

Combined Meeting of the Mayor and Borough Council held on Monday, June 25, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:58 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.

- **MOMENT OF SILENCE**

Councilman Perrette asked that everyone remain standing for a Moment of silence for the loss of one of our firemen, Paul Chrzaszcz in a tragic accident on Sunday.

A moment of silence was observed by everyone in attendance.

- **ROLL CALL:**

Present: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette

Absent: None

Others Present: Mayor O'Brien  
CFO/Acting Business Admin. Wayne Kronowski  
Municipal Clerk Farbaniec  
Engineer Cornell  
Attorney Mike DuPont

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES - (None)**

- **PRESENTATIONS/PROCLAMATIONS - (None)**

- **OLD BUSINESS**

- a. Public hearing on the following Ordinance(s): (none)
- b. Other

- b. Other – Discussion on the objection received from the Police Dept. objecting to the renewal of Gianna's Inc., t/a Cagney's Pub & Restaurant PRCL#1219-33-021-009, as the principal owner was convicted on an indictable offence.

Clerk Farbaniec explained the components on why the hearing needed to be scheduled and Mayor called forward the Police Chief for further information.

Chief Zebrowski explained that the police department reviewed all of the Liquor License applications for that are up for renewal and find that there was an issue with the ownership as a result of a violation of the NJ Statute that pertains to the ABC regulations. He said that he forwarded the issue to the legal dept for their opinion. Mayor asked how long they thought was needed for the hearing. Chief said that they are ready to go and it would be up to the attorney. Mayor asked that the hearing be scheduled before an upcoming meeting at 6PM.

- **NEW BUSINESS:**

- a. Clerk to Report - (none)
- b. Introduction of the following Ordinance(s): (none)

- **CONSENT AGENDA/RESOLUTIONS**

- ***PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY***

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.  
Questioned Resolution #2012-180.  
Resolution memorializing action taken at the last meeting appointing the new business administrator. She commented that there are ordinances in place which states that it is a Mayoral appointment with council approval.

Mayor responded that she was right.

She then asked if every councilmember interviewed the candidates.

Mayor said that he was there for Dan Frankel's interview and at the end of that meeting he had asked Lisa Eicher and Frank Bella that if going forward we could bring in the other two candidates and have each of the three candidates meet with the department heads so that they have a better idea of the scope of operation that the job would entail and then the individuals could come before the governing body for an interview process. He said that following that interview he found out that the committee had made their decision but were not going to inform him and he found out about this at the last council meeting.

Mrs. Kilcomons felt that this should have been discussed in closed session. She then questioned Mr. Frankel's position on the Board of Elections and that according to our ordinance you could not hold dual positions. She also felt he does not have experience.

Mayor responded to Mrs. Kilcomons.

He then questioned the wording in the resolution regarding the position being publically advertised and if Mr. Frankel is being hired as a "professional service" or as an "employee". He said that if it were as a professional service then there are no vacation days nor pension.

The attorney said that he is being hired as an employee as the borough administrator. He said the he believes that his position on the Board of Elections was an appointed one.

Mrs. Kilcomons commented on the termination of the past business admin.

The Mayor then read into record the ordinance for Business Administrator, Section 2-6.1 Creation of Position.

Mrs. Kilcomons felt that the League of Municipalities or the DCA should come and look at Sayreville. She also commented to the Borough Attorney about not having the ordinance handy.

The attorney said that he was informed and, it is his opinion that the position on the Board of Elections was a political appointment and that he serves at the pleasure of the Governor. He said that this ordinance and other ordinances are not clear. He said that it is his interpretation that he only has one job and it is that of the Borough of Sayreville and the other is a political appointment.

The Mayor further read Section 6-2.4 Appointment - which deals with whom should make the appointment of Business Administrator. He said that he was not involved in this process or in the decision to making. He said that he would not be signing the

resolution appointing Mr. Frankel. The Mayor then read the advertisement for Business Administrator. He then read the resumes and qualifications of each of the three applicants that the committee selected. He explained the list of questions he asked Mr. Frankel whereby he made his decision that he was not qualified.

Further comments made by Mrs. Kilcomons about other qualifications, process, etc and how she felt it was wrong.

- John Rucki, Sayreville  
He asked that this Resolution be tabled. He commented on the salary and pension. He questioned what employment package he was offered. He felt that the standards in the ad for business administrator are not being met with this appointment as opposed to the two other candidates.

The Mayor also commented on the salary he is getting from the Board of Elections. He said that at the last meeting there was a long and drawn out dialog regarding this appointment and that he wasn't sure what was voted on so he asked for a transcript of that part of the meeting. He also asked the attorney to put in writing what was voted on and it was written that we are hiring someone as a "professional service" and felt that this would have to be addressed tonight. He said that if this is not a "professional service" but an "employee" then the issue with the pensions would have to be worked out.

- Theresa Strek, 140 McCutcheon Avenue  
Mrs. Strek commented that the appointment of Mr. Frankel was not parliamentary correct inasmuch as it was not listed on the agenda. She asked that the council not act on this resolution tonight. She felt that the attorney should have commented and that he was being complacent for a reappointment next year.

