013 from 11:00AM-3PM on High School Property.
- iv) American Legion Lenape Post 211 – Post Picnic on their picnic grounds on June 22, 2013 from 12 noon – 6pm.
- v) Sayreville PBA Local #98 – Picnic to be held at Burke’s Park on Aug. 18, 2013 from 1:00PM-6:00PM.
- vi) Faith Fellowship Ministries – Annual Car/Bike & Truck Show on church property on Sept. 21, 2013.

(i-iv) Approved, clerk to prepare resolutions as necessary.

d) Committee Reports:

1. Thanks to Jerry Ust and the Parks Department on their help with the Fishing Derby.

2. Invited everyone this weekend to Denny’s Stadium in South River to participate in this years Relay for Life Event.

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

a) Minutes & Departmental Reports: (None)

b) Request for authorization to advertise for the receipt of bids for Sodium Hypochlorite (Water Dept. Chemical)

- Approved, clerk to prepare resolution.

c) Received letter of retirement from Santo Triolo ☺ as Municipal Department Head of the Water & Sewer Department.

d) Received Notice of Intent to prepare an Environmental Impact Statement for the proposed Connector Project from Northeast Connector notice to be constructed

on Transco property (O. Bridge). Comment period ends on May 27, 2013.
(Public Notification Only) -

Engineer reported that the closest one to Sayreville would be upgrading the compressor station in Old Bridge. There are no expansions, only interior modifications being made. It is recommended that it be referred to the Environmental Commission for their comments as well.

e) Committee Reports - Progress.

• **PUBLIC SAFETY – Council President Buchanan**

a) **Minutes & Departmental Reports:**

Councilman Buchanan made a motion to have the following Minutes be Received & Filed:

- 1) Board of Health Minutes of April 4, 2013.
Motion seconded by Councilman Henry.

b) Notice received regarding the resignation of Shaun Black as a member of the Sayreville Engine Co. No. 1, effective April 25, 2013.

- Receive & File

c) Letter received regarding the retirement of Robert A. Blanda as Municipal Prosecutor, effective July 1, 2013.

d) Request for Canister Drive received from the Knights of Columbus Council #2061, to solicit funds to benefit the BIC organization on May 25 & 26, 2013 from 10AM- 2PM.

(Rec'd Cty Approval)

- Approved.

e) Fire Department Request to Travel received from the President Park Fire Co., to attend the Avenel 100 year Anniversary Event being held on June 8, 2013 from 11am – 5pm.

- Approved.

f) Committee Reports:

1. Sayreville Police Department is holding their Memorial Day Event this Wednesday at Police Headquarters and invited everyone to attend.

2. Expressed concerns about the vacant homes and the growing grass which may put targets on these homes. He said they are working on something to help with that issue and hope to have something in place for next meeting

3. Asked that the DPW have the Memorial Day Parade route cleaned up accordingly and that any outstanding projects in front of borough hall is straightened out.

- **MAYOR – Kennedy O'Brien**

1) Mayor reported that this Thursday, Governor Chris Christie will be coming to Sayreville and will conduct a Town Hall meeting at St. Stanislaus Kostka Gym.

He said and it is recommended that you go to the web site and register if you are interested in attending and that you should arrive early.

2) Mayor called upon Police Chief John Zebrowski for a report on Background checks & report update on who is in compliance, who isn't and why.

- Police Chief reported that out of the 10 Rosters they have received 5. He reviewed who was not in compliance and what was still outstanding.

Mayor asked if everyone was in agreement that anyone who was not willing to come into compliance could not serve.

Councilman Buchanan and Councilwoman Eicher stated that the wording in the Ordinance is flawed and the organizations should not be penalized but the individual should.

Chief stated that he started working with these groups back in March and is looking for full compliance by fall. Don't want to see changes in the ordinance at this time as it may cause an even further delay.

Councilwoman Eicher wants to see just the penalty changed.

Councilman Buchanan said that the ordinance itself is a good ordinance just that the penalty does not address the people who are not in compliance but the organization and in turn hurts the kid, so it needs to be changed.

Chief said that would be up to the Council.

Councilwoman Novak requested that perhaps the Chief could report to the council when an organization is no longer cooperating. Because as it stands

right now the chief feels that we are heading in the right direction. She said that the council can change the penalties.

Councilman Henry asked who was in charge of this process and who does the background checks.

The Chief stated that the police department was in charge of assuring that the roosters are submitted so that they have compliance with the ordinance. He explained that the background checks are done by the individual organization. They then submit a rooster that is certifying that they have gone through the process and are in compliance. The roosters indicate/certify that the individuals on that rooster are in fact compliant to the ordinance.

Further discussion followed regarding which organization came under the recreation and which were chartered on their own.

Councilman Henry asked the Chief to explain the Lexis Nexis Program.

Police Chief explained that it would be better explained by Jerry Ust those covered under the Recreation Program and being handled by him.

- Mr. Ust explained the Lexis Nexis program being used by the Little League Organizations and by Central Jersey Pop Warner Organization. He said these are national organizations and they choose Lexis Nexus to do their background checks. He suggested back in 2010 that Lexis Nexis be the standard that we use in order to do the background checks. He explained this it is a cumbersome process, especially in order to get approval from them and because of this long process he made the offer that he would perform the background check under the Recreation Department because they have approval but only just for this season which would give them a few more months to get their Lexis Nexis Accounts in order. He anticipates being totally up to date by June 7th for these organizations and the organizations under the Recreation programs. He also discussed the costs of the background checks.

Mayor thanked everyone for their reports.

3) Mayor announced that anyone interested in being appointed to the vacancy of Linda Kanc on the Library Board to please fill out an application and submit to the Clerk.

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

1) Authorization to affirm the Borough of Sayreville's Civil Rights Policy, in accordance with the Central Jersey Joint Insurance Fund.

-Resolution.

2) Request received from T-Mobile for consent to update wireless equipment at the Pulaski Avenue Water Tank Site.

- Resolution.

3) Authorization to execute agreement with PSE&G for participation in their Direct Install program – Energy Efficiency Lighting Upgrade at the Public Safety Complex and the President Park Fire House.

- Resolution.

4) Authorization to renew the software services agreement with QED, effective June 1, 2013-May 14, 2014.

- Resolution.

5) Authorization to purchase police safety vests under State Contract #A81297 at a cost not to exceed \$ 71,508.15 and authorizing the Police Department apply for a grant from the US Department of Justice, Bureau of Justice Assistance.

- Resolution.

6) Authorization to appoint Andrew Landstrom, Fire Prevention Specialist, Permanent P/T, effective May 14, 2013, from a DOP Certification. (Replacing a previous employee.)

- Resolution.

7) Authorization to appoint Kevin Soto as Police Officer, effective in accordance with the Order as a result of action and decision of the Department of Personnel (DOP).

- Resolution.

8) Discussion on renovating the Old Water Treatment Plant to house displaced employees of the old plant located on MacArthur Avenue.
- Mayor asked that Councilman Melendez meet with the Business Admin. and discuss putting together a proposal for the renovations and placement.

9) Discussion on Road Improvement Projects.

-Business Admin. to meet with Councilman Henry and the Dept. of Public Works to put together a recommendation. The Mayor suggested that they follow the list.

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

1. Bill List Resolution

2. Public Hearing on Bond Ordinance for Boat Docks - May 28, 2013

- **ENGINEER -Jay Cornell**

1. Annual Maintenance and Repair of Borough Elevators – Receipt of Bids

- Resolution on Consent Agenda tonight.

2. Annual Maintenance and Repair of Emergency Generators – Receipt of Bids

- Resolution on Consent Agenda tonight.

3. Replacement of Floating Docks at Buchanan Waterfront Park – Receipt of Bids – Mayor asked if they were covered by insurance. Business Admin. stated that they were not covered. Mayor asked that he have our insurance people come out and inventory everything and advise us accordingly. Engineer said that he recommended that we have a resolution on at the next meeting awarding the bid.

4. Improvements to Glenwood Ave., Greenhill Ave., Modzelewski Terr. and Horseshoe Rd. – Receipt of Bids.

- Resolution on for next meeting.

- **BOROUGH ATTORNEY - Michael DuPont**

1. Authorization to execute an Access /Easement Agreement with ARC & HRDD.

- Resolution.

7. PUBLIC PORTION

- **PUBLIC PORTION**

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street

- Commented on the Master Plan
- Asked about Sr. Housing
- Water Shut Off Notices

Business Admin. explained that it takes five notices before the water is shut off. Mayor asked that Councilman Melendez review the process and see if there are any changes that needs to be made.

- Andrew Horezga, City of South Amboy

- Asked for Sayreville's help and if we could share our knowledge on the buy-out process.

- Bob Kominkiewicz, Ernston Road

- Asked about Solar Energy and if he would be taxed.

Mayor said that is a question for the Tax Assessor.

- Commented about the drains that would have to be put in at the Ernston Road Improvement Project.

Response by the Borough Engineer.

- Commented on the Borough Tax Increase.

- Pat Lembo, 12 Harrison Place.

- Questioned back-ground check prior to this ordinance.

Response by Jerry Ust.

- Bob Kominkiewicz, Ernston Road

- Questioned if the Bass Pro Shoppe pulled out from the NL project.

Planning Board Chairman Misiewicz responded that they did not.

- Frank Bella, 5 Keenan Street

- Questioned how much the dock replacement will cost and who's responsibility it was regarding their being insured or not.

Business Admin. responded that a Bond Ordinance was introduced in the amount of \$360,000.00.

- Steve Ratica, 118 Whitehead Avenue

- Complained about people speeding now that they opened up Whitehead Ave. to Towne Lake and requested stop signs to help slow them down.

Mayor asked that the chief look into the issue.

- Frank DeLucia, Charles St., Old Bridge section.

- Questioned if the borough would be repaving the roads in his area.

Engineer said that there was one street, William Street Improvement Project

- Dr. John Misiewicz, Planning Board Chairman

- Commented regarding the Governor putting a stop to Sr. Housing and what was in the plans back then.

- Commented on permits not being issued at the Boat Ramp and summonses not

being issued for those who do not have a permit.

Mayor asked that he speak with the Police Chief.

- Rev. Winston Robinson, 4 Lis Ct. Sayreville

- Commented that a background check should be completed on all involved in children organizations.
Councilman Buchanan stated that Mr. Robinson is a republican candidate.

- Jerry Ust, Director of Recreation
 - Stated he took offense to Rev. Winston implying that he is not doing his job. He said he worked diligently in getting the ordinance put together and get it started. He organized the meeting for all of the organizations to come in and tell them that they had to get background checks and how to start it.
 - Commented on the Boat Dock and the permit process.
- Dr. John Misiewicz, Planning Board Chairman
 - Dr. John stated that his comments were not meant toward him but that there is an ordinance in place and it is not being followed through with as it was originally intended to do. He also mentioned that other towns do not always have attendants on staff. But if you launch your boat and park your trailer without a permit you will have a ticket and or be towed.
- John Rucki, 17 Hendricks Ct.
 - Requested that this council bring back the Water & Sewer Report that was previously reported on by Ex-Co. Perrette.
 - Mayor said that everyone is welcome to come up during the public portion whether they are residents, visitors, Council Candidates or mayoral candidates. It is our right as Americans to come up and speak during the public portion. He apologized to Pat Lembo and Rev. Robinson for an outlandish statement and comments made.
 - Councilwoman Novak commented on people over simplifying the background check and the process.
 - Councilman Henry felt it appeared as a political thing when these two individuals got up and spoke on the background checks. Jerry Ust is doing a fine job.
 - Mayor followed-up about who comes to the mic and that when he (Co. Henry) was running for office and he was called upon to the mic as he has the right to, whether or not he liked the question or not. It was his right.

No further questions or comments. Councilwoman Novak made a motion to close the public portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

• **EXECUTIVE SESSION ITEMS** - None

• **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:08 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved