Mayor Kennedy O'Brien opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag.

STATEMENT OF NOTICE OF PUBLICATION

Municipal Clerk Farbaniec announced that this June 22, 2015 Council Meeting 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, Kilpatrick, McGill,

Melendez, Novak, Rittenhouse

Absent:

Others Present: Kennedy O'Brien, Mayor

Daniel E. Frankel, Business Administrator Wayne A. Kronowski, C.F.O./Treasurer Theresa A. Farbaniec, Municipal Clerk Jay Cornell, P.E., Borough Engineer Michael DuPont, Esq., Borough Attorney

Others Absent: None

APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL:

Councilman McGill moved the following minutes of the Mayor and Council be approved on Roll Call Vote, subject to correction if necessary:

May 11, 2015 Regular & Agenda Sessions

๖ May 19, 2015 Receipt of Bids

(Modifications to the Former Bordentown Ave. Water Treatment Plant Bldg)

May 26, 2015 Regular, Agenda & Executive Sessions

≥ June 4, 2015 Receipt of Bids

(2014 Roadway Paving & Reconstruction Project-Phase I) Regular & Agenda Session > June 8, 2015

> June 11, 2015 Receipt of Bids (Gasoline & Diesel Fuel)

Motion was seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, Rittenhouse, all Ayes. Carried.

PRESENTATION:

- CERTIFICATE OF ACHIEVEMENT being presented to the Sayreville War Memorial High School Softball Team for their win in the 2015 Greater Middlesex County Championship and placing as runner-up in the State Division.

Congratulations to the following Team Members: Captain $\,$ Erin Fitzsimmon , Captain Brianna Parisio, Ryane Brush, Emily Cabrera, Haleigh Croddick, Kelly Duffy, Emma Herrick, MaryKate Kersting, Christina Misiur, Jordan Raccuia, Kayla Stvan, Stephanie Tuquero, Lianne Villano and Rebecca Wehrle. Coaches for the team are Head Coach Christa DeLucia, Amanda Olender, Janet Cook and Lynn Lawson. The Mayor and Council of the Borough of Sayreville recognizes and acknowledges this fine achievement on behalf of the community this 22^{nd} day of June, 2015.

OLD BUSINESS

a) Public Hearing on the following Ordinance(s):

The Clerk Read the heading for Ordinance #292-15 for Public Hearing and the Mayor opened the meeting to the public for questions or comments on **Ordinance** #292-15.

There were no appearances

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

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, Rittenhouse, all Ayes. Carried.

ORDINANCE #292-15

BOND ORDINANCE PROVIDING FOR DRAINAGE IMPROVEMENTS TO LEE AVENUE IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$800,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$40,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$800,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$760,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are various drainage improvements to Lee Avenue, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

- (b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$760,000.
- (c) The estimated cost of said purposes is \$800,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$40,000 down payment for said purposes.
- Section 4. The following additional matters are hereby determined, declared, recited and stated:
- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.
- (b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 20 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$760,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds

so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$760,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

APPROVED AS TO FORM:

/s/ Michael DuPont, Borough Attorney

The Clerk Read the heading for Ordinance #293-15 for Public Hearing and the Mayor opened the meeting to the public for questions or comments on **Ordinance** #293-15.

Those appearing were:

- Rene Tischler, 20 Hampton Way Questioned the difference between Ordinance #290-15 adopted at the last meeting and this Ordinance.
- Explained by Mr. Kronowski.

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

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, Rittenhouse, all Ayes. Carried.

ORDINANCE #293-15 AN ORDINANCE APPROPRIATING \$135,000.00 FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR AND BY THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, NEW JERSEY

(Co Novak Admin & Finance

BE IT ORDAINED by the Mayor and Council, Borough of Sayreville, County of Middlesex as follows:

Section 1. An appropriation of \$135,000.00 is hereby authorized from the Capital Improvement Fund of the Water Capital Fund to purchase a SUV Truck, Tow Behind Valve Operating and Vacuum Kit, a Portable Vacuum Kit, and a Leak Detection Correlator by and for the Water Utility of the Borough of Sayreville.

Section 2. This ordinance shall take effect after first publication thereof and final adoption in accordance with law.

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

ATTEST:

APPROVED:

<u>/s/ Theresa A. Farbaniec, RMC</u> Municipal Clerk /s/ Kennedy O'Brien

Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Borough Attorney

NEW BUSINESS:

a. Municipal Clerk Farbaniec reported on having received the Supplemental Debt Statement from Wayne A. Kronowski, CFO as of June 22, 2015.

Councilwoman Novak moved the supplemental Debt Statement be received and filed. Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. Carried.

b. Municipal Clerk Farbaniec read the following $\underline{\text{Ordinances}}$ into record for $\underline{\text{Introduction}}$:

ORDINANCE #294-15

AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION",
SUBSECTION 2-31, "SHADE TREE COMMISSION"
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO ADD SECTION 6A "PERMIT
PROCEDURE" AND 6B "RESPONSIBILITY TO MAINTAIN"
(Co. Kilpatrick, Public Works Committee – Public Hearing July 13, 2015)

Councilwoman Kilpatrick moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on July 13, 2015. Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, Rittenhouse, all Ayes.

ORDINANCE #295-15

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS
TO THE INTERSECTION OF MAIN STREET AND WHITE OAKS DRIVE IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$285,000 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 July 13, 2015. Motion seconded by Councilman McGill

Councilman Rittenhouse stated that these improvements are for an area by White Oaks Drive on Main Street and that the County just completed improvements to the handicapped cutouts along that area and if this was going to be a duplication in work efforts that the borough will be paying a portion of.

- The Borough Engineer responded that they probably will because the improvements are for a traffic signal which include road widening, new curbing and sidewalks.

Councilman Rittenhouse stated that he would be **voting no** on this ordinance because he felt it was a waste of money.

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, all Ayes; Councilman Rittenhouse Nav.

CONSENT AGENDA/RESOLUTIONS

Mayor O'Brien opened the meeting to the public for questions or comments on the consent agenda items.

There were no appearance.

Council President Dave McGill made a motion to close the public portion and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Councilman Rittenhouse requested that the two resolutions for the purchase of two vehicles be pulled until such time as we could have the Director of Public Works present at a meeting to explain the need for the purchases. Councilwoman Novak said that the vehicles and equipment purchases were discussed in detail at the budget meetings and that we already bonded for these items.

Mayor asked if there would be a problem in having the Public Works Director attend the next meeting to explain these purchases. He then asked Councilman Rittenhouse if he was referring to Resolutions #2015-155 and 156.

Mr. Frankel indicated that the borough is receiving a Clean Communities Grant in the amount of \$19,700.00 for the purchase of the Mason Dump mentioned in Resolution #2015-156 and that this vehicle will be replacing a 1989 model which is out of service. Mr. Kronowski explained that the resolution contains information on who we are purchasing from and the amount. The Certification of Funds indicates that the funds are available and where they are coming from. Furthermore the Ordinance explains the receipt of any grants.

 $Councilman\ Rittenhouse\ then\ questioned\ Resolution\ \#2015\text{-}157\ the\ improvements}$ to the Intersection of Main Street and Pulaski Avenue and new handicapped curb cutouts were just installed. Concerned about the duplication of work and money.

The Borough Engineer explained that there is no cost to the borough involved with this project.

Roll Call on Consent Agenda Resolutions:

Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, All Ayes. Councilman Rittenhouse voted Ayes to all except Resolution #2015-157 which he voted Nay.

RESOLUTION #2015-152

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.

<u>/s/ Kennedy O'Brien</u> Kennedy O'Brien, Mayor

/s/ Daniel Buchanan
Councilman Daniel Buchanan
/s/ Ricci Melendez
Councilman Ricci Melendez
/s/ Victoria Kilpatrick
/s/ Mary J. Novak
Councilwoman Victoria Kilpatrick
Councilwoman Mary J. Novak
/s/ David McGill
/s/ Arthur Rittenhouse
Councilman David McGill
Councilman Arthur Rittenhouse

Bill list of June 22, 2015 in the amount of <u>\$3,073,278.43</u> in a separate Bill List File for 2015 (See Appendix Bill List 2015-A for this date).

RESOLUTION #2015-153

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

APPLICANT
Skanska USA Building.
518 E. Township Line Rd
Blue Bell, PA 19422

#OF TRAILERS
One – Temp. Field Office 250 Cheesequake Rd.

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate one (1) temporary trailers for office use.

/s/ Daniel Buchanan, Councilman (Planning & Zoning Committee)

ATTEST: BOROUGH OF SAYREVILLE Formatted: Font: Cambria, 12 pt, Bold

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/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk is hereby

authorized and directed to advertise for the receipt of bids for the Demolition of 124 Buchanan Avenue Project Contract #2015-2.

/s/ Daniel Buchanan

Councilman (Planning & Zoning Committee)

ATTEST: BOROUGH OF SAYREVILLE

<u>/s/ Theresa A. Farbaniec</u> <u>/s/ Kennedy O'Brien</u>
Theresa A. Farbaniec, RMC Kennedy O'Brien

Municipal Clerk Mayor

ATTEST:

RESOLUTION #2015-155

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #T2100/88727, One (1) 2015 Ford F-250 Utility Body Truck for the Borough of Sayreville, Department of Public Works Department, from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962, at a total cost not to exceed \$37,188.50.