The Borough Attorney responded to the comments made by Ms. Strek.

- Dave McGill, Sayreville  
Commented that double dipping was not longer allowed in the pension system.

Response by the Borough Attorney the he would only be allowed to the pension allowable under the new law.

- Eloise Hansen, Price Street  
She commented that the Business Administrator serves at the pleasure of the governing body, no matter which one sits there.

Asked why the CFO was not on the committee to appoint the business administrator, as he mentored every business administrator that the borough has hired.

Mayor said that would be the normal thing that should have been done.

Councilwoman Eicher said that she received an e-mail from Mr. Kronowski after Mr. Frankel met with the department heads which read: The meeting with the department heads and Dan Frankel went very well. He seems to be an extremely nice individual with the competence to be successful in the position. I also believe he was well received by the department heads he met. I thought the department heads did very good giving him an overview of their departments in the short time allotted. So Wayne did meet with him and thought he was competent and capable of the position.

The Mayor asked Wayne if he had any comments.

Mr. Kronowski said that was the e-mail he sent but did not interview any other candidates.

The Mayor said that he still has an issue with the way the resolution was written, as well as the whole process. He explained his concerns.

Mayor asked if there were any other questions or comments.

With that being said he asked the Borough Attorney to go over the Resolution appointing Mr. Frankel and clarify - as an employee.

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

Mayor asked Councilwoman Eicher to retract her motion as he did not call for the closure yet.

The Mayor called upon the attorney to work on this resolution.

Borough Attorney said that he has the resolution and ready for any questions he may have.

Mayor said to go to the third paragraph – Professional Service, should be changed to employee with a length of term and under Professional Services it is 1 one (1) year term.

The Borough Attorney recommended not giving this a term limit in consideration of the fact that it would then start contractual negotiations. He said that this resolution is described as Professional Services. In its preamble it just defines the services being provided by the borough administrator as professional in nature and not in terms of requirements.

The Mayor said that he disagreed with him but was not going to debate the issue. He said that what he thought the attorney needed to insert was that Mr. Frankel would serve at the pleasure of the governing body.

The Attorney said that resolution speaks to that plus the ordinance specifically states that the business administrator serves at the pleasure of the Mayor and Council .

Mayor said that that we're hiring a business administrator without a contract.

The attorney said that there are many towns where they do not have a contract and does not suggest that we have one.

Mayor stated that he disagrees with the process that was taken to interview the business administrators. It was contrary to accepted practice, contrary to law. He said he is not one to spend money on minor breaches of the law. He said that he disagrees with this resolution and the manner in which it was written and with the borough administrator.

Mayor then asked if there were any other questions or comments.

Those appearing were:

- Richard Bednarz, 85 Weber Avenue  
He commented that the new business administrator should have a contract.

The Mayor apologized to the other applicants.

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

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes.

Councilman Henry said that he was involved in the interview process for the business admin and felt the Mr. Frankel stands heads and tails above the other individuals and explained why. He also said that this process was done during an open process and not behind closed doors, etc.

Mayor called for a motion to adopt the Consent Agenda Resolutions.

Councilwoman Eicher made a motion to adopt the Consent Agenda Resolutions. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, all Ayes.

Buchanan, Nay to Resolution #2012-159, Ayes on all the rest.  
Eicher, Nay to Resolution #2012-159, Ayes on all the rest.  
(Councilwoman Eicher made additional comments about the business administrator)  
Henry, Nay to Resolution #2012-159, Ayes on all the rest.  
Novak, Abstain on Resolution #2012-159, Ayes on all the rest.  
Perrette, Nay to Resolution #2012-180, Ayes on all the rest.

Municipal Clerk Announced that there were 3 Nay Votes and 1 Abstention on Resolution #2012-159 and the Resolution fails.

**RESOLUTION #2012-156**

**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/ Frank J. Bella  
Councilman

/s/ William J. Henry  
Councilman

/s/ Daniel Buchanan  
Councilman

/s/ Mary J. Novak  
Councilwoman

/s/ Lisa Eicher.  
Councilwoman

/s/ Nicholas J. Perrette  
Councilman

Bill list of June 25, 2012, in the amount of **\$3,654,174.08**  
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).

**RESOLUTION #2012-157**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2010 in the amount of \$3,927.84 and 2011 in the amount of \$4,453.60 due to the approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 32.07, 44.07, Lot 42, 9 Elm Terrace.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-158**

**RESOLUTION IN SUPPORT OF S-302 SPONSORED BY SENATOR JOE PENNACCHIO  
THE "TRANSPARENCY IN GOVERNMENT ACT" WHICH WOULD CODIFY  
AND EXPAND ON THE STATE PUBLIC FINANCE WEBSITE**

**WHEREAS**, the clamor of eliminating waste, fraud and abuse is often stated, but rarely addressed and efforts to do so are nearly impossible.

**WHEREAS**, transparency in government is necessary to identify State spending and where State taxpayer dollars are going.

**WHEREAS**, the State public finance website which retains and displays data and information on the State's annual revenues, expenditures and total bonded indebtedness is necessary as a user-friendly source of information to track State revenues and expenditures and to gauge it's past and present levels of indebtedness.

**WHEREAS**, the State website includes information such as contractual service purchases, salaries and wages, gifts and grants and bonded obligations and must be accessible to the public no later than 45 days following the close of each fiscal year.

**WHEREAS**, a bi-partisan approach to improving transparency, identifying waste and eliminating abuse at each level of State government and the establishment of the Public Finance Transparency Committee would facilitate the organization, development and maintenance of such websites.

**WHEREAS**, Senator Joe Pennacchio has introduced S-302 the "Transparency in Government Act," to codify and expand on such aforementioned State public finance website and to establish a Public Transparency Committee.

**Therefore be it resolved**, that the Mayor and Council of the Borough of Sayreville supports Senator Pennacchio's bill, S-302, the "Transparency in Government Act," and

A certified copy of this resolution shall be sent to Governor Chris Christie, Senate President Stephen Sweeney, Senate Minority Leader Tom Kean Jr. and Senator Joe Pennacchio.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-159**  
**Failed 3 Nay, 1 Aye, 1 Abstention**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
OPPOSING BILL NO. A-2596/S-1829 CURRENTLY BEFORE  
THE NEW JERSEY ASSEMBLY AND SENATE**

**WHEREAS**, the Governing Body of the Borough of Sayreville has had the opportunity to review Bill No. A-2596/S-1829 currently before the New Jersey Assembly and Senate; and

**WHEREAS**, the Governing Body of the Borough of Sayreville finds that the Bill would be detrimental to the citizens of the Borough of Sayreville; and

**BE IT AND IT IS HEREBY RESOLVED** Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville oppose the passing of Bill No. A-2596/S-1829.

\_\_\_\_\_  
Nicholas J. Perrette, Councilman  
(Administration & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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

\_\_\_\_\_  
Kennedy O'Brien  
Mayor

**RESOLUTION # 2012-160**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE OF A  
SPECIAL EVENT PERMIT**

**WHEREAS**, William A. Vezzosi has requested permission from the Mayor and Council of the Borough of Sayreville to conduct charity car wash with the proceeds to benefit the American Cancer Society at Deko Lounge (R3 Promotion), 1979 Rt. 9 So., Sayreville on June 30, 2012; and

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that William A. Vezzosi is hereby authorized to conduct a charity car wash at Deko Lounge (R3 Promotions) on June 30, 2012 from 10:00 A.M. – 4:00 P.M. without posting any fees.

/s/ Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-161**

**WHEREAS**, on June 23, 2011 the Borough of Sayreville awarded a contract for "Labor and Equipment for Water Main and/or Sanitary and Storm Sewer Repairs" to B & W Construction Co. of NJ, Inc., PO Box 574, South River, NJ; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for a one-year period at no additional increase in price contained therein; and

**WHEREAS**, B & W Construction Co. of NJ, Inc., has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for "Labor and Equipment for Water Main and/or Sanitary and Storm Sewer Repairs" is hereby renewed for one additional year period at no additional increase in price.

/s/ Dan Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-162**

**BE IT RESOLVED** that Jessica Morelos is hereby granted an unpaid maternity leave of absence, from her position as Keyboarding Clerk 2 in the Clerk's Office, for five (5) intermittent days under the State of New Jersey Family Leave Act.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-163**

**RESOLUTION OF SUPPORT FROM THE GOVERNING BODY OF THE  
BOROUGH OF SAYREVILLE FOR THE OBMUA RECHARGE BASIN PROJECT**

**WHEREAS**, Substantial development has occurred in the 44.0 square mile watershed area downstream of the proposed OBMUA Recharge Basin Project beginning in the 1990s, and intensifying in the 2000 decade, leading to a considerable increase in impervious cover, thus, increasing the runoff per square mile above that projected in the FEMA Flood Insurance Study; and

**WHEREAS**, The Flood Insurance Study for the Matchaponix Brook was published in the 1980s with the hydrologic and hydraulic flood studies performed in the 1970s; and

**WHEREAS**, the frequency and intensity of flood producing storms has been shown to have increased with changing weather patterns over the previous decades since the FEMA Flood Insurance Study was published; and

**WHEREAS**, there are a minimum of 50 residences projected in the FEMA Flood Insurance Study to be directly affected by the flooding of the Matchaponix Brook; and

**WHEREAS**, there are no known major flood control projects on the Matchaponix Brook watershed to attenuate flood producing discharges on the Matchaponix Brook; and

**WHEREAS**, on August 27-28, 2011, Hurricane Irene generated flood producing rainfall in Central New Jersey including the Matchaponix Brook watershed; and

**WHEREAS**, the storm resulted in widespread severe flooding and power losses throughout central New Jersey, including the Matchaponix Brook watershed; and

**WHEREAS**, the severe flooding caused extensive damage and service disruptions resulting in financial hardship to affected residents and local governments in many areas of New Jersey; and

**WHEREAS**, the increase in frequency and intensity of storms and subsequent flooding have highlighted an ongoing and pressing need for large scale flood mitigation in the Matchaponix Brook Basin area; and

**WHEREAS**, the Old Bridge Municipal Utilities Authority is currently investigating the feasibility of a recharge basin project involving storage basins adjacent to the Matchaponix Brook; and

**WHEREAS**, the proposed basins would withdraw and store water from the Matchaponix Brook during periods of excessive rainfall; and

**WHEREAS**, the recharge basin project has the potential to mitigate the recurrence of severe flooding in the Matchaponix Brook watershed.



