

Mayor O'Brien opened the Agenda Meeting at 8:24 PM followed by a salute to the flag.

❖ **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Session Meeting being held on Monday, May 22, 2017 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 is on file in her office.

• **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo,  
Melendez, Novak

Absent: None

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

Others Absent: Wayne A. Kronowski, C.F.O./Treasurer

• **OLD BUSINESS:**

**OLD BUSINESS:**

-If the following Ordinance(s) were introduced at Council meeting they will be listed for Public Hearing and Adoption on as previously announced.

**ORDINANCE NO. 363-17**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO SUPPLEMENT AND AMEND CHAPTER XXXV, ENTITLED "AFFORDABLE HOUSING ORDINANCE", TO IMPLEMENT THE BOROUGH OF SAYREVILLE HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

(Planning & Zoning – Public Hearing June 26, 2017)

**ORDINANCE NO. 364-17**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ADDING A NEW SECTION TO CHAPTER XXVI, SECTION 25-111, ENTITLED "DEVELOPMENT FEE ORDINANCE", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**

(Planning & Zoning – Public Hearing June 26, 2017)

**ORDINANCE NO. 365-17**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT AFFORDABLE ACCESSORY APARTMENT IN THE OFFICE/SERVICES OVERLAY ZONE**

(Planning & Zoning – Public Hearing June 26, 2017)

**ORDINANCE NO. 366-17**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT INCLUSIONARY MULTI-FAMILY DWELLING WITHIN THE PLANNED RESIDENTIAL DEVELOPMENT DISTRICT OPTION**

(Planning & Zoning – Public Hearing June 26, 2017)

**ORDINANCE #367-17**

**AN ORDINANCE APPROPRIATING \$190,000 FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR AND BY THE BOROUGH OF SAYREVILLE,**

**COUNTY OF MIDDLESEX, NEW JERSEY**

(Water Capital Improvement Fund)  
(Admin. & Finance Committee – Public Hearing June 12, 2017)

**ORDINANCE #368-17**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF  
VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH  
OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,000,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS  
OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing June 12, 2017)

**ORDINANCE #369-17**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO  
VARIOUS PARKS IN THE BOROUGH OF SAYREVILLE, NEW  
JERSEY, APPROPRIATING \$330,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$313,000 BONDS OR  
NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing June 12, 2017)

**ORDINANCE #370-17**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY  
AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,  
APPROPRIATING \$2,250,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$2,142,000 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing June 12, 2017)

**ORDINANCE #371-17**

**AN ORDINANCE APPROPRIATING \$49,350.00 FOR THE ACQUISITION OF  
VARIOUS EQUIPMENT FOR SAYREVILLE POP-WARNER FOOTBALL  
PROGRAM IN AND BY THE BOROUGH OF SAYREVILLE, COUNTY OF  
MIDDLESEX, NEW JERSEY.**

(Admin. & Finance Committee – Public Hearing June 12, 2017)

- **NEW BUSINESS:**

**COMMUNICATIONS & COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

**A) Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Sayreville Board of Education minutes of April 18, 2017.
- 2) Municipal Clerk's report for the month of April, 2017
- 3) Office on Aging Supervisor's report for the month of April, 2017
- 4) CFO's Investment Activity report for the month of April, 2017

- Motion was seconded by Councilman Buchanan.

**B) Applications received for **Bingo/Raffle Licenses** from the following Organizations:**

- 1) **St. Stanislaus Kostka Holy Name Society** to conduct Off Premise Raffles on school property on 19 various dates in 2017 (RA:2118)

- Approved

**C) Customer Notices** received from **Public Service** regarding electric and gas base adjustments pursuant to the energy strong program; and Notice of petition filed for approval of changes in its electric and gas societal benefits charge rates (copies in bulletin board).

- Receive & File

**D) Application for an **Extension of Licensed Premises** received from **Costa Verde Restaurant** to hold an event known as Portugal Day**

Outdoor Barbecue in their parking lot on June 17<sup>th</sup> from 11:30 AM – 2:00 AM.