/s/ Victoria Kilpatrick, Councilwoman (Public Works Committee)

BOROUGH OF SAYREVILLE

(Public Works Committ

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2015-156

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #T2100/88727, One (1) 2015 Ford F-450 Mason Dump Body Truck for the Borough of Sayreville, Department of Public Works Department, from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962, at a total cost not to exceed \$40,565.00.

/s/ Victoria Kilpatrick, Councilwoman

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(Public Works Committee

ATTEST: BOROUGH OF SAYREVILLE Formatted: Font: Cambria, 12 pt, Bold

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor
Municipal Clerk

RESOLUTION #2015-157

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized and directed to execute an Easement Agreement between the Borough of Sayreville and the County of Middlesex for the Improvements to the Intersection of Main Street and Pulaski Avenue for traffic signals and sidewalk improvements.

/s/ Victoria Kilpatrick, Councilwoman
(Public Works Committee)

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/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

WHEREAS, on June 18, 2013 the Borough of Sayreville awarded a contract for "Water Department Chemicals – Sodium Hypochlorite" to Miracle Chemical Company, 1151 B Highway #33, Farmingdale, NJ 07727; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for a one (1) additional and final year term at no additional increase in price contained therein: and

WHEREAS, Miracle Chemical Company, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for "Water Department Chemicals – Sodium Hypochlorite" is hereby renewed for one additional year period at no additional increase in price.

/s/ Arthur Rittenhouse, Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2015-159

WHEREAS, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear in Closeout Contract Change Order No. 2:

• Project: Improvements to Ernston Road

• Contractor: Lucas Brothers, Inc.

80 Amboy Road Morganville, NJ 07751

• Net Decrease: \$100,776.11

• Reason: Adjustment of original contract to reflect

actual quantities installed and work

performed.

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

- 1. That the recommendation and approval of said Borough Engineer referred to above and in said Closeout Change Order be and the same is hereby accepted and approved:
- 2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Victoria Kilpatrick, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2015-160 ACCEPTING FINAL WORK AND AUTHORIZING FINAL PAYMENT UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

• Project: Improvements to Ernston Road

• Contractor: Lucas Brothers, Inc.

80 Amboy Road

Morganville, NJ 07751

• Balance Due \$11,047.04

WHEREAS, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

WHEREAS, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

WHEREAS, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

- 1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.
- 2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.
- 3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.
- 4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$82,852.80 and the approval of same as to form and sufficiency by the Borough Attorney.

	/s/ Victoria Kilpatrick, Councilwoman (Public Works Committee)
ATTEST:	BOROUGH OF SAYREVILLE
's/ Theresa A. Farbaniec, RMC Municipal Clerk	<u>/s/ Kennedy O'Brien</u> Mayor

WHEREAS, on June 4, 2015 the Mayor and Council of the Borough of Sayreville received bids for the "2014 Roadway Paving & Reconstruction Project – Phase I"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 22^{nd} day of June, 2015:

- 1. Contract for the "2014 Roadway Paving & Reconstruction Project Phase I" be awarded to Lancha Construction Corp., South River, NJ 088820 on their bid price of \$1,023,080.93 as appears on copy of bid document attached hereto and made a part hereof.
- $2. \ \, \text{This resolution shall take effect immediately, upon execution of the proper documents}.$

/s/ Victoria Kilpatrick, Councilwoman (Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien Mayor

RESOLUTION #2015-162

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Lee Avenue Drainage Improvements Project and that he be paid for said services at a fee not to exceed \$48.500.00.

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

/s/ Victoria Kilpatrick, Councilwoman

(Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2015 -163

Approval to submit a Grant Application and execute a Grant Agreement with the New Jersey Department of Transportation for the Andrejewski Drive Road Improvement Project

WHEREAS, the Borough Engineer has recommended the submission of an application for a grant related to a project within the Borough of Sayreville which would fall into the category of projects covered by the Local Aid Infrastructure Fund (LAIF); and

WHEREAS, the Borough Council believes that it is in the best interests of its residents to submit applications for possible grant funds from the New Jersey Department of Transportation for projects recommended by the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Council are hereby authorized to submit an electronic grant application identified as LAIF-2015-ANDREJEWSKI DRIVE

MINUTES - COUNCIL SESSION 6/22/15

Improvements - 00008 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

/s/ Victoria Kilpatrick, Councilwoman (Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk /s/ Kennedy O'Brien, Mayor

RESOLUTION 2015-164

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ACCEPTING AND APPROVING THE FINAL PLANS AND SPECIFICATIONS OF THE MAIN STREET & WHITE OAKS DRIVE INTERSECTION IMPROVEMENTS (GIS SAY016)

WHEREAS, the County of Middlesex, a municipal corporation of the State of New Jersey (hereinafter "County") and the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") executed an Agreement on July 17, 2003 for the completion of the Main Street & White Oaks Drive Intersection Improvements; and

WHEREAS, it is the parties intention that the County of Middlesex will bid, award and construct the improvements; and

WHEREAS, the Borough has agreed that it will bear thirty-three (33%) of the construction cost: and

WHEREAS, the County has provided the Borough will the final plans and specifications for the project; and

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Sayreville has approved and accepted the final plans and specifications for the project and is authorizing the release of \$272,953.33 which represents the Borough of Sayreville's thirty-three (33%) contribution to the project.