**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Sayreville recognizes the potential flood mitigation benefits of and fully supports the OBMUA recharge basin project.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-164**

**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: Weber Avenue Storm Sewer Improvement Project

Contractor: Black Rock Enterprises, LLC  
1316 Englishtown Road  
Old Bridge, NJ 08857

Balance Due: \$ 3,260.20

**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 \$24,451.50 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Mary J. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-165**

**WHEREAS**, on June 19, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "2010 Roadway Paving & Reconstruction Project – Phase III" covering the improvements to Taft Place, Sherwood Road and Cambridge Drive; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 25th day of June, 2012, that:

1. Contract for the "2010 Roadway Paving and Reconstruction Project – Phase III, Improvements to Taft Place, Sherwood Road & Cambridge Drive Project be awarded to F & P Contractors, 659 Washington Ave., South Amboy, NJ 08879, on their bid price of \$988,495.90, as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

/s/ Mary J. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**BOROUGH OF SAYREVILLE**  
**RESOLUTION #2012-166**

**APPROVING LIQUOR LICENSES**  
**FOR THE CALENDAR YEAR 2012-2013**

**WHEREAS**, applications have been duly filed for renewal of certain liquor licenses in the Borough of Sayreville for the license year July 1, 2012 to June 30, 2013; 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 Sting Ray's, Inc., t/a Deko 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)**
- 1219-33-012-007 Pub 35, LLC, t/a the Ale House  
**(Conditions)**
- 1219-33-018-009 Marullo 2, LLC, - Pocket License **Special Ruling Required 2012/2013**  
**(Conditions)**
- 1219-33-021-009 Gianna's, Inc., t/a Cagney's Pub & Restaurant  
**( Tax Clearance, Special Ruling Required, Conditions, Police Objections)**
- 1219-33-022-003 Stock Enterprise, Inc. - Pocket  
**(Conditions/SR approved)**
- 1219-33-024-006 Tapan Liquors, LLC, t/a Express Liquors  
**(Tax Clearance & Special Ruling Required)**
- 1219-33-027-002 Peterpank Diner **(Tax Clearance Required, ad Interim issued)**
- 1219-33-028-008 Victory Entertainment, Inc. – Pocket License  
**(Conditions, Special Ruling Required)**
- 1219-33-033-007 AC & VC, Inc. (Anna Covello)  
**(Conditions)**
- 1219-33-040-005 Kamlesh H. Patel **(Special Ruling Required)**
- 1219-33-043-005 Shri Hans, LLC – Pocket License  
**(Tax Clearance)**
- 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)**
- 1219-33-058-007 Shooters, Inc., t/a Club Abyss **(Conditions)**

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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**2012 LIQUOR LICENSES RENEWAL LIST**  
**Resolution #2012-166 - 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	Deerfield Inn, LLC	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
1219-33-030-005	Mayerboys, Inc.	Old Spye Road, Blk 547, Lot 2 So. Amboy 08879
1219-33-031-004	Shiv Akshar, LLC	Pocket License
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.	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
1219-44-041-004	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 257-2061	775 Washington Road Parlin, 08859
1219-33-051-004	K & K Beverage, Inc. 254-9627	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 583-2223	4500 Bordentown Avenue Sayreville 08872
1219-33-056-007	Marullo 3, LLC	Pocket Lic.
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 of the United States, Inc.	Jernee Mill road PO Box 1059, 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.	Jernee Mill road Sayreville 08872

**RESOLUTION #2012-167**

**RESOLUTION OF THE COUNCIL OF THE  
BOROUGH OF SAYREVILLE TO RENEW  
P.R.C.L. # 1219-33-001-012, STING RAYS, INC.  
T/A DEKO LOUNGE WITH CONDITIONS FOR THE  
2012-2013 LICENSE YEAR**

**WHEREAS**, Sting Rays, Inc. t/a Deko Lounge (“Sting Rays” or “Licensee”) is the holder of plenary retail consumption license number 1219-33-001-012 (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 2012-2013; and

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

**BE IT FURTHER RESOLVED THAT** Plenary Retail Consumption License #1219-33-001-012, Sting Rays, Inc. t/a Deko Lounge, is hereby renewed for the 2012-2013 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-168**

**RESOLUTION OF THE COUNCIL OF THE**

**BOROUGH OF SAYREVILLE TO RENEW  
P.R.C.L. # 1219-33-002-007, 439 CORPORATION,  
t/a BOURBON STREET WITH CONDITIONS FOR THE  
2012-2013 LICENSE YEAR**

**WHEREAS**, 439 Corporation t/a Bourbon Street (“Bourbon Street” or “Licensee”) 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 2012-2013; 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 2012-2013 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor



**RESOLUTION #2012-169**  
**RESOLUTION OF THE COUNCIL OF THE**  
**BOROUGH OF SAYREVILLE TO RENEW**  
**P.R.C.L. #1219-33-007-005, PAT'S PUB,**  
**WITH CONDITIONS FOR THE 2011-2012 LICENSE YEAR**

**WHEREAS**, Pat's Pub, LLC is the holder of plenary retail consumption license number 1219-33-007-005 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 367 Washington Road, Sayreville, New Jersey (the "Licensed Premises") for license year 2012-2013; 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 2012-2013 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.
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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-170**

**RESOLUTION OF THE COUNCIL OF THE  
BOROUGH OF SAYREVILLE TO RENEW  
P.R.C.L. #1219-33-010-005, 219 WASHINGTON ROAD, LLC,  
WITH CONDITIONS FOR THE 2011-2012 LICENSE YEAR**

**WHEREAS, 219 Washington Road, LLC, t/a Big Shots,** is the holder of plenary retail consumption license number 1219-33-010-005 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 2047 Route 35 in the Borough of Sayreville, New Jersey (the "Licensed Premises") for license year 2012-2013; 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 2012-2013 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;

; and

**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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-171**

**WHEREAS**, Ethan H, LLC, t/a Prime Time Sports Bar and Billiards Café, has applied for the renewal of Plenary Retail Consumption License No. 1219-33-011-008 (the "Licensee"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for the 2012-2013 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 #1219-33-011-008, Ethan H, LLC, t/a Prime Time Sports Bar and Billiards Café, is hereby renewed for the 2012-2013 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 PM;
- (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 area at all times to prevent the transfer of alcohol from the bar/restaurant area to the pool area;
- (d) Security personnel shall be posted at the front door of the Licensed Premises from 9:30 PM to closing on Thursday, Friday, Saturday and Sunday evenings;

(e) All parking for Prime Time Sports Bar patrons shall be in the front of the Licensed Premises;

(f) No live entertainment is permitted on the Licensed Premises, with the exception of pool or billiard matches or tournaments and comedy club performances, or such entertainment as is directly related to such activity.

(g) 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 and 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.

(h) 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-172**  
**RESOLUTION OF THE COUNCIL OF THE**  
**BOROUGH OF SAYREVILLE TO RENEW**  
**P.R.C.L. #1219-33-012-007, 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. 1219-33-012-007 (the "Licensee"), issued by the Council of the Borough of Sayreville as the Issuing authority (the "Issuing Authority") for premises located at 1899 Highway No. 35 in the Borough of Sayreville, New Jersey (the "Licensed Premises") for the 2012-2013 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 1219-33-012-007, Pub 35, LLC is hereby renewed for the 2012-2013 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;

; and

**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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

(Pocket License)

**RESOLUTION #2012-173**  
**RESOLUTION OF THE COUNCIL OF THE**  
**BOROUGH OF SAYREVILLE TO RENEW**  
**P.R.C.L. #1219-33-022-003, STOCK ENTERPRISE, INC.**  
**T/A COLOSSEUM WITH CONDITIONS**  
**FOR THE 2012-2013 LICENSE YEAR**

**WHEREAS**, Stock Enterprise, Inc. t/a Colosseum (“Stock Enterprise” or “Licensee”) is the holder of Plenary Retail Consumption License # 1219-33-022-003 (the “License”), issued by the Council of the Borough of Sayreville as the Issuing Authority (the “Issuing Authority”), for license year 2012-2013; 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 2012-2013 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 2012/2013 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 2012-2013 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 (30<sup>th</sup>) 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 Licensee.

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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor



**RESOLUTION #2012-174**

**RESOLUTION OF THE COUNCIL OF THE  
BOROUGH OF SAYREVILLE TO RENEW  
P.R.C.L. #1219-33-033-007, AC & VC, INC.  
T/A COVELLOS ITALIAN AND SEAFOOD RESTAURANT WITH  
CONDITIONS FOR THE 2012-2013 LICENSE YEAR**

**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 2012-2013 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-175**

**RESOLUTION OF THE COUNCIL OF THE  
BOROUGH OF SAYREVILLE TO RENEW  
P.R.C.L. #1219-33-044-006, F&B ASSOCIATES OF NJ, LLC,  
T/A STARLAND BALLROOM WITH CONDITIONS  
FOR THE 2012-2013 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 (the “Licensee”), issued by the Council of the

Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 570 Jernee Mill Road, Sayreville, New Jersey (the "Licensed Premises") for license term 2012-2013; and

**WHEREAS**, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-044-006 for the 2012-2013 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 2012-2013 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 licensed 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.

