

Combined Meeting of the Mayor and Borough Council held on Monday, June 24, 2013, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 7:00 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this combined meeting of the Mayor and Council, has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and filing with her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Henry, McGill, Novak

Absent: Councilpersons Eicher, Melendez

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

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

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

- ☒ March 7, 2013 - Budget Meeting
- ☒ April 16, 2013 - Receipt of Bids (Melrose Fire House Parking Lot Improvement)
- ☒ April 16, 2013 - Budget Meeting
- ☒ April 19, 2013 - Receipt of Bids (Improvements to Hart St.)
- ☒ April 22, 2013 - Combined Meeting
- ☒ April 22, 2013 - Executive Session

Motion seconded by Councilman Henry.

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

- **PROCLAMATION & PRESENTATION (None)**

- **SWEARING IN OF AUXILIARY POLICE OFFICERS**

Municipal Clerk Farbaniec swore in the following persons as Auxiliary Police Officers for the Borough of Sayreville:

Brian Benitez	Jonathan Brusich	Jelena Dirito
Kyle Fuentes	Nicholas Kahse	Joseph Michals
Michael Pirigyi	Victor Ramirez	Nicole Scanlon
Travis Taylor	Glenn Wagner	Trey Wilson

Chris Bardsley, Capt. of the Police Auxiliary explained the appointments and the many duties covered by the Auxiliary Officers.

- **EXECUTIVE SESSION –**

Mayor announced that the governing body would be adjourning and going into a Closed Session and would resume the meeting when done.

- **EXECUTIVE SESSION ITEMS - Litigation Matters, Contract Negotiations & Personnel**

Attorney DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

Litigation Matters, Contract Negotiations & Personnel

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

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

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

/s/ Daniel Buchanan, Councilman

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

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

Time: 7:09 PM

• **RECONVENE**

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

Roll Call: Voice Vote, all Ayes.

Time: 7:46 P.M.

• **OLD BUSINESS**

a. Public Hearing on the following Ordinance(s): (None)

- **NEW BUSINESS:**

- a. Introduction of the following Ordinance(s):

ORDINANCE #222-13
BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 35-07
FINALLY ADOPTED SEPTEMBER 24, 2007 BY THE BOROUGH OF
SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW
JERSEY, IN ORDER TO PROVIDE FOR A CHANGE IN THE
IMPROVEMENTS AUTHORIZED BY SUCH ORDINANCE
(Co. Novak, Admin. & Finance – Public Hearing July 8, 2013)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on July 8, 2013. Motion Seconded by Councilman Buchanan.

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

ORDINANCE #223-13
AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE
#149-10 FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS,
OFFICERS AND EMPLOYEES FOR THE YEARS 2010, 2011, 2012
- Supervisor Senior Citizen Activities - \$65,062.00-
(Co. Novak, Admin. & Finance – Public Hearing July 8, 2013)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on July 8, 2013. Motion Seconded by Councilman Henry.

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

- b. Discussion on Resolution #2013-176 . Sandy Recovery Fund Planning Support

Mayor asked the Business Admin. to inform everyone as to the context of the Resolution.

Mr. Frankel explained that Rutgers received a grant and looked at three (3) municipalities that were affected by Hurricane Sandy. He said that the Professionals would look at the Weber Avenue and MacArthur Avenue areas to project what it would look like in the past, present and future. The Mayor stated that the professor needs the approval from the governing body in order to obtain the grant through the Dodge Foundation and it is one of their requirements, so if there is a consensus tonight then the Professor could move forward and respond to the Dodge Foundation. He said that he has asked that the Environmental Commission be the lead agency, with the involvement of the Historical Society because this is indeed a history changing event and the Cable TV Adv. Bd. to record it as a documentary, so if there is no objection it will be read in full and voted on.

No objections made at this time.

Clerk read the following resolution in full for the record.

RESOLUTION #2013-176
RESOLUTION OF SUPPORT FROM THE GOVERNING BODY OF THE
BOROUGH OF SAYREVILLE FOR SANDY RECOVERY FUND PLANNING

WHEREAS, the Borough of Sayreville would like the Bloustein School of Planning and Public Policy at Rutgers University to provide it with planning assistance; and

WHEREAS, the Bloustein School of Planning and Public Policy at Rutgers University has been awarded a grant from the New Jersey Recovery Fund established by the Geraldine R. Dodge Foundation and the Community Foundation of New Jersey for the purposes of assisting several communities and engaging the public on land use planning and urban design responses to the severe flooding and storm surge conditions caused by Hurricane Sandy. The Rutgers study is called Regenerative Community Vision Planning; and

WHEREAS, sea level rise and the enhanced frequency of severe storm events will increase the risk of flooding and damage in the future; and

WHEREAS, the Rutgers planning team will partner with three host communities demonstrating generic conditions and develop visual simulations of potential physical options for a more resilient response over time and test those communities' responses to a range of land use, neighborhood and building type options; and

WHEREAS, one of these prototype conditions, described as the "estuary flooding condition" is defined generally as an urbanized area consisting of buildings, structures and infrastructure located along a river wetland edge that is subject to storm surges and increasingly severe flooding; and

WHEREAS, the Weber Avenue neighborhood in the Borough of Sayreville matches these conditions; and

WHEREAS, the Rutgers planning team wishes to partner with the Borough of Sayreville, its officials, boards and citizens to prepare and carry out a public engagement process to visually test the community's response to multiple potential options for the future transformation of the Weber Avenue neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Sayreville Borough Council will fully support this effort and work with the Rutgers planning team to perform the necessary planning tasks in a timely manner in order to provide the Borough and the community with a recommended response that reflect the values of the citizens of Sayreville.