**\*See updated letter from Police Chief**

**- Approved subject to Police Chief Approval**

**E) 2017/2018 LIQUOR LICENSE RENEWALS**

- 1219-33-001-003 Ikon at Route 35 Corp., t/a Ikon Lounge  
Pocket License w/conditions – **Boro Fee**
- 1219-33-002-007 429 Corporation/Bourbon St., Rt. 9 - **Boro Fee**  
**(Conditions)**
- 1219-44-003-007 Fancy Corner Caterers, 508 Raritan St. **App & Boro Fee**
- 1219-33-004-002 Bailey's Tavern/Buddies, 277 Johnson Lane **Boro Fee**
- 1219-33-006-008 Main St. Liquors, 881 Main St. – **App**
- 1219-33-007-005 Pat's Pub, 367 Washington Rd. – **App, Boro Fee & Tax Clearance**  
**(Conditions)**
- 1219-33-010-004 219 Washington Road/Big Shots, 2047 Rt. 35– **App & Boro Fee**  
**(Conditions)**
- 1219-33-012-007 The Ale House Tap & Pub, LLC Rt. 35 - **Boro Fee**  
**(Conditions)**
- 1219-33-013-007 Road House Bar & Grill, 1 Melrose Ave. – **App, Boro Fee & Tax Clearance**
- 1219-33-018-009 Marullo 2, LLC, Pocket License - **OK**
- 1219-33-019-009 Costa Verde Restaurant, Rt. 9 & 35 – **Boro Fee**
- 1219-33-020-004 Yanooc 2, Inc., t/a Cooney's at the Deerfield Inn - **App, Boro Fee**
- 1219-33-021-009 Gianna's Inc., Pocket License – **App, Boro Fee, Tax Clear, SRR**
- 1219-33-022-003 Stock Enterprise Inc/Colosseum (Pocket License) – **Tax Clearance**  
**(Conditions)**
- 1219-33-023-004 Teddy's Bar Inc., 378 So. Pine Ave. – **Boro Fee**
- 1219-33-024-006 Tappan Liquors, LLC, Express, - **App, Boro Fee, Tax Clearance**  
404 Washington Road
- 1219-33-025-009 Arlecchino, Inc. t/a Pulcinella Restaurant & Pizza - **Boro Fee**  
3067 Bordentown Ave.
- 1219-33-027-002 Peterpank Diner, 967 Rt. 9 – **App, Boro Fee, Tax Clearance**
- 1219-33-030-005 Bass Pro Outdoor World, LLC (Pocket) – **OK**
- 1219-33-031-005 Shiv Akshar, LLC (Pocket License) **App & Boro Fee**
- 1219-33-032-006 Black Betty's Saloon, 6290 Rt. 35 -**OK**
- 1219-33-033-007 Zinel & Nell, LLC, Covello Liquor & Bar, - **App, Boro Fee & Tax Clearance**  
1792 Rt. 35 & Tyler St. **(Conditions)**
- 1213-33-034-009 Camillo's Restaurant & Pizza, 31 MacArthur Ave – **App & Boro Fee**
- 1219-44-035-003 Mitthu, Inc., 467 So. Pine Ave– **Boro Fee**
- 1219-33-038-002 Rondesko Properties/Brick House Bar & Grill – **OK**
- 1219-33-039-003 Tap & Growler, LLC, 361-363 Main St. – **App & Boro Fee, Tax Clearance**
- 1219-33-040-005 I & K Shop 1, LLC, t/a TJ Bar & Liquor, 3109 Bordentown Avenue  
**Boro Fee**
- 1219-44-041-004 Bridge Liquors, LLC, 32 Washington Rd.-**OK**
- 1219-44-042-005 Kushal Corp/Express Liquors,  
499 Ernston Rd., - **App, Boro Fee**
- 1219-33-043-005 Snookers, LLC (Pocket License) – **OK**
- 1219-33-044-005 F & B Associates of NJ, LLC t/a Starland Ballroom, Jernee Mill Rd –  
**(Conditions) App & Boro Fee, Tax Clearance**
- 1219-33-045-006 PSP Pride Corp, t/a Last Call, 219 Washington Road, Sayreville –  
**(Conditions) Tax Clearance**
- 1219-33-046-005 Three P's, Inc., /O'Garrafao Rest & Cervejaria – **App & Boro Fee**  
**(Conditions)**
- 1219-44-047-007 PT Waterfront/Sayreville Plaza Wines & Liquors – **Boro Fee & Tax Clearance**
- 1219-33-048-005 Columbian Club, Inc. – **App, Boro Fee, Tax Clearance**
- 1219-33-051-004 K & K Beverage Inc./J O'Neill's Place **App, Boro Fee, Tax Clearance**
- 1219-33-052-005 Jahanvi Mehta – **App, Boro Fee, Tax Clearance**  
Inactive License - **Conditions**
- 1219-33-054-005 Bello's Sports Pub, 1 Roosevelt Blvd – **OK**
- 1219-33-055-003 Fidelity Funding Corp./Brass Monkey Pub, - **OK**  
4500 Bordentown Ave .
- 1219-33-056-007 Marullo 3, LLC, Pocket License - **OK**
- 1219-33-057-009 986 Rest. Corp./Arirang Hibachi Steakhouse & Sushi Bar – **OK**
- 1219-33-058-007 Pure Event Center, Inc. 1970 Rt. 9 **(Conditions) – App & Boro Fee**
- 1219-33-059-004 Sayreville Memorial Post 4699 VFW – **Boro Fee & Tax Clear**
- 1219-33-060-005 Fernandes 3, LLC, 1776 Rt. #35 – **App**
- 1219-44-061-005 Devta LLC/House of Liquors, 2909 Washington Rd. - **OK**