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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 licenses premises. Parking attendants and valet parking staff shall not counts 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 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec

/s/ Kennedy O'Brien

**RESOLUTION #2012-176**  
**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 2012-2013 LICENSE YEAR**

**WHEREAS, PSP Pride Corporation, t/a Last Call**, is the holder of Plenary Retail Consumption License #1219-33-045-006 (the "Licensee") issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 219 Washington Rd., Sayreville, New Jersey (the "Licensed Premises") for license term 2012-2013; and

**WHEREAS**, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-045-006 for the 2012-2013 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 2012-2013 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-177**

**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 2012-2013 LICENSE YEAR**

**WHEREAS**, an application has been made for the 2012-2013 renewal 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 2012-2013 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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

(Pocket License)

**RESOLUTION #2012-178**  
**RESOLUTION OF THE COUNCIL OF THE**  
**BOROUGH OF SAYREVILLE TO RENEW LIQUOR LICENSE NO. 1219-33-058-007,**  
**SHOOTERS, INC. T/A CLUB ABYSS WITH**  
**CONDITIONS FOR THE 2012-2013 LICENSE YEAR**

**WHEREAS, Shooters, Inc. t/a Club Abyss** (“Shooters” or “Licensee”) is the holder of plenary retail consumption license number 1219-33-058-007 (the “License”), issued by the Council of the Borough of Sayreville as the Issuing Authority (the “Issuing Authority”), for premises located at 1970 Route 35 North, Sayreville, New Jersey (the “Licensed Premises”) for license year 2012-2013; 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 1219-33-058-007, Shooters, Inc., t/a Club Abyss is hereby renewed for the 2012-2013 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.  
Resolution #2012-178
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.

**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/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec

/s/ Kennedy O'Brien



(Pocket License)

**RESOLUTION #2012-179**  
**RESOLUTION OF THE COUNCIL OF THE**  
**BOROUGH OF SAYREVILLE TO RENEW LIQUOR LICENSE NO. 1219-33-052-005,**  
**FLAMINGO LIQUOR,LLC, t/a CABANAS BAR & RESTAURANTE**  
**WITH CONDITIONS FOR THE 2010-2011 LICENSE YEAR**

**WHEREAS**, an application has been filed in a timely manner for the renewal of Plenary Retail Consumption License #1219-33-052-005, Flamingo Liquor, LLC, t/a Cabanas Bar & Restaurante covering the License Term 2010/2011; and

**WHEREAS**, said applicant has also complied with the necessary requirements including payment of fees for both the 2010/2011 license term; and

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-052-005 to the licensee, Flamingo Liquor, LLC for the 2010/2011 license term subject to the following terms and conditions as hereinbefore imposed and re-stated as follows which are part of the Licensee's requirements as outlined in the Stipulation of Settlement agreement dated August 15, 2006:

1. The licensee agrees to operate the licensed premises as a Mexican Restaurant or other type of restaurant where the service of food is the primary use of the licensed premises.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**RESOLUTION #2012 - 180**

**WHEREAS**, the Governing Body of the Borough of Sayreville are knowledgeable that the Borough requires the services of a Borough Administrator in order to run the Borough; and

**WHEREAS**, the Laws of New Jersey provide for the appointment of a Borough Administrator; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A 40A:11-1, et seq.) requires that the resolution authorizing the appointment of a Borough Administrator as required by the Borough for "professional services" without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED THAT** this Resolution hereby memorializes action taken by the Governing Body at the June 11, 2012 meeting appointing Daniel Frankel as Borough Administrator for the Borough of Sayreville, County of Middlesex and State of New Jersey commencing on June 26, 2012 and serving at the pleasure of the Governing Body; and

**BE IT FURTHER RESOLVED** that Daniel Frankel shall receive a salary of \$100,000.00 annually, twenty vacation days, and any pension for which he may be eligible. Mr. Frankel will receive no health insurance benefits.

**BE IT FURTHER RESOLVED** that the Borough Clerk be and she is hereby authorized to forward a true copy of this Resolution to Daniel Frankel.

/s/ Lisa Eicher, Councilwoman

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien

The Clerk read the following Resolutions in full:

**RESOLUTION #2012-181**

**BE IT AND IT IS HEREBY RESOLVED** that the proper borough officials are hereby authorized and directed to execute an Agreement between the Legacy Riding Stables, Inc., and the Borough of Sayreville for Horseback Riding and Related Concession Services on premises known as Julian Capik Nature Preserve and Wellfields, effective upon the submission of a property approved Certificate of Insurance and all other paperwork indicated in said agreement.

/s/ Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

Mayor questioned the amount the borough would be receiving for the rent.

Acting Business Admin. said that this was being awarded as a result of an RFP and this is a new company and the borough would be getting \$600.00 per month during the operating season.

The Mayor opened the meeting to the Public for questions or comments.

Those appearing were:

- Eloise Hansen, 61 Price Street  
Suggested that these facilities be used for the BIC organization. She felt that it would be very beneficial for the individuals in the organization.

The Mayor explained the ex-councilmember Stanley Drwal was the person who spearheaded the Julian Capik Nature Preserve and seeing him in the audience he asked that he come up and talk about it.

Stanley Drwal came forward and summarized his idea and how he brought it to life. He said that the new Stable company that will be taking over may have the background and certifications needed to incorporate the BIC Organization into their programs. He explained how the area had been cleaned up over the years and came to what it is now.

- Brittany Bojoam, Legacy Riding Stables  
She explained the programs they would be offering to Sayreville. She then explained the different types of programs that could be offered to the BIC

Organization if they could get the proper grants for the properly trained horses and trained personnel as you could not just have a volunteer as a side-walker with a challenged person on an in-appropriately trained horse, although volunteers will be accepted. She said that right now people can bond with an animal and nature and get more involved in a community. The Mayor suggested that she get together with Elyse Barone as she is a great grant writer and welcomed legacy Stables to Sayreville.