/s/ Daniel Buchanan, Councilman

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Councilman Buchanan moved the Resolution be approved on Roll Call Vote. Motion seconded by Councilwoman Novak.

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

Clerk indicated that the meeting needs to be opened to the public and should have been prior to the Roll Call on Resolution #2013-176.

Mayor announced that the meeting is opened to the public for Resolution #2013-176 and as well as the Consent Agenda Resolutions.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.
- Questioned if the vehicles mentioned in Resolution #2013-155 are replacing flooded out vehicles and if so are they covered by insurance.

Response by Mr. Kronowski that they are replacement vehicles and are covered by the Bond Ordinance previously adopted. A portion was covered by insurance.

There were no further appearances.

Councilman Buchanan made a motion to close the public portion on Resolution #2013-176 as well as the Consent Agenda Resolutions and that they be adopted on Roll Call Vote. Motion was seconded by Councilman Henry.

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

RESOLUTION #2013- 154

WHEREAS, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

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

That all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien, Mayor

/s/ Councilman Daniel Buchanan

/s/ Councilman David McGill

(Absent)
Councilwoman Lisa Eicher

(Absent)
Councilman Ricci Melendez

/s/ Councilman William J. Henry

/s/ Councilwoman Mary J. Novak

**Bill list of June 24, 2013, in the amount of \$3
(Bill List – See Appendix 2013-A for this date, in a separate Bill List File for 2013).**

RESOLUTION #2013-155

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #A-83577T2100, Two (2) 2014 Ford F-250 Pick-Up Trucks with Utility Body for the Borough of Sayreville, Water Operating Department, from DFFLM, LLC t/a Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822, at a total cost not to exceed \$51,418.00.

/s/ William Henry, Councilman
(Water & Sewer Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien,
Mayor

RESOLUTION #2013-156

BE IT RESOLVED that the proper borough officials are hereby authorized and directed to execute an Interlocal Service Agreement with the County of Middlesex for the milling and resurfacing of a portion of Minnisink Avenue and River Road in the Borough of Sayreville.

/s/ William J. Henry, Councilman
(Public Works Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

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

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BOROUGH OF SAYREVILLE
RESOLUTION #2013-157
APPROVING LIQUOR LICENSES
FOR THE CALENDAR YEAR 2013-2014

WHEREAS, applications have been duly filed for renewal of certain liquor licenses in the Borough of Sayreville for the license year July 1, 2013 to June 30, 2014; and

WHEREAS, all of said applicants have complied with the necessary requirements, including filing of applications, payment of fees, etc.

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

1. That Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be and they are hereby approved and authorized to be issued by the Borough Clerk to all parties listed in schedule "A" annexed hereto and made a part hereof, with the following **exceptions**:

1219-33-001-012	Ikon at Route 35 Corporation, t/a Ikon Lounge (Conditions)
1219-33-002-007	439 Corporation, t/a Bourbon Street (Conditions)
1219-33-007-005	Pat's Pub, Inc. (Conditions)
1219-33-010-005	219 Washington Road, LLC, t/a Big Shots (Conditions)
1219-33-011-008	Ethan H. LLC, t/a Prime Time Sports Bar (Conditions)
11219-33-012-007	Pub 35, LLC, t/a the Ale House (Conditions)
1219-33-018-009	Marullo 2, LLC, - Pocket License – TC 2013/2014 (Conditions)
1219-33-021-009	Gianna's, Inc., t/a Cagney's Pub & Restaurant (Tax Clearance 2012/2013; Application, Fees, Tax Clearance & Special Ruling 2013/2014)
1219-33-022-003	Stock Enterprise, Inc. - Pocket (Conditions/SR approved 13/14)
1219-33-024-006	Tapan Liquors, LLC, t/a Express Liquors (Special Ruling Required for 2013/2013 and 2013/2014)
1219-33-028-008	Victory Entertainment, Inc. – Pocket License (Conditions, TC 12/13; App. & Fees, TC & Special Ruling Required 2013/2014)
1219-33-033-007	AC & VC, Inc. (Anna Covello) (Conditions)
1219-33-031-005	Shiv Akshar, LLC App. & Fees, TC & Special Ruling Required 2013/2014
1219-33-043-005	Shri Hans, LLC – Pocket License (Tax Clearance 2013/2013 Tax Clearance & Special Ruling Required 2013/2014)
1219-33-044-006	F & B Associates of NJ, LLC t/a Starland Ballroom (Conditions)

- 1219-33-045-006 PSP Pride Corp., t/a Last Call **(Conditions)**
- 1219-33-046-005 Three P's, Inc., t/a O'Garrafao Restaurant & Cervejaria **(Conditions)**
- 1219-33-052-005 Flamingo Liquor, LLC, (Inactive License)
(Conditions, Special Ruling Required)
- 1219-33-056-007 Marullo 3, LLC (Pocket License)
(Conditions & Special Ruling Required 2013/2014)
- 1219-33-058-007 Shooters, Inc., t/a Club Abyss
(Conditions & Special Ruling Required 2013/2014)

2. That the proper Municipal Officials be and they are hereby authorized to execute any and all other instruments necessary to carry out the intent and purpose of this resolution.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

2013 LIQUOR LICENSES RENEWAL LIST
Resolution #2013-157 - Attachment "A"

LICENSE #	LICENSEE	LOCATION
1219-44-003-007	Fancy Corner Caterers 727-3036	508-510 Raritan St. Sayreville
1219-33-004-002	Bailey's Tavern, Inc. Buddies Tavern 721-1952	277 Johnsons Ln Parlin 08859
1219-33-006-008	Ayush & Chandni Corp. Main St. Liquors 732-873-3632	881 Main St. Sayreville
1219-33-013-007	Highway Corp., t/a Road House Bar & Grill	1 Melrose Ave South Amboy 08879
1219-33-019-009	Costa Verde Corp. Costa Verde Restaurant	U.S. Rt. 9 & 35 South Amboy
1219-33-020-003	Yenooc 2, Inc. t/a Cooney's at the Deerfield Inn	50 Deerfield Rd. Parlin 08859
1219-33-023-004	Teddy's Bar Inc., t/a Teddy's Bar	378-381 So. Pine Ave. So. Amboy 08879
1219-33-025-008	Masaniello, LLC t/a Pulcinella Rest & Pizza	3067 Bordentown Ave Parlin 08859
1219-33-027-002	Peterpank Diner	967 Rt. #9 No., So. Amboy
1219-33-030-005	Mayerboys, Inc.	Old Spye Road, Blk 547, Lot 2 So. Amboy 08879
1219-33-032-006	Black Betty's Saloon, Inc.	6290 Route #35, No South Amboy 08879
1219-33-034-009	Camillo's Restaurant & Pizza, Inc.	31 MacArthur Avenue Sayreville, NJ 08872
1219-44-035-003	Mitthu, Inc. South Pine Liquors	467 South Pine Ave South Amboy 08879
1219-33-038-002	Rondesko Properties Inc., t/a Brick House Bar & Grill	267 Washington Road Sayreville 08872
1219-33-039-003	Norman's Tavern, LLC	363 Main St., Sayreville
1219-33-040-007	I & K Shop 1, LLC T J Bar & Liquors	3109 Bordentown Avenue Parlin, 08859

1219-44-041-004	MA Management LLC, t/a Sayreville Bridge Liquors	32 Washington Rd. Sayreville 08872
1219-44-042-005	Kushal Corporation, t/a Express Liquors	499 Ernston Rd. Parlin 08859
1219-44-047-007	P.T. Waterfront, Inc. t/a Sayreville Plaza Wines & Liquors	960 Rt. 9 So. Sayreville Plaza, Unit 111B & 113 South Amboy 08879
1219-33-048-005	Columbian Club Inc	775 Washington Road Parlin, 08859
1219-33-051-004	K & K Beverage, Inc. J. O'Neill's Place	17 Thomas St. Sayreville 08872
1219-33-054-005	Bello's Sports Pub, Inc.	1 Roosevelt Blvd., Parlin, 08859
1219-33-055-003	Fidelity Funding Corp, t/a Brass Monkey Pub	4500 Bordentown Avenue Sayreville 08872
1219-33-057-009	986 Restaurant Corp Arirang Hibachi Steakhouse & Sushi Bar	986 Route 9 So. Parlin 08859
1219-33-059-004	Sayreville Memorial Post 4699 VFW	575 Jernee Mill road Sayreville 08872
1219-33-060-005	LaMarina, LLC, t/a LaMarina	1776 Hwy. #35 South Amboy 08879
1219-44-061-005	Devta LLC, t/a House of Liquors	2909 Washington Road Parlin 08859
1219-31-063-001	American Legion Lenape Post 211	240 MacArthur Ave Sayreville 08872
1219-31-064-001	Columbus Club Inc	775 Washington Road Parlin 08859
1219-31-065-001	VFW Old Bridge Memorial Post 7508	17 Bordentown Ave., Old Bridge
1219-31-066-001	Sayreville Memorial Post 4699 VFW Inc.	575 Jernee Mill road Sayreville 08872

RESOLUTION #2013-158

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. # 1219-33-001-013, IKON AT ROUTE 35 CORP., t/a IKON LOUNGE
WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR**

WHEREAS, Ikon at Route 35 Corp., t/a Ikon Lounge is the holder of plenary retail consumption license number 1219-33-001-013 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 1979 Highway #35 South, Sayreville, New Jersey (the "Licensed Premises") for license year 2013-2014 and

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

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-001-013, Ikon at Route 35 Corp., t/a Ikon Lounge, is hereby renewed for the 2013-2014 license year, subject to the following conditions remaining on the license:

1. Licensee shall continue to implement and provide valet 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 be provided if the Licensee demonstrates, to the reasonable satisfaction of the Chief of Police, that Licensee's level of occupancy on such specific 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 Licensee to such a waiver on any other occasion.
2. The above-described valet parking requirement shall remain in effect unless and until a recommendation for other appropriate traffic control procedures, developed by a licensed traffic or civil engineer or consultant at Licensee's expense, is received and approved by the Mayor and Council as a substitute measure.

3. Licensee shall institute a policy and instruct its parking lot 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 insure that traffic jams do not occur but 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.

4. Licensee shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This measure is intended to address the Mayor and Council’s previous finding that drug activity was noted on the Licensed Premises and in recognition of the fact that a practice of allowing patrons to exit and then re-enter the Licensed Premises facilitates drug activities by providing an opportunity for such persons to retrieve contraband from their vehicles for use and/or distribution inside and adjacent to the Licensed Premises. Additionally, 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.

5. 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 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 and is also designed in response to the findings of a previous ABC investigation in which it was discovered that some of the employees found on-site during the investigation were not properly entered in Licensee’s employee records.

6. 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) foot 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 (10:00 a.m.) 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 operation. To the extent that residents within such five hundred (500) foot 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 problem associated with the accumulation of empty beverage containers, cans, bottles and other debris that results from the operation of the Licensed Premises.