/s/ Victoria Kilpatrick, Councilwoman (Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-165

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

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NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000, which item is now available as a revenue from the New Jersey State Forestry Services.

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$5,000 is hereby appropriated under the caption of:

"NJ Forestry Services - Community Wildlife Protection"

: and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak, Councilwoman

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-166

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$1,000, which item is now available as a revenue from the Middlesex County Cultural and Heritage Commission.

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$1,000 is hereby appropriated under the caption of:

"Middlesex County Cultural and Heritage Commission"

; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

<u>/s/ Mary J. Novak, Councilwoman</u>

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

/s/ Kennedy O'Brien, Mayor

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$500.00, which item is now available as a revenue from the International Association of Arson Investigators; and

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$500.00 is hereby appropriated under the caption of:

"Arson Investigators Training Grant"

; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

<u>/s/ Mary J. Novak, Councilwoman</u>

ATTEST:

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

BOROUGH OF SAYREVILLE

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-168

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$4,000.00, which item is now available as a revenue from the New Jersey Division of Traffic Safety Program - Click It or Ticket; and

BE IT FURTHER RESOVED that the like sum of \$4,000.00 is hereby appropriated under the caption of:

"Click It or Ticket Grant"

; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk /s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-169

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

 $\label{eq:WHEREAS} \textbf{WHEREAS}, said\ \text{Director}\ \text{may}\ \text{also}\ \text{approve}\ \text{the}\ \text{insertion}\ \text{of}\ \text{an}\ \text{item}\ \text{of}\ \text{appropriation}$ of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which item is now available as a revenue from the New Jersey Division of Traffic Safety Program – Distracted Driving Crackdown; and

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$5,000.00 is hereby appropriated under the caption of:

"Distracted Driving Grant"

; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor
Municipal Clerk

RESOLUTION #2015 - 170

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE BOROUGH ATTORNEY TO FILE A DECLARATORY JUDGMENT ACTION TO HAVE THE BOROUGH OF SAYREVILLE'S AFFORDABLE HOUSING PLAN DECLARED CONSTITUTIONALLY COMPLIANT

WHEREAS, in its recent decision *In the Matter of the Adoption of N.J.A.C. 5:96 and* 5:97 by the New Jersey Council on Affordable Housing, the New Jersey Supreme Court held that the Council on Affordable Housing ("COA") had failed to comply with its

obligation to adopt updated regulations (the "Third Round Rules") for the present period of municipal housing obligations pursuant to the authority granted to COAH under the Fair Housing Act ("FHA"), N.J.S.A.52:27D-301-329; and

WHEREAS, as the result of COAH's failure to adopt Third Round Rules, the New Jersey Supreme Court has ordered that the Courts may resume their role as the forum of first resort for evaluating municipal compliance with Mount Laurel affordable housing obligations: and

WHEREAS, the Supreme Court has established a process by which municipalities can have their housing plans reviewed by the courts for constitutional compliance; and

WHEREAS, the Supreme Court has identified two classes of towns that had sought to make use of the administrative remedies offered through the FHA before earlier versions of the Third Round Rules had been invalidated; (1) towns that had obtained substantive $\,$ certification from COAH; and (2) towns that were "participating" in the COAH Process in connection with the Third Round Rules; and

WHEREAS, Sayreville is among the class of towns that was "participating" with COAH regarding its Affordable Housing Plan for the proposed Third Round Rules; and

WHEREAS, although Sayreville did not obtain substantive certification from COAH, the Borough adopted and submitted its Master Plan Housing Plan Element and Fair Share Plan Amendment to COAH for approval; and

WHEREAS, the Fair Share Housing Center ("Fair Share") filed an objection to the Borough's Housing Plan; and

WHEREAS, through mediation, Fair Share and the Borough reached an agreement regarding the Borough's Housing Plan; and the Borough has adopted ordinances in furtherance of its Housing Plan and Agreement with Fair Share; and

WHEREAS, the Supreme Court stated in its decision regarding "participating" towns, that it would expect a reviewing court to look more favorably upon those participating towns that devised a housing plan element and took action toward adopting ordinances in furtherance of its plan, in contrast with participating towns that merely submitted a resolution of participation with COAH regarding the Third Round Rules; and

WHEREAS, the process adopted by the Supreme Court allows "participating" towns to file a declaratory judgment action within the thirty (30) day period following the 90 day stay of the Supreme Court's order to obtain constitutional compliance and immunity from a builder's remedy lawsuit. If a municipality chooses to not file such an action during the required period, than an action solely focused on whether the municipality's housing plan meets its Mount Laurel obligations may thereafter be brought by any party against the municipality; and

WHEREAS, it is the recommendation of the Borough Attorney and the Borough's Affordable Housing Planner that the Borough take affirmative steps to file the declaratory judgment action during the 30 period to seek a determination that the Borough's housing plan is constitutionally complaint;

NOW, THEREFORE BE IT RESOLVED, that the Borough Attorney is authorized to prepare and file a declaratory judgment lawsuit; with the assistance of the Borough's Affordable Housing Planner; seeking to have the Borough's Affordable Housing Plan declared constitutionally compliant.

> /s/ Daniel Buchanan, Councilman (Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

/s/ Kennedy O'Brien, Mayor

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A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF SAYREVILLE TO UNDERTAKE AN AMENDED PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BOROUGH TAX MAP BLOCK 56, LOT 2.01 MEETS ONE OR MORE OF THE CRITERIA UNDER SECTION 5 OF THE LOCAL REDEVELOPMENT AND HOUSING LAW FOR INCLUSION IN THE PREVIOUSLY DESIGNATED AREA IN NEED OF REDEVELOPMENT KNOWN AS BLOCK 56, LOTS 1.01 AND 2.02; BLOCK 57.02, LOT 1; BLOCK 57.04, LOT 1; BLOCK 57.05, LOT 1; BLOCK 58, LOTS 6 AND 7, COMMONLY KNOWN AS THE SAYREVILLE LANDFILL #3 PROPERTY

WHEREAS, by Resolution #2010-70, the Mayor and Borough Council authorized the Planning Board of the Borough of Sayreville to, among other things, undertake a preliminary investigation to determine whether certain properties commonly known as the Sayreville Landfill and the former Melrose Sewage Treatment Plant, identified on the tax map of the Borough of Sayreville as Block 56, Lots 1.01 and 2.02; Block 57.02, Lot 1, Block 57.04, Lot 1; Block 57.05, Lot 1; Block 58, Lots 6 and 7 (collectively known as the "Sayreville Landfill #3 Property"); and Block 283, Lot 3 (the "Melrose Property"), constitute areas in need of redevelopment pursuant to the criteria established in Section 5 of the LRHL; and

WHEREAS, the Planning Board did (i) provide appropriate public notice of the conduct of their preliminary investigation of the Sayreville Landfill #3 Property and the Melrose Property (ii) conduct a public hearing its preliminary investigation of the Sayreville Landfill #3 Property and the Melrose Property in accordance with the provisions of the LHRL, and (iii) recommend to the Mayor and Borough Council the designation of the Sayreville Landfill #3 Property and the Melrose Property as "areas in need of redevelopment"; and

WHEREAS, Middlesex Energy Center, LLC ("MEC") has been designated as the redeveloper of the Sayreville Landfill #3 Property; and

WHEREAS, MEC has requested an amendment to the designated area and redevelopment plan for the Sayreville Landfill #3 Property to include Borough Tax Map Block 56, Lot 2.01; and

WHEREAS, the Sayreville Economic Redevelopment Agency ("SERA"), by Resolution adopted on April 23, 2015, has recommended, among other things, that the Mayor and Borough Council take appropriate action to amend the designation of the Sayreville Landfill #3 Property to include Borough Tax Map Block 56, Lot 2.01.

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

2015-171

- 1. That the Sayreville Borough Planning Board is hereby authorized and directed to undertake an amended preliminary investigation to determine whether Block 56, Lot 2.01 meets one or more criteria under Section 5 of the LRHL as an "area in need of redevelopment" so that said land may be included in the area heretofore designated as an "area in need of redevelopment" and commonly known as the Sayreville Landfill #3 Property; and
- 2. That the Sayreville Borough Planning Board conduct such investigation and provide public notice and a public hearing thereon in accordance with Section 6 of the LRHL; and
- 3. That upon the conclusion of such investigation, notice and public hearing, the Sayreville Planning Board make its recommendation as to whether the Mayor and Borough Council should amend the designation of the Sayreville Landfill #3 Property to include Borough Tax Map Block 56, Lot 2.01.

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/s/ Daniel Buchanan, Councilman

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

ATTEST:

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-172

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE: Nicole L. Waranowicz

POSITION: Keyboarding Clerk I

(Clerk Typist)

DEPARTMENT: Municipal Clerk's Office

EFFECTIVE: July 8, 2015

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 Civil Service Commission.

/s/ Mary J. Novak, Councilwoman

(Admin. & Finance Committee

ATTEST: BOROUGH OF SAYREVILLE

<u>/s/ Theresa A. Farbaniec, RMC</u> Municipal Clerk /s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-173

BOROUGH OF SAYREVILLE RESOLUTION TO RENEW P.R.C.L. # 1219-33-002-008, ROUTE 9 ASSOCIATES, LLC, t/a BOURBON STREET WITH CONDITIONS FOR THE 2015-2016 LICENSE YEAR

WHEREAS, Route 9 Associates, LLC t/a Bourbon Street is the holder of plenary retail consumption license number 1219-33-002-008 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 927 Route #9, South Amboy, NJ 08879 (the "Licensed Premises") for license year 2015-2016; and

 $\label{eq:WHEREAS} \textbf{WHEREAS}, \text{ said applicant has complied with the necessary requirements including payment of fees, etc.}$

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-002-008, Route 9 Associates, LLC t/a Bourbon Street, is hereby renewed for the 2015-2016 license year, subject to the following conditions remaining on the license:

1. Licensee shall require all security staff, except for undercover security staff employed by Licensee, to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block letters stating "SECURITY". This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the

parking lot to further assist police in identifying security personnel when patrolling or responding to complaints or calls.

2. "Security surveillance videos shall be made available to the Sayreville Police Department within three (3) business days of the Police Department's request for same."

WHEREAS, the Mayor and Council of the Borough of Sayreville deem the above conditions necessary and proper to accomplish the objectives of Title 33 of New Jersey's Revised Statutes:

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
 Division of Alcohol Beverage Control
 140 East Front Street
 P. O. Box 087
 Trenton, New Jersey 08625-0087
- b. Chief, Sayreville Police Department

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk /s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-174

BOROUGH OF SAYREVILLE RESOLUTION TO RENEW P.R.C.L. #1219-33-012-008, THE ALE HOUSE TAVERN & TAP, LLC, WITH CONDITIONS FOR THE 2015-2016 LICENSE YEAR

WHEREAS, The Ale House Tavern & Tap, LLC, t/a The Ale House, is the holder of Plenary Retail Consumption License No. 1219-33-012-008 issued by the Council of the Borough of Sayreville as the Issuing authority for premises located at 1899 Highway No. 35, South Amboy, NJ 08879 for the 2015-2016 license year; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED THAT plenary retail consumption license number 1219-33-012-008, The Ale House Tavern & Tap, LLC is hereby renewed for the 2015-2016 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-140, adopted on June 28, 2010 and remaining on the license:

Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and outside premises, as well as all residential areas within a five hundred (500') feet radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10 AM) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all litter, trash and other discarded items as may be generated by and/or associated with the Licensee's operation. To the extent that residents within such five hundred (500') feet radius consent to permit access to private property for the purposes of such cleaning on private

property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, cans, bottles and other debris that result from the operation of the Licensed Premises.

- Licensee shall install soundproofing equipment and/or take any other necessary steps to limit the escape of sound and vibration from the Licensed Premises, sufficient to ensure that no audible sound is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaints received by members of the council pertaining to the Licensed Premises.
- Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:30AM. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed premises at the same time, resulting in loitering in and around the Licensed Premises and in the

street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street
P. O. Box 087
Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Mary J. Novak, Councilwoman

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ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk /s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-175

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. **1219-33-019-009 Costa Verde Corporation**, t/a Costa Verde Restaurant; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-33-019-009**, **Costa Verde Corporation**, **t/a Costa Verde Restaurant**, located at U.S. Routes 9 & 35, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-176

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-023-004 Teddy's Bar, Inc., t/a Teddy's Bar; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. 1219-33-023-004 Teddy's Bar, Inc., t/a Teddy's Bar, located at 378-381 South Pine Avenue, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-177

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-025-008 Arlecchino, Inc., t/a Pulcinella Italian Restaurant; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. 1219-33-025-008 Arlecchino, Inc., t/a Pulcinella Italian Restaurant, located at 3067 Bordentown Avenue, Parlin, NI 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016license term.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-178 BOROUGH OF SAYREVILLE RESOLUTION TO RENEW P.R.C.L. #1219-33-033-007, AC & VC, INC. WITH CONDITIONS FOR THE 2015-2016 LICENSE TERM

WHEREAS, application has been made for the renewal of Plenary Retail Consumption License No. 1219-33-033-007, AC & VC, Inc.; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

- 1. That Plenary Retail Consumption License No 1219-33-033-007, AC & VC, Inc., is hereby renewed for the 2015-2016 license term, subject to the following terms and conditions as hereinbefore imposed and re-stated as follows:
 - Licensee shall not engage in the operation of having live dancers or "go-go" dancers.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

a. Licensing Bureau
 Division of Alcohol Beverage Control
 140 East Front Street, P. O. Box 087
 Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

RESOLUTION #2015-179

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-034-009 Camillo's Restaurant & Pizza, Inc.; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-33-034-009 009 Camillo's Restaurant & Pizza, Inc**, located at 31 MacArthur Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