No other questions or comments.

Councilwoman Eicher moved the public hearing be closed and the Resolution be adopted on Roll Call vote.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

**BUDGET RESOLUTION #2012-182**

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

- (a) \$ 25,759,501.59 for municipal purposes, and
- (b) \$ 0 for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0 to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 456,342.32 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.
- (e) \$ 1,663,740.94 Minimum Library Lev e (R.S. 40:54-8 et seq.)

**RECORDED VOTE**

AYES	NAYS	ABSTAINED	ABSENT
Eicher	Bella		
Novak	Buchanan		
Perrette	Henry		

**SUMMARY OF REVENUES**

GENERAL REVENUES

Surplus Anticipated	\$ 2,800,000.00
Miscellaneous Revenues Anticipated	\$ 20,822,009.84
Receipts from Delinquent Taxes	\$ 1,334,000.00

AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES \$ 25,759,501.59

AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY \$ 1,663,740.94

TOTAL REVENUES \$ 52,379,252.37

**SUMMARY OF APPROPRIATIONS**

GENERAL APPROPRIATIONS

WITHIN "CAPS"  
(a&b) Operations Including Contingent \$ 34,868,087.00  
(e) Deferred Charges and Statutory \$ 3,950,136.50  
Expenditures – Municipal

EXCLUDED FROM "CAPS"  
(a) Operations – Total Operations Excluded  
From "CAPS" \$ 5,441,158.84  
(c) Capital Improvements \$ 230,000.00  
(d) Municipal Debt Service \$ 5,476,029.00  
(e) Deferred Charges – Municipal \$ 341,030.03  
(m) Reserve for Uncollected Taxes \$ 2,072,538.00

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

TOTAL APPROPRIATIONS \$ 52,379,252.37

It is hereby certified that the within budget is a true copy of the budget finally adopted by this resolution of the governing body on this 25<sup>th</sup> day of June 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

\_\_\_\_\_  
Nicholas Perrette, Councilman  
(Admin. & Finance Committee)

ATTEST:

**BOROUGH OF SAYREVILLE**

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

\_\_\_\_\_  
Kennedy O'Brien  
Mayor

At this time the Mayor opened the meeting to the public for questions or comments.

Those appearing were:

- Frank Weber, Wesco Street  
Spoke about dumping clean fill.

Mayor informed him that this was for discussion on budget items only.

No further questions or comments.

Councilwoman Eicher moved the public portion be closed and Resolution #2012-182 be adopted on Roll Call vote. Seconded by: Councilman Perrette.

Roll Call:  
Councilman Bella, Nay;  
Councilman Buchanan, Nay;  
Councilwoman Eicher, Ayes;  
Councilman Henry, Nay;  
Councilwoman Novak, Ayes;  
Councilman Perrette, Ayes.

Clerk announced that it was a tie vote  
3 Ayes  
3 Nay

Mayor stated that when it comes to the budget there would have to be four council people voting in favor to pass. The attorney stated that was not accurate. That under 40A:4-4. All budgets shall be introduced and approved by not less than the majority the full membership of the governing body. He said that the Mayor would have to break the tie one way or the other and if not they would be inviting the DCA to come in and pass a budget or act accordingly. He asked that the Mayor vote.

Mayor O'Brien said that at this point he would be calling the DCA for clarification afterwards he has no problem breaking a tie vote. The Mayor asked that this Resolution and vote be held off until next meeting.

Councilman Perrette commented about the there being a lack of interest by the council so therefore there was no quorum for a budget workshop meeting last week and now they're forcing the Mayor to vote.

## **BUSINESS SESSION**

### **COMMUNICATIONS/COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette
  - a) **Notice of Resolution** -received from the from the Township of East Brunswick's Clerk's Office, Resolution 15005 In Support of Employment Initiative Program of the New Jersey Employer Support Guard and Reserves (ESGR) Program.
    - **Receive & File.**
  - b) **Application for Social Affair**-One Day Liquor Permit application received from Church of Our Lady of Victories for their Oktoberfest being held on September 29, 2012.
    - **Approved.**
  - c) **Real Property Tax Petition of Appeal** received regarding the following properties:
    - Carmine K. & Blan DellaPietro, 13 Martha Blvd., Block 413.07 Lot 6
    - 1965 Rt. 35 Associates LLC, 1965 Route 35, Block 453 Lot 6
    - **Receive & File.**
  - d) **Committee Reports** –
    - Councilman Perrette reported on the Open Space Committee as well as the Engineer and Attorney's review of the purchase property through the use \$1.2 million dollars available to the borough from the State.

Progress.

- **PLANNING & ZONING** – Councilman Henry
  - a) **Minutes-**
    - Councilman Henry moved the following minutes be received and filed:
      - Middlesex County Planning Board- May 8, 2012.
        - Motion seconded by Councilwoman Eicher.
  - b) Request for Sayreville representation on the Citizens Advisory Group for the Raritan Bay Slag Site, requesting a member of the Environmental Commission and a member of SERA be appointed to represent Sayreville.
    - **Receive & File.**

Mayor stated that they are requesting a member of the Environmental Commission and he will reach out to them for a recommendation. He also asked that Councilmen Bella and Henry report back with a name from SERA.

c) **Committee Reports:**

Councilman Henry said that last Sunday he had a heart attack and thanked the Morgan Rescue Squad, Paramedics, Police Department for the quick response as well as the doctors at Robert Wood Johnson University.

Progress.

• **PUBLIC SAFETY** – Councilman Bella

a) Request to hold Block Party on August 11, 2012, received from Nikki Voccio along with the residents of Dunlap Dr. with a rain dates of August 12<sup>th</sup> or 18<sup>th</sup>, also requesting to have a DJ from 5-9pm and inflatable bouncy between both blocks  
- **Approved.**

b) Request to hold Block Party on August 11, 2012, from 12 noon to 10 pm received from Michele Gregory along w/the residents of Grand St.. with a rain date of August 12<sup>th</sup>.  
-**Approved.**

c) **Requests Fire Equipment Travel received from:**

-Morgan Hose & Chemical # 1, truck #2, for a Wet Down in North Arlington on August 18, 2012

-Melrose Hose Co., truck Utility 5, for training in Baltimore, MD on July 20, 2012

- **Approve / Disapprove**

**Committee Reports:**

• **PUBLIC WORKS** – Councilwoman Novak

a) **Minutes-**

Councilwoman Novak made a motion to receive and file the following minutes:

-Rent Leveling Bd. – June 12, 2012

-Commission on Aging –June 15, 2012

Motion seconded by Councilman Perrette.

b) Request for the installation of a bike rack at the Raritan St. Park and Ride due to insufficient space to lock bicycles.

- **Approved. Referred to the department of Public Works for the installation of a small bike rack.**

c) **Committee Reports:**

Progress.

• **RECREATION** – Councilwoman Eicher

a) **Minutes: None**

b) **Committee Report –**

Councilwoman Eicher invited everyone to the Independence Day Celebration on June 30<sup>th</sup> beginning at 4PM.

Councilwoman Eicher expressed her feeling that the Mayor had insulted her at the last meeting with his comments toward her and welcomed Mr. Frankel.

• **WATER & SEWER** – Councilman Buchanan

a) **Minutes (none)**

b) **Committee Reports:**

Councilman Buchanan explained why he had voted no on the Budget and that he believes that there are a few other opportunities for cuts. He then commented on his support of Mr. Frankel as the Business Administrator. He also indicated that due to a conference he would not be at the next council meeting.

Progress.

- **MAYOR** – Kennedy O'Brien

- a) **Appointments**

- b) **Other Business**

- **NEW BUSINESS**

- **BUSINESS ADMINISTRATOR –**

- I. Governing Body interview and hiring of police officers.

- July 2, 2012 – 6:30 pm Interview Process, followed by budget meeting.

- II. 2% salary increases 7/1/12 for Statutory and Non-Statutory Department Heads.

- Approved, included in Ordinance adopted back in 2010.

- III. Horse Stables Concession – Resolution needed for June 25<sup>th</sup> meeting.

- Resolution adopted tonight.

- \*\* IV. Authorization to award bid for one Hook Lift System Truck to Brown's Hunterdon International, LLC on the low bid price of \$138,926.00 (Att'y review & recommendation rec'd).

- Resolution.**

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

- I. Bill List Resolution

- II. Adoption of 2012 Local Municipal Budget

- **ENGINEER -Jay Cornell**

- I. Improvements to Taft Place, Sherwood Road & Cambridge Drive – Receipt of Bids (Report Attached).

- Resolution adopted tonight.

- II. Ernston Road/Bordentown Avenue Intersection Improvements – Status of Project (verbal report)

- **BOROUGH ATTORNEY - Michael DuPont**

- **PUBLIC PORTION**

- The Mayor opened the meeting to the public on any and all issues.

- Those appearing were:

- Frank Weber, 170 Wesco St.

- Complaint made regarding his son being issued a ticket for dumping clean dirt at the end of his dead end street to fill erosion which has been reoccurring for 40 years and stated that he has had other people dump there for him over the years. He further commented about the fill being brought in from North Jersey for the NL Site.

- Response made by the Borough Engineer about the State EPA testing standards.

- Charlie Lukie, 324 Oak Street.

- He thanked everyone who help him and the residents with the air quality in Melrose.

- Dave McGill, Sayreville  
Expressed his gratitude that Legacy Stable was willing to look into being able to work with the BIC Organization. He then went on to comment regarding the Mayor's comments at the last meeting about Councilwoman Eicher.

No further questions or comments.

Councilwoman Eicher made a motion to close the public portion. Seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

**- EXECUTIVE SESSION (none)**

Before the meeting adjourned Councilwoman Novak commented on her reasons in support of Mr. Bertrand's being let go and why we should hire someone that has not previously served as a business administrator.

Mayor responded to Councilwoman Novak's comments.

**- ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:40 P.M.

SIGNED:

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

9/24/12  
Date Approved