7. Licensee shall install “zero tolerance” signs inside the Licensed Premises, 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 distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.

8. 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.

9. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of all music at 1:45 a.m. 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 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.

10. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the premises along with patrons aged twenty-one (21) and over, such patrons over the age of twenty-one (21) shall be required to wear secure wristbands of a color differentiated from any wristbands required to be worn by patrons under the age of twenty-one (21). All such wristbands shall be incapable of being re-attached once removed, in

order to prevent violations of laws prohibiting sales of alcohol to persons under twenty-one (21). This measure is designed to prevent violations of drinking age laws, as noted by the Council in previous findings of fact related to a prior disciplinary action.

11. Licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that Licensee provides access to teenagers under the legal drinking age at events commonly referred to as “Teen Nights”. During such events, all alcoholic beverages shall be removed from the bar areas and secured. This measure is designed to prevent violations of drinking age laws as noted by the Council in previous findings related to a prior disciplinary action.

12. 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.

13. 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 count as “security staff” in calculating the proper ratio of security staff to patrons. The ratio 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 that 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 Licensee is sufficient to handle the numbers 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 Licensed Premises and in the parking lot.

14. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police.

15. Licensee shall strictly enforce a policy to bar admittance to any patron who is not wearing a non removable wristband, that has been provided to such patron by Licensee’s valet parking attendant or parking supervisor, as evidence that the vehicle in which such patron arrived at the Licensed Premises has been parked in Licensee’s parking lot. The only exception to this policy shall be for those patrons who demonstrate to Licensee before admittance that they hold a valid New Jersey motor vehicle license indicating that they reside within five hundred (500) feet of the Licensed Premises and have not arrived at the Licensed Premises in a motor vehicle. This condition is intended to restrict admittance to the Licensed Premises to only those patrons whose vehicles, as a driver or occupant thereof, are lawfully parked in Licensee’s parking lot, in order to address issues raised by an Objector and her witnesses regarding illegal parking, property trespass, loitering and related nuisances.

16. Licensee shall institute a policy requiring its security staff to immediately report to the Sayreville Police Department any violations of Title 39 observed by such staff in and around the Licensed Premises, and to provide the Borough clerk, on a monthly basis, with a list of all such reports made by Licensee’s security staff to police within the prior month.

17. 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 Police Department. DJs, dancers, and other entertainers are to be included as employees, as per ABC rules.

18. Licensee shall provide a list of entertainers who are booked prior to the scheduled date. The information shall be delivered to the Sayreville Police Department at the time a contract is executed and signed and the information shall be delivered to the Sayreville Police Department as to the name of the outside entertainer employees.

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

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-159
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. # 1219-33-002-007, 439 CORPORATION,
t/a BOURBON STREET WITH CONDITIONS FOR THE
2013-2014 LICENSE YEAR

WHEREAS, 439 Corporation t/a Bourbon Street is the holder of plenary retail consumption license number 1219-33-002-007 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 1979 Highway #35 South, Sayreville, New Jersey (the "Licensed Premises") for license year 2013-2014; and

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

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-002-007, 439 Corporation, t/a Bourbon Street, is hereby renewed for the 2013-2014 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. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-160

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-007-005, PAT'S PUB,
WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR**

WHEREAS, Pat's Pub, LLC is the holder of plenary retail consumption license number 1219-33-007-005, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 367 Washington Road, Sayreville, New Jersey for license year 2013-2014; 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 1219-33-007-005, Pat's Pub, LLC is hereby renewed for the 2013-2014 license year, subject to the following conditions as contained in the Stipulation of Settlement Agreement approved by Resolution #2008-132, adopted on May 27, 2008 and remaining on the license:

1. At least at ½ hourly intervals between the hours of 6:00 PM and closing time (currently 2:00 AM under municipal ordinance), Licensee shall monitor and supervise its patrons as they exit the licensed premises to insure against littering and disorderly conduct, including but not limited to littering on and disorderly conduct affecting neighboring properties . After the licensed Premises closes each night under its regulated hours of operation, Licensee shall have at least one employee or agent inspect the surrounding premises and nearby parcels of property for any refuse, litter, or debris left behind by Licensee's patrons and shall remove all such refuse, litter or debris. Licensee, prior to opening for business on a daily basis, shall inspect the immediate vicinity of the Licensed Premises and remove all litter found in the immediate vicinity.

2. In order to avoid excessive noise emanating from the building, and with the goal of avoiding nuisance to the surrounding neighbors, the Licensee shall take appropriate care to:

- Keep its windows and doors closed at all times when open for business, especially when music is being played inside the licensed premises.
- Set and maintain any jukeboxes, sound systems, or any other audio enhancement devices (audio devices) on a low to moderate level.
- Use available consumer electronic decibel meters, electronic noise limiters or any other sound volume filters in order to measure and limit the audio device sound volume emanating from the Licensed Premises.

3. The Licensee shall make periodic observations of the location of vehicles parked in the immediate vicinity of the licensed premises and announce to and advise its patrons of any vehicles which are improperly parked, giving patrons notice and opportunity to move such vehicles.

Resolution #2013-160

4. Licensee will use its reasonable efforts to avoid patrons from loitering on or about the Licensed Premises and/or on nearby residential properties immediately surrounding the Licensed premises. Licensee will not allow patrons to congregate or loiter in front of its establishment and, if necessary to accomplish that goal, shall post signs indicating “No Loitering” “Loitering” shall not include patrons standing outside the bar for the purposes of smoking, but will include any patrons standing outside the bar, for any purpose, after closing time.