ATTEST: BOROUGH OF SAYREVILLE

<u>/s/ Theresa A. Farbaniec, RMC</u> <u>/s/ Kennedy O'Brien, Mayor</u> Municipal Clerk

RESOLUTION #2015-180

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-44-035-003 Mitthu, Inc., t/a South Pine Liquors; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-44-035-003 Mitthu, Inc., t/a South Pine Liquors**, located at 467 South Pine Avenue, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-181

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-040-007 I & K Shop1, LLC, t/a TJ's Bar & Liquor; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-33-040-007 I & K Shop1, LLC, t/a TJ's Bar & Liquor** located at 3109 Bordentown Avenue, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

(Admin. & Finance Committee

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

RESOLUTION #2015-182

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-44-041-005 Bridge Liquors, LLC, ; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-44-041-005 Bridge Liquors, LLC,** located at 32 Washington Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2015-183 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE TO RENEW P.R.C.L. #1219-33-044-007, F&B ASSOCIATES OF NJ, LLC, T/A STARLAND BALLROOM WITH CONDITIONS FOR THE 2015-2016 LICENSE YEAR

WHEREAS, F&B Associates of New Jersey, LLC, t/a Starland Ballroom is the holder of Plenary Retail Consumption License Number 1219-33-044-006 issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 570 Jernee Mill Road, Sayreville, New Jersey for license term 2015-2016; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-044-006 for the 2015-2016 license term; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

- 1. That Plenary Retail Consumption License No. 1219-33-044-006, F & B Associates of New Jersey, LLC is herby renewed for the 2015-2016 license term, subject to the following terms and conditions as contained in the Settlement Agreement approved by Resolution #2010-145, adopted on June 28, 2010 and remaining on the license:
- a. The licensee shall continue to implement and provide valet parking and or managed or supervised parking for its patrons on all nights of operation. The Chief of Police may grant a waiver, on occasion, of the requirement that valet parking and/or managed or supervised parking be provided, if the licensee demonstrates to the reasonable satisfaction of the Chief of Police, that the licensee's level of occupancy on such special occasion is anticipated to be significantly less than the legal occupancy so as to satisfy the Chief that valet parking will not be necessary on such specific occasion. The granting of any such waiver on one occasion shall not entitle the licensee to such a waiver on any other occasion.
- b. The licensee shall institute a policy and instruct its attendants and employees to abide by a policy that requires that, when the parking facilities used by the licensed premises are at full capacity, any additional cars seeking to enter the parking lots shall be "waved off" by parking lot attendants in order to diminish the likelihood that traffic jams occur, and to insure that such traffic continues to move through and out of the area of the licensed premises when there are no legal spaces available in the licensed premises' parking lots to accommodate additional cars.
- c. The licensee shall strictly enforce a policy that patrons who have been admitted to enter the licensed premises and who subsequently exit the licensed premises will not be permitted to re-enter the licenses premises on the same day/evening. This measure is intended to alleviate the problem of patrons loitering in and around the parking lot during licensee's operating hours and engaging in illegal, disorderly or nuisance causing behaviors.
- d. The licensee's security staff shall be required to obtain photo identification cards, prepared by the Sayreville Police Department that must be kept on their persons at all times while employed at or located on the licensee's property. This measure is intended to alleviate difficulties encountered by police investigating complaints on the premises, in which members of the security staff are identified as either potential witnesses or suspects.
- e. The licensee shall cause its parking lots and outside premises, as well as all areas within a 200 ft. radius of the licensed premises to be clean of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10:00 am) each day following the hours of operation of the licensed premises, such that the above-described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with licensee's operations.

f. The licensee shall install "zero tolerance" signs inside its premises and at or adjacent to the entry to the premises, containing language indicating that patrons will be prosecuted to the fullest extent of the law for any possession, sale or distributions of any drugs, controlled substance or drug paraphernalia.

This is designed to discourage drug activity occurring at or on the licensed premises.

g. The licensee shall cease all sales of alcohol at $1:30~\mathrm{am}$ and shall cease the playing of all music at $1:45~\mathrm{am}$.

This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the licenses premises at the same time, resulting in loitering around the licensed premises and in the street blocking traffic and inhibiting the dispersal of other patrons from the licensed premises and from the area.

- h. The licensee shall install a policy that on nights when patrons ages eighteen years of age (18) through twenty years of age (20) may be admitted to the premises along with patrons aged twenty-one years (21) and over, such patrons over the age of twenty-one years (21) shall be required to wear secure wrist bands of a color differentiated from wrist bands required to be worn by patrons under the age of twenty-one years (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of law prohibiting sales of alcohol to persons under twenty-one years of age (21).
- i. The licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that the licensee provides access to teenagers under the legal drinking age at events commonly referred to as "teen nights." During such events, all alcohol shall be removed from the bar areas and secured.
- j. The licensee shall require all security staff, except for undercover security staff employed by licensee, to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall included orange shirts with black block letters stating "SECURITY." This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous

activities within the licensed premises and in the parking lot to further assist police in identifying personnel when patrolling or responding to complaints or calls.

- k. The licensee shall institute a policy of providing security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the licensed premises. Parking attendants and valet parking staff shall not counts as "security staff" in calculating the proper ratio of security staff to patrons. The ration of one (1) security employee for every fifty (50) patrons is only for those security personnel who are being identified and/or are in uniform. Any undercover personnel the licensee wishes to employ are in addition to the one per fifty patron security ratio. This measure is designed to ensure that the security staff employed by the licensee is sufficient to handle the number of patrons in attendance on a given night so as to constitute a visible, identifiable, and adequate security presence, to discourage unlawful, disorderly, or hazardous activities within the premises and in the parking lot.
 - l. On promotional nights, licensee will coordinate with the Sayreville Police.
- m. On a weekly basis, licensee will deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Sayreville Police Department. DJ's, dancers, and other entertainers are to be included as employees, as per ABC rules.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

a. Licensing Bureau, Division of ABC 140 East Front Street, P. O. Box 087 Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-184

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-44-047-007 P.T. Waterfront, Inc., t/a Sayreville Plaza Wines & Liquors; and

 $\label{eq:WHEREAS} \textbf{WHEREAS}, said applicant has complied with the necessary requirements including payment of fees, etc.:$

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-44-047-007 P.T. Waterfront, Inc., t/a Sayreville Plaza Wines & Liquors,** located at 960 Route 9 So., Sayreville Plaza, Unit 111B, 1113, South Amboy, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

(Admin. & Finance Committee

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-185

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-048-005 Columbian Club, Inc.; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No**1219-33-048-005 Columbian Club, Inc,** located at 775 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. **1219-33-054-005 Bello's Sports Pub, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License **1219-33-054-005 Bello's Sports Pub, Inc,** located at 775 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-187

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-057-009 Arirang Hibachi Steakhouse & Sushi Bar; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License **1219-33-057-009 Arirang Hibachi Steakhouse & Sushi Bar,** located at 986 Rt. 9 So., Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

(Admin. & Finance Committe

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-188

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-059-004 Sayreville Memorial Post 4699 VFW of the United States, Inc.; and

 $\label{eq:WHEREAS} \textbf{WHEREAS}, said applicant has complied with the necessary requirements including payment of fees, etc.:$

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License 1219-33-059-004 Sayreville Memorial Post 4699 VFW of the United States, Inc., located at

575 Jernee Mill Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-189

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-060-008 La Marina, LLC, t/a Fernandes 3; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License 1219-33-060-008 La Marina, LLC, t/a Fernandes 3, located at 1776 Highway #35, South Amboy, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

<u>/s/ Mary J. Novak, Councilwoman</u>

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

RESOLUTION #2015-190

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-33-061-005 Devta, LLC, t/a House of Liquors; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License 1219-33-061-005 Devta, LLC, t/aHouse of Liquors, located at 2909 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

RESOLUTION #2015-191

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-31-063-001 American Legion Lenape Post #211; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License 1219-31-063-001 American Legion Lenape Post #211, located at 240 MacArthur Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license

/s/ Mary J. Novak, Councilwoman

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor

Municipal Clerk

RESOLUTION #2015-192

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. 1219-31-064-001 Columbus Club, Inc.; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License 1219-31-064-001 Columbus Club, Inc., located at 775 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

/s/ Mary J. Novak, Councilwoman

BOROUGH OF SAYREVILLE ATTEST:

/s/ Theresa A. Farbaniec, RMC /s/ Kennedy O'Brien, Mayor Municipal Clerk

PUBLIC PORTION

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

-Rene Tischler, 20 Hampton Way. Questioned why 124 Buchanan Avenue was being demolished.

- Response by Mr. Frankel - house burnt down several years ago and the governing body decided that it is in the best interest of the residents to have it demolished for safety issues.

Questioned who is responsible for the grass along Weber and MacArthur Avenue of the homes that were demolished.

- Response by Mr. Frankel that the property would return to its original state but the piece of property from the curb to the sidewalk would be ;maintained by the borough in order for the people to be able to walk safely.

No further questions or comments.

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

Roll Call: Voice Vote, all Ayes. Carried.

- EXECUTIVE SESSION (None)
- ADJOURNMENT

Mayor called for a motion to adjourn.

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

Roll Call: Voice Vote, all Ayes.	
Time: 7:26 P.M.	
	SIGNED:
	Theresa A. Farbaniec, RMC Municipal Clerk
	Date Approved