- 1219-31-063-001 American Legion Post 211, 240 MacArthur Ave. – Tax Clear  
1219-31-064-001 Columbus Club, Inc., 775 Washington Rd. – App & Boro Fee  
1219-31-065-001 VFW Old Bridge Memorial Post 7508, 17 Bordentown Ave.  
–Tax Clearance  
1219-31-066-001 Sayreville Memorial Post 4699 VFW Inc., Jernee Mill Rd. – Boro Fee & Tax  
Clearance

- Police Department Does Not Have Any Issues with Regards to these Renewals, only those with Transfers

**\*\*Licensees who do not receive the required Tax Clearance or Special Ruling by the next two meetings will not have a Resolution Renewing the license and may have a resolution denying the Renewal, pending on the circumstances  
ABC Requires a Resolution for each license**

- Approved/Resolutions

F) Committee Reports:

- 1) Next meeting we'll have a bond ordinance listed for introduction to start repairing streets.
- 2) She spoke about a "Do You Know a Hero" program which they come install a flag pole in a veteran's front yard and requested that Business Administrator Frankel find out if this could be done in Middlesex County and work with the Veterans Alliance.

- **PLANNING & ZONING – Councilman Lembo**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Construction Officials report, Zoning and Code Enforcement reports, all for the month of April, 2017.
- 2) Sayreville Planning Board minutes of May 3, 2017.

- Motion was seconded by Councilwoman Novak.

B) Received the following Notice from:

- 1) **T-Mobile Northeast, LLC** to appear before the Zoning Board on May 24, 2017 for a use variance, height variance and to amend site plan approval to upgrade an existing wireless telecommunication facility on property known as Block 254, Lot 1.03, Washington Rd.

- Receive & File

C) Committee Reports:

- 1) The labor attorney told us that there wasn't another list and he was mistaken but there was one available as of May 1, 2017 and could of called for that list. He suggested that we do the right thing and do that now. Borough Attorney stated he would like to talk to Mr. Clarke.
- 2) He stated regarding COAH that we would like to see some things changed. He requested to have a meeting.  
Mayor stated to schedule a workshop meeting next week.

- **PUBLIC SAFETY – Councilman Grillo**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Board of Health minutes of April 6, 2017.
- 2) Board of Health & County reports for the month of April, 2017

- Motion was seconded by Councilwoman Novak.

- B) Authorization to display President Park's new pumper truck at this year's Firemen's Convention in Wildwood on Sept. 14, 15 & 16. While on display equipment will be insured by Pierce and Fire Safety Services.

- Approved

C) Committee Reports:

- 1) The Board of Health held their rabies clinic on May 6<sup>th</sup>. They vaccinated 223 dogs and 45 cats. Great work on their part.

• **PUBLIC WORKS – Councilwoman Kilpatrick**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Public Works Supervisors' reports for Bldg. & Grounds, Parks, Recycling, Roads & Sanitation and Garage Services all for the month of April, 2017

- Motion was seconded by Councilman Buchanan.

- B) **Request for a Block Party** received from Charles Spano to be held on Aug. 5, 2017 (8/6/17 rain date) on Oxford Dr., between Florence and Albert Drive between 10AM-Midnight.

-Approved

C) Committee Reports:

- 1) The borough received a \$2,000 Sustainable Jersey Capacity Grant.
- 2) Through Sustainable at Sayreville.com Rebecca Garbowski created the "Rescue Record".
- 3) The Borough has been presented the Bronze Award for outstanding achievement in creating programs that provide and promote commuting options for employees.

• **RECREATION – Councilman Melendez**

A) **Minutes & Departmental Reports:**

**Move the following minutes or reports be received and filed:**

- 1) Recreation Advisory Board minutes of April 8, 2017.
- 2) Recreation Director's report for the month of April, 2017

- Motion was seconded by Councilwoman Novak.

- B) **Letter of Resignation** received from Jenn Barrerio from her appointment on the Recreation Advisory Board.

- Motion was seconded by Councilwoman Kilpatrick.

C) Committee Reports:

- 1) Reported on the fishing derby.
- 2) Graduated from Columbia University with his Masters of Science and Technology Management. One of his colleague and a student with him is in the Reserve and was called up about two months ago. The Army granted him a 72 hour leave and was able to fly home for graduation which was a wonderful thing and wanted to thank him.
- 3) Thanked his director Arthur Langer.

• **WATER & SEWER/ENVIRONMENTAL – Council President Buchanan**

A) **Minutes & Departmental Reports:**

**Move the following minutes or reports be received and filed:**

- 1) Water & Sewer Director's report for the month of April, 2017

- Motion was seconded by Councilman Melendez.

B) Committee Reports:

- 1) Told everyone to come out to the Memorial Day Parade.

• **MAYOR – Kennedy O'Brien**

He told Ed Strek and Rosetta Fisher to come up and talk about the parade

Ed Strek stated at 6am that they will go to four cemeteries, short breakfast at their post, service in front of their post, at 8am they will attend the Firemen's service, at 9am they will be marching to the top of the Veteran's Bridge, and finally 10am the parade. He suggested people get out and honor our veterans.

Rosetta Fisher stated to support your females because they also served and support the veterans.

The Mayor thanked all veterans for their service.

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

- **Admin. & Finance**

- 1) Notice received from Martha Hartle of her wishing to donate Block 450, Lot 9, Near Cheesequake Creek to the Borough of Sayreville.

- Refer to Open Space.

- **Planning & Zoning**

- **Public Safety**

- **Public Works**

- 1) Authorization to purchase one (1) Tandem Roll-Off Truck from Hunter Jersey Peterbuilt of Clarksburg, NJ through the National Joint Powers Alliance Cooperative Purchasing Program, in an amount not to exceed \$213,929.44.

- Approved/Resolution.

- 2) Authorization to purchase one (1) Tandem Axle Dump Truck from Hunter Jersey Peterbuilt of Clarksburg, NJ through the National Joint Powers Alliance Cooperative Purchasing Program, in an amount not to exceed \$198,416.00.

- Approved/Resolution.

- 3) Authorization to award Contract for HVAC and Boiler Equipment Maintenance, Repair and Replacement on an as needed basis for an annual amount not to exceed \$77,250.00 to Titan Mechanical Service, LLC of Trenton and to reject the bid submitted by Victor's Air Conditioning as it contained fatal flaws.

- Approved/Resolution.

- 4) Authorization to approve Change Order #1 for Mid Atlantic Waste System of New Castle, Delaware for Repairs to four (4) Heil Rear Loader Sanitation Trucks in an amount not to exceed \$3,588.80.

- Approved/Resolution.

- **Recreation**

- 1) Request received from St. Stanislaus Kostka Church for the use of two (2) Borough Golf Carts during their Annual Parish Carnival from June 20, 2017 – June 26, 2017.

- Approved

- **Water & Sewer**

- **Personnel / Confidential**

- 1) Executive Session – None

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

- **BOROUGH ENGINEER -Jay Cornell**

- 1) Public Safety Complex Cooling Tower Replacement – Receipt of Bids.

- Approved for Resolution if bids are in order next week.

- **BOROUGH ATTORNEY - Michael DuPont**

- 1) Request received from NJDEP requesting property they acquired to be released of certain Covenants Running with the Land. Block 1, Lot 39, 40 & 41.  
- No objection received from the Borough Eng. And Tax Assessor.

- Approved/Resolution.

- **EXECUTIVE SESSION – None**

- **PUBLIC PORTION**

- Heather Pawski, 71 Zaleski Drive

She stated at the last meeting she had brought up what was a potential violation of our code of ethics. She read emails into record sent to Mr. DuPont. She stated that they reached out to Civil Service and they stated the old list was retired as of 3/30 and the new list is active as of 3/31.

Borough Attorney DuPont stated that the labor counsel was present at that meeting and he instructed the council to vote on the existing list and that the motion was to fill vacancies and not to hire.

- Mina Kolt, Matawan, NJ

He questioned whether the council voted to hire family members.

Mr. DuPont responded they didn't.

Mayor stated the vote was to select candidates.

Council President Buchanan stated that they had to determine how many vacancies there were.

- David Pawski, 71 Zaleski Drive

He stated that at the May 1, 2017 meeting the Mayor tried to make a motion to turn in the old list and the labor lawyer said no you can't. He then stated he sent an email to civil service questioning when the old list was no longer active and when the new list was. The response he got was that the old list expired 3/30/17 and new list became active on 3/31/17.

Mayor asked if there was a motion to return the old list and get the current list.

Councilman Lembo made the motion to return the current list and get the new list. Seconded by Councilman Grillo.

Roll Call: Ayes: Lembo, Grillo

Nays: Buchanan with comment that he believes we should speak with labor counsel as there may be a potential litigation issues, Kilpatrick with comment about concerns of litigation, Melendez, Novak

- Arthur Rittenhouse, 33 Delikat Lane  
Concerned about conflict of interest.

He stated that last year Councilmen Buchanan and Melendez campaigned on the chromium in the water and Councilwoman Novak stated it should all be gone and she proposed a 22 million dollar proposal.

Councilman Novak stated she did not say that and she proposed to do something and checking into it.

Questioned if Bob Smith, Water and Sewer Director passed his test.

Business Administrator Frankel responded no and takes the test each quarter.

- Ed Strek, 58 Nickel Avenue

He questioned when the Water & Sewer Director was hired was it part of his qualifications to have that license.

Business Administrator Frankel responded when they interviewed there was a committee of three which was composed of the Engineer, CFO and himself. There were many candidates that were interviewed. He stated they were having a problem in the Water Department and needed more of a manager who was skilled in water treatment, water and sewer. He stated that they thought Bob Smith was the best candidate. He stated that money is being withheld from his salary since he doesn't have the T4 license.

Mr. Strek questioned if the Water & Sewer Director is using an unmarked Borough vehicle to go back and forth to work.

Business Administrator Frankel responded that Mr. Smith was originally getting a stipend for traveling and we are now letting him use a Borough vehicle and removed the stipend.

- Rosetta Fisher, 24 Byrnes Lane East

She questioned the Mayor and Borough Attorney what constitutes a conflict of interest.

Borough Attorney DuPont responded that a conflict of interest is when you are benefiting a family member.

- Fred Block, 25 Calliope Road

He stated he doesn't know why such a rush to use this list. He questioned if the family members were on the current and new list.

Mayor stated we do not know who is on the new list. He stated part of the concern is that we are excluding veterans. He also stated that there are family members on the current list.

Councilman Buchanan questioned if we had any police officers working overtime on the roadwork jobs this past week.

Business Administrator Frankel responded that all the shift work was done through overtime on Friday.

Councilman Buchanan stated we are short on police officers.

- Ruth Ann Mahoney, 2 Gerard Place

She stated Camelot at Towne Lake is not full so couldn't we use some of that for affordable housing.

Borough Engineer Cornell responded that it wouldn't be a requirement but that a request could be named.

Mayor stated we will make that request.

Councilwoman Novak moved the public portion be closed. Seconded by Council President Buchanan.

- **ADJOURNMENT**

No further business.

Mayor O'Brien called for a motion to adjourn.

Council President Buchanan made a motion to adjourn. Motion seconded by Councilman Grillo.

Roll Call: Voice Vote, all Ayes.

Time: 9:15 P.M.

**SIGNED:**

---

Theresa A. Farbaniec, RMC  
Municipal Clerk

---

Date Approved