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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-161

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-010-005, 219 WASHINGTON ROAD, LLC,
WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR**

WHEREAS, 219 Washington Road, LLC, t/a Big Shots, is the holder of plenary retail consumption license number 1219-33-010-005, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 2047 Route 35 in the Borough of Sayreville, New Jersey for license year 2013-2014; 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 1219-33-010-005, 219 Washington Road, LLC is hereby renewed for the 2013-2014 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-138, adopted on June 28, 2010 (conditions c & d) and Resolution #2009-162 adopted on July 6, 2009 (conditions a & b) and remaining on the license:

- “(a) The licensee shall be required to employ at least one individual who is solely responsible for security of the licensed premises on Fridays and Saturdays between the hours of 7:00 p.m. and 2:00 a.m. or until closing. The licensee shall require all security staff (except for undercover security staff employed by the 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 lettering 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.

- (b) The licensee shall be responsible for ensuring that there will be no parking of motorcycles on the sidewalks adjacent to the licensed premises.”
- (c) 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.
- (d) Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:45AM. 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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien, Mayor

RESOLUTION #2013-162

WHEREAS, Ethan H, LLC, t/a Red Zone, has applied for the renewal of Plenary Retail Consumption License No. 1219-33-011-010 issued by the Council of the Borough of Sayreville as the Issuing Authority, for the 2013-2014 license year (pocket license); and

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

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-011-010, Ethan H, LLC, t/a Red Zone, is hereby renewed for the 2013-2014 license year, subject to the following conditions remaining on the license:

- (a) No alcoholic beverages are to be present in the pool table side of the Licensed Premises before 9:30 p.m.; and
- (b) No alcoholic beverages are permitted to pass into the pool table side of the Licensed Premises without being served by a waiter or waitress;
- (c) Security personnel shall be employed at the ratio of 1 security person for every 50 patrons on the Licensed Premises;
- (d) Security personnel shall be posted between the bar/restaurant area and the pool table area at all times to prevent the transfer of alcohol from the bar/restaurant area to the pool table area;
- (e) Security personnel shall be posted at the front door of the Licensed Premises from 9:30 p.m. to closing on Thursday, Friday, Saturday and Sunday evenings;
- (f) All parking for Red Zone patrons shall be in the front of the Licensed Premises;
- (g) No live entertainment, including but not limited to, go-go dancers, nude or partially nude dancers, comedy performers, with the exception of pool or billiard matches or tournaments, or such entertainment as is directly related to such activity.
- (h) 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.
- (i) Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:45AM. 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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-163
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-012-008, Pub 35, LLC,
WITH CONDITIONS FOR THE 2012-2013 LICENSE YEAR

WHEREAS, Pub 35, 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 in the Borough of Sayreville, New Jersey for the 2013-2014 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, Pub 35, LLC is hereby renewed for the 2013-2014 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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

(Pocket License)

RESOLUTION #2013-164
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-022-003, STOCK ENTERPRISE, INC.
T/A COLOSSEUM WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR

WHEREAS, Stock Enterprise, Inc. t/a Colosseum is the holder of Plenary Retail Consumption License # 1219-33-022-003 issued by the Council of the Borough of Sayreville as the Issuing Authority for license year 2013-2014; and

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

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2013-2014 license term; and

WHEREAS, on May 25, 2012, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 05-12-7415 for a two-year period, covering the 2012/2013 and 2013/2014 license terms; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2013/2014 license term and to grant or deny said application in the reasonable exercise of its discretion;

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License Number 1219-33-022-003, Stock Enterprise, Inc. t/a Colosseum, is hereby renewed for the 2013-2014 license year, subject to the following conditions remaining on the license:

1. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License must close the Licensed Premises for sixty (60) days of continuous operation after the License has been reactivated. Such sixty (60) day suspension will commence on the thirtieth (30th) day after the Licensed Premises has been in operation and open for business.
2. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License will not submit a request to the Director of the New Jersey Division of Alcoholic Beverage Control requesting a monetary payment in lieu of the sixty (60) day suspension or any other offer in compromise of suspension at any time in the future.
3. Licensee will not appeal this sixty (60) day suspension or the terms thereof to the Director of the New Jersey Division of Alcoholic Beverage Control at any time in the future.
4. All current existing conditions already on the License shall remain with the License and will not be affected by Licensee's sixty (60) day suspension. These conditions on the License shall

remain with the License for each and every renewal period until further resolution by the Mayor and Council.

5. The License is revocable at any time for failure to comply with these conditions. Any violation of Alcohol Beverage Control Law or the previously mentioned conditions may result in immediate revocation of the License.

6. Licensee shall establish a litter-free zone surrounding the Licensed Premises as well as any littering in the neighborhood which can be directly attributed to the conduct of the business and must assign specific personnel on a daily basis to accomplish the fore-mentioned litter-free zone.

7. Licensee shall implement and 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 Licensed Premises on the same day/evening. This is in recognition of the fact that this activity of re-entering the Licensed Premises by patrons provides the patrons the opportunity to facilitate the use of drug activities inside the Licensed Premises.

8. The employees and staff of Licensee shall be required to obtain photo identification cards prepared by and from the Sayreville Police Department. Said identification card must be kept on their persons at all times while employed at and located on the property of Licensee. The purpose of this requirement is 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 and designed to respond to the findings of a previous ABC investigation in which it was determined that some of the employees found on-site during the investigations were not properly entered in the employee records of the License.

9. Licensee shall provide proper trash receptacles in the parking lots and outside the Licensed Premises as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises. This includes all parking lots, Chevalier Avenue from Oak Street to Route 35 and Oak Street from Old Route 4 to Fouratt Avenue, Route 9 & 35 from Chevalier Avenue South to and including the business Beau Monde Furniture, which shall be cleaned of all litter, trash and other discarded items. This cleaning shall be accomplished by 10:00 a.m. each day following the hours of operation of the Licensed Premises. The described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with the operation of the Licensee, to the extent that the residents within the five hundred (500) foot radius consent to permit access to their private property to be cleaned of all litter, trash and other discarded items at the sole cost and expense of Licensee. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, can, bottles, and other debris that is the result from the operation of the Licensed Premises.

10. Licensee shall install "zero tolerance" signs inside the Licensed Premises at or adjacent to the entry to the premises containing language indicating that the patrons will be prosecuted to the fullest extent of the law for any possession, sale or distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.

11. Licensee shall install soundproofing equipment and take any other necessary steps to eliminate the emission 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. The bass beat is not to be transmitted to the exterior of the building. The doors to the Licensed Premises will remain closed at all times.

12. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of music at 1:45 a.m. 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 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. The Licensed Premises is to be vacated by all patrons by 2:00 a.m.

13. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the Licensed Premises along with patrons aged twenty-one (21)

and over, such patrons over the age of twenty-one (21) shall be required to wear secure wristbands of a color differentiated from any wristbands required to be worn by patrons under the age of twenty-one (21), and that patrons age twenty (20) and under shall be stamped with an indelible mark on their hands in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). This measure is designed to prevent violations of the drinking age laws.

14. Licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that Licensee provides access to teenagers under the legal drinking age at events commonly referred to as "Teen Nights".

During such events, all alcoholic beverages shall be removed from the bar areas and secured. This measure is designed to prevent violations of drinking age laws as noted by the Council in previous findings related to a prior disciplinary action. This condition is included in anticipation of Licensee having a "Teen Night" in the future.

15. 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 will 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 and further to assist police in identifying security personnel when patrolling or responding to complaints or calls.

16. Licensee shall institute a policy of providing minimum 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.

17. Parking attendants, valet parking staff, waitresses, bartenders, and the owner shall not count as "security staff" in calculating the proper ratio of security staff to patrons. Any undercover security will be in addition to the readily identifiable security and not included in the security of one (1) per fifty (50) patrons. This measure is designed to ensure that the security staff employed by 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 Licensed Premises and in the parking lot. All security staff are to expedite the removal of all customers from the premises by 2:00 a.m. and then exit and assist in the dispersal of the customers from the parking lots.

18. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police and notify the Police Department a minimum of two (2) weeks (fourteen days) in advance.

19. 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 Police Department. DJs, dancers, and other entertainers are to be included as employees, as per ABC rules.

20. Licensee shall institute a policy and instruct its parking lot 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 ensure that traffic jams do not occur, but 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. "Wave off" will also be put in place when traffic backs up onto Route 9 & 35 North.

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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-165
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-033-007, AC & VC, INC. T/A COVELLOS ITALIAN AND SEAFOOD
RESTAURANT WITH CONDITIONS FOR THE 2013-2014 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 2013-2014 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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-166
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 2013-2014 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 2013-2014; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-044-006 for the 2013-2014 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 hereby renewed for the 2013-2014 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 am and shall cease the playing of all music at 1:45 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 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
(Admin. & Executive Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-167

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE TO
RENEW P.R.C.L. #1219-33-045-006, PSP PRIDE CORP., T/A LAST CALL
WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR**

WHEREAS, PSP Pride Corporation, t/a Last Call, is the holder of Plenary Retail Consumption License #1219-33-045-006 issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 219 Washington Rd., Sayreville, New Jersey (the "Licensed Premises") for license term 2013-2014; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-045-006 for the 2013-2014 license term; and

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

BE IT AND IT IS HEREBY RESOLVED that Plenary Retail Consumption License Number 1219-33-045-006, PSP Pride Corp is hereby renewed for the 2013-2014 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-141, adopted on June 28, 2010 and remaining on the license:

- Licensee shall be required to employ at least one individual who is solely responsible for security of the Licensed Premises on Fridays and Saturdays between the hours of 7PM and 2AM or until closing. The Licensee shall require all security staff (except for undercover security staff employed by the 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 lettering 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.
- During the period of June 15 through September 15, the Licensee shall be required to employ at least one individual who is solely responsible for security of the Licensed Premises on Fridays and Saturdays between the hours of 9PM and 2AM or until closing. The Licensee shall require all security staff (except for undercover security staff employed by the 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 lettering 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.
- Licensee shall be responsible for ensuring that there will be no parking of motorcycles on the sidewalks adjacent to the Licensed Premises.
- A sign shall be prominently displayed to prohibit parking of any vehicles on the sidewalk near the Licensed Premises.
- Licensee shall maintain in good condition security cameras, lighting and there must be more than one (1) employee present at the licensed premises while in operation.

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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-168

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE TO RENEW P.R.C.L.
#1219-33-046-005, THREE P's, INC., t/a O'GARRAFAO RESTAURANT & CERVEJARIA
WITH CONDITIONS FOR THE 2013-2014 LICENSE YEAR**

WHEREAS, Three P's Inc., t/a O'Garrafao Restaurant & Cervejaria, is the holder of Plenary Retail Consumption License #1219-33-046-005 issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 567 Main Street, Sayreville, New Jersey for license term 2013-2014; and

WHEREAS, an application has been made for the 2013-2014 renewal term of Plenary Retail Consumption License No. 1219-33-046-005, Three P's, Inc., t/a O'Garrafao Rest. & Cervejaria; 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. 1219-33-046-005, Three P's, Inc., t/a O'Garrafao Rest. & Cervejaria, is hereby renewed for the 2013-2014 license term, subject to the following terms and conditions as hereinbefore imposed and re-stated as follows:

- (a) During hours of operation, the windows and doors of the premises are to be kept closed, provided that music, whether it be from a juke box or radio is in use inside the license premises and that the doors to the establishment may be opened and closed to allow ingress and egress;
- (b) At or about the time at which the licensed premises is opened for business in the morning and at or about the time of closing, the licensee shall cause for the property and both sides of Main Street from Boehmhurst Avenue to Marsh Avenue to be cleaned of all discarded liquor bottles, packages, recyclables and such other litter as may have been generated by patrons of the licensed premises; and
- (c) A sign shall be prominently displayed to prohibit parking of any vehicles on the sidewalk near the premises.

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
(Admin. & Executive Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-169

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 by Contract Change Order No. 3:

- Project: Improvements to Stevens Avenue
- Contractor: DeFino Contracting Company
28 Industrial Drive
Cliffwood Beach, NJ 07735
- Net Increase: \$11,000.00
- 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 Change Order be and the same is hereby accepted and approved.

/s/ William Henry, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-170

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. 1:

- Project: Major Drive Water System Improvements
- Contractor: Mario's Concrete & Paving Co.
3237 Bordentown Avenue
Parlin, NJ 08859
- Net Decrease: \$552.84
- 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/ Mary J. Novak, Councilwoman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-171
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: Major Drive Water System Improvements
- Contractor: Mario's Concrete & Paving Co.
3237 Bordentown Avenue
Parlin, NJ 08859
- Balance Due: \$ 7,419.47

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, THEREFORE, 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.

- Balance Due: \$ 1,979.75

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, THEREFORE, 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 \$14,848.11 and the approval of same as to form and sufficiency by the Borough Attorney.

/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 #2013-174

WHEREAS, on June 11, 2013 the Mayor and Council of the Borough of Sayreville, have received bids for the "Annual Maintenance and Repair of Borough Elevators"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 24^h day of June, 2013 that:

1. Contract for the "Annual Maintenance and Repair of Borough Elevators" be awarded to Standard Elevator on their bid price of \$39,600.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ William J. Henry, Councilman
(Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2013-175

WHEREAS, on June 11, 2013 the Mayor and Council of the Borough of Sayreville, have received bids for the “Annual Maintenance and Repair of Emergency Generators”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 24^h day of June, 2013 that:

1. Contract for the “Annual Maintenance and Repair of Emergency Generators” be awarded to Foley Incorporated on their bid price of \$28,073.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ William J. Henry, Councilman
(Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**BUSINESS SESSION AGENDA
COMMUNICATIONS & COMMITTEE REPORTS**

• **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

- Councilwoman Novak mad a motion to have the following report be received and filed:
 - 1) Municipal Clerk’s Report for the Month of May, 2013Motion seconded by Councilman Henry.

- **Receive & File**

- b) Request received from Donna Brodzinski, Tax Collector, for a Resolution authorizing the Tax Collector to refund a portion of 2011 and 2012 taxes in the amount of \$7,684.82, covering 37 Frederick Place, Block 442.11, Lot 221, due to the approval of a Surviving Spouse of a 100% Disabled Veteran Tax Exemption by the Tax Assessor effective September 8, 2011.

- **Resolution**

c) Committee Reports:

- 1) Progress.

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

- Councilman McGill moved the following minutes and reports be received & filed:
 - 1) Middlesex County Planning Board Minutes of May 14, 2013
 - 2) Sayreville Housing Authority Minutes of May 14, 2013
 - 3) Construction Official’s Report for the month of May, 2013
 - 4) Zoning/Code Enforcement Report for the month of May, 2013

- **Receive & File**

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

- 1) On an application before the Zoning Board of Adjustment on June 26, 2013 submitted by Bello's Sports Club, LLC for a subdivision of lots for 1 Roosevelt Blvd and 20 Roosevelt Blvd; site plan for parking lot and building expansion, etc.
- 2) On an application before the Zoning Board of Adjustment on July 24, 2013 submitted by Lisa Marcelino, 211 Cliff Ave. for a proposed addition and encroachments on setbacks on front, back and side yard areas.

- (1 & 2) Receive & File

c) Application for **Temporary Trailer Permit** received from St. Stanislaus Kostka Parish locate one temporary storage trailer on Church property.

- Approved/ Resolution

d) Committee Reports:

1. Progress.

- **PUBLIC WORKS – Councilman Henry**

a) Minutes & Departmental Reports:

- Councilman Henry made a motion to have the following minutes and reports be

received and filed:

Minutes:

- 1) Rent Leveling Board Minutes of June 11, 2013

Public Works Supervisor's Reports:

- 2) Buildings & Grounds - April, 2013
- 3) Garage Services - May, 2013
- 4) Parks - May, 2013
- 5) Recycling - April, 2013
- 6) Roads - May, 2013
- 7) Sanitation - May, 2013

Motion seconded by Councilman Buchanan.

b) Committee Reports:

1. Progress.

- **RECREATION –**

a) **Minutes & Departmental Reports:**

- Councilman Henry made a motion to have the following report be received and filed:

- 1) Recreation Departmental Report for the month of May, 2013

Motion seconded by Councilman Buchanan.

b) Committee Reports:

1. Reported on the Independence Day this Saturday and invited everyone to attend.

- **WATER & SEWER/ENVIRONMENTAL –**

a) **Minutes & Departmental Reports:**

- Councilman Henry made a motion to have the following report be received & filed:

- 1) Water & Sewer Dept. Head Report for the month of May, 2013

Motion seconded by councilman Novak.

b) **Awarding contract** for Water Treatment Chemical Bid for **Sodium Hypochlorite** to the lowest responsible bidder Miracle Chemical Co.

- Approved/Resolution

c) Committee Reports

1. Progress.

- **PUBLIC SAFETY – Council President Buchanan**

a) **Minutes & Departmental Reports:**

- Councilman Buchanan made a motion to have the following minutes be received and filed:

1) Board of Health Minutes of May 2, 2013

Motion was seconded by Councilwoman Novak.

b) **Request for Block Party** received from residents of **Grand St.** to block off traffic between So. Pine and Woodland Ave on July 27, 2013 between 12 Noon & 10PM (Aug. 3 rain date).

-Approved.

c) Acceptance of a **letter of resignation from firefighter Kenneth Wulle** from Engine Co. No. 1 and thank him for his dedicated service to our community.

- Receive & File

d) **Firemen's application** and letter of acceptance received from Sayreville Engine Co. No. 1 for **Thomas Tresor** as a regular member of their department.

- Approved.

e) Committee Reports:

1. Announced that the Independence Day Celebration starts at 4PM on Saturday, June 29th.

2. Councilman Buchanan made a motion to appoint Lisa Payne to the Library Board of Trustees for a 5 year unexpired term expiring on Dec. 31, 2014.

Motion was seconded by Councilwoman Novak.

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

3. Progress.

- **MAYOR – Kennedy O'Brien**

1. Reported on receiving a call from the Governor's office informing us that FEMA had indeed transferred monies for the Twenty – Nine Million Dollar for the initial buy-out program. He stated that there will be a total of Thirty-Nine Million Dollars so this money will be enough to effectuate the buy-out for the first group of applicants.

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

1) Discussion on Public Works Facility.

- Mayor asked that a committee be formed with Councilman Henry heading the committee and put something together to present to the council.

2) Discussion on improvements to the (old) Water Treatment Plant to house the displaced employees and equipment from the MacArthur Ave. Plant.

- Mayor asked for the same with Councilman Melendez heading the committee.

3) Authorizing the expenditure of Cable TV Advisory Funds for improvements and upgrades of Audio and Video Equipment .

- Mayor asked the Business Admin. be in charge of putting something together.

4) Discussion on the Borough of Sayreville's Police Towing Ordinance.

- Mayor stated that there would be no changes to the towing ordinance.
No other comments.

- 5) Authorization to advertise for RFP's for the 2013 FEMA/NFIP Community Rating System Application.
 - Resolution.
- 6) CDBG Discharge of Mortgage on 5 Dolan Street, Block 168.01, Lot 88 and 76 Whitehead Avenue, Block 167, Lot 233 (Resolution required for each).
 - Resolutions.

- Mayor stated that he forgot to mention that on Saturday, Larayne Panayi who has been very active with the Sayreville Sandy Relief Fund was able to secure from all sources approx. \$130,000. in donations which were distributed on Saturday to all people on the Storm Relief list. He thanked her, Councilwoman Eicher, Helen Recuia and other volunteers of which names he did not recall.

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

- 1) Bill List Resolution
- 2) Public Hearing on Amended Bond Ordinance to include Minnisink Ave. and River Road.
- 3) **Resolution** to amend the 2013 Budget for a grant from the Robin Hood Foundation in the amount of \$165,000.00.
 - Resolution.

Mayor gave recognition to Jon Bonjovi, who did not forget his roots and to Danielle Maiorana for her hard work and for writing the Grant application to the Robin Hood Foundation.

- 4) **Resolution** authorizing the emergency appropriation of \$200,000.00 for Storm Sandy related expenditures.

- **ENGINEER -Jay Cornell**

1. Annual Maintenance and Repair of Borough Elevators – Receipt of Bids
 - Resolutions adopted tonight.
2. Annual Maintenance and Repair of Emergency Generators – Receipt of Bids
 - Resolutions adopted tonight.
3. Town Lake Major Subdivision – Orta Court Bond Release Request.
 - Resolution.
4. Towne Lake Major Subdivision – Landscape / Driveway Bond Release Request.
 - Resolution.
5. Towne Lake West Major Subdivision – Landscaping / Driveway Bond Release Request.
 - Resolution.

- **BOROUGH ATTORNEY - Michael DuPont – (none)**

- **PUBLIC PORTION**

At this time the Council President Buchanan opened the meeting to the public for any and all issues.

Those appearing were:

- John LaPartiello,
 - Reported on the lack of security at the Senior Center and various incidents.

- William Lellig, 23 Hilltop Avenue
 - Questioned if there was an ordinance prohibiting the basketball hoops in the Streets. Engineer stated that he felt we had an ordinance prohibition that. Mayor asked that the Business Admin. forward this matter to the Police Chief.
 - Complained about the truck traffic on Hilltop Avenue. Mayor requested the Business Admin. have the Traffic Bureau review the issue of placement of signs indicating residential traffic only.
- Ziggy Dombrowski, 32 Weber Ave.
 - Complained about the blockades accessing Weber Avenue. Mayor explained that it was for the security of the people and homes.
- Barbara Kilcomons, 22 Schmitt Street.
 - Questioned the Improvements Project on Old Spye Road and if that area is deemed as “historical”?
Response by Borough Engineer.
 - Tall weeds on SERA property, MacArthur Manor and other areas throughout Sayreville.
 - Questioned if Faith Fellowship owed back money for water bills. CFO Kronowski stated that it was not their water bill it was for their traffic control.

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

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION ITEMS** - None
- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:15 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved