

Council President Kilpatrick opened the Agenda Meeting at 8:44 PM followed by a salute to the flag.

❖ **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Session Meeting being held on Monday, June 25, 2018 has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

• **ROLL CALL:**

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

Absent: None

Others Present: Daniel Frankel, Business Administrator
Denise Biancamano, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Michael DuPont, Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: Kennedy O'Brien, Mayor

• **OLD BUSINESS:**

ORDINANCE # 421-18

BOND ORDINANCE PROVIDING FOR SCOTT AVENUE WATER LINE IMPROVEMENTS IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance – Public Hearing July 23, 2018)

ORDINANCE # 422-18

BOND ORDINANCE PROVIDING FOR HERCULES VILLAGE SEWER IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$213,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance – Public Hearing July 23, 2018)

ORDINANCE # 423-18

BOND ORDINANCE PROVIDING FOR HERCULES VILLAGE WATER IMPROVEMENTS IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance – Public Hearing July 23, 2018)

ORDINANCE 424-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, MIDDLESEX COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING ORDINANCE 414-18

(Planning & Zoning – Public Hearing July 23, 2018)

ORDINANCE 425-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, MIDDLESEX COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING ORDINANCE 413-18

(Planning & Zoning – Public Hearing July 23, 2018)

- **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

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DISPOSITION

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

- A) **Minutes & Departmental Reports:**

Councilwoman Novak moved the following Minutes/Reports be received and filed:

- 1) Municipal Clerk's monthly report for the month of May, 2018.
- 2) CFO's Investment Activity report for the month of May, 2018.
- 3) Office on Aging Supervisor's report for the month of May, 2018.

- Seconded by Councilman Grillo

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

- 1) **Sayreville Touch Down Club** to conduct an On-Premise 50/50 on Sept. 21 & 28, Oct. 19 & 26, 2018 and an Off-Premise Draw Raffle on Aug. 28, 2018, on High School property. (RA:2199 & 2200).
- 2) **Sayreville War Memorial** High School Band Parents Association to conduct an Off Premise 50/50 Raffle on Sept. 21, 2018 (RA:2201)
- 3) **Sayreville Jr. Bombers** to conduct an Off-Premise Draw Raffle on October 10, 2018 at 277 Johnsons Lane.

- 1-3) Approved

- C) Tax Appeal received from Verizon New Jersey, Inc.

- Refer to Tax Counsel

- D) Requests received from **Tax Collector** for the following Resolutions:

- 1) Authorizing the refund of 2017 and 2018 taxes in the amount of \$3,300.19 and cancelling all subsequently billed taxes due a portion of taxes due to the **approval of a 100% Disabled Veteran Tax Exemption** by the Tax Assessor effective January 23, 2017 covering Block 32.05, Lot 26, **52 Ash Ter.**

- Approved / Clerk to prepare resolution

- 3) Authorizing the Tax Collector to process without any further action on the part of the governing body the cancellation of any property tax refund or delinquency of less than \$10.00.

- Approved / Clerk to prepare resolution

- E) Committee Reports: 1) Progress

- **PLANNING & ZONING – Councilman Lembo**

- A) **Minutes & Departmental Reports:**

Councilman Lembo moved the following minutes and reports be received and filed:

- 1) Construction Officials report, Zoning and Code Enforcement reports, all for the month of May, 2018.
- 2) Fire Prevention report for the month of May, 2018

- Seconded by Councilwoman Novak

- B) **Notice to Adjacent Community/Property Owner -**

- 1) Notice of Ordinance introduced by the Twp. of East Brunswick Adopting a Redevelopment Plan for the Designation Redevelopment Area in the New Jersey Local Redevelopment and Housing Law.

- Receive & File

C) **Request for bond reduction** received from Gillette Towers, LLC
Site Work covering for Block 330.04, Lot 1, 100 Kennedy Blvd.

- Refer to Borough Engineer

D) Committee Reports: 1) Progress.

- **PUBLIC SAFETY – Councilman Buchanan**

A) **Minutes & Departmental Reports:**

Councilman Buchanan moved the following minutes and reports be received and filed:

- 1) Board of Health minutes of May 3, 2018.
- 2) Board of Health and Registrar's report for the month of May, 2018
- 3) Municipal Court Administrator's report for the month of May, 2018

- Receive & File

B) **Firefighter Application of Kevin Gay** was accepted by the
President Park Fire Co. of May 7, 2018.

- Approved.

C) **Letter of resignation** received from Firefighter Kevin Krolick from the
Engine Co. No. 1, effective May 24, 2018.

- Receive & File.

D) Request received from **Sayreville Soccer Association** to conduct a coin
toss at the intersection of Washington Rd. & Ernston Road on Oct. 13, 2018.

- Approved.

E) Committee Reports – Councilman Buchanan:

- 1) Congratulated the SWMHS graduating class of 2018 and wished them all well as they start off on their new adventure.

- **RECREATION – Councilman Melendez**

A) **Minutes & Departmental Reports:**

Councilman Melendez moved the following minutes and reports be received and filed.

- 1) Recreation Director's report for the month of May, 2018.

- Seconded by Councilman Buchanan

B) Committee Reports – Councilman Melendez:

- 1) Reported on the various recreation sponsored summer programs.
- 2) Reported that he met with Co. Grillo on the security issues at the water and sewer department/plant and Co. Grillo will further report comment during his report and he would hit on the technical issues at that time.

- **WATER & SEWER/ENVIRONMENTAL – Councilman Grillo**

A) **Minutes & Departmental Reports:**

Councilman Grillo moved the following minutes and reports be received and filed:

- 1) Water & Sewer Director's report for the month of May, 2018.

- Seconded by Councilman Buchanan

B) Committee Reports – Councilman Grillo:

- 1) Spoke about concerns regarding the security fencing at the Julian Capik preserve and the three lagoons that are located there and that potentially would be used for our water supply. He reported on having met with the Water and Sewer Director today as well as the Consultant the Co. Melendez has been working with. He said that they are going to have those gentlemen work with the Business

Administrator to have the DEP come down and further give an on the ground analysis of security issues they are concerned with and report back. Hopefully it will result in that area not needing to be fenced off to recreation users.

- 2) He asked the Business Administrator if the Efficiency Audit meeting he was looking to schedule for Wednesday was still on. Mr. Frankel reported on having trouble getting in touch with the person and would let him know better tomorrow.
- 3) He said that the Environmental Commission was questioning if the \$50,000.00 appropriation for planting ever went to bid or spent. Mr. Frankel said that he would check with the QPA and get back to him in the morning.
- 4) Co. Grillo reported that on June 22nd they received a sample pro forma from Heyer, Gruel and Associates that they did for Washington Twp. showing the impact on schools. He said that he has some ideas including road, sewer, police, fire, ems, circulation plans, park space, youth and senior programs, public transit and other things that they analyze as well. So, he asked that governing body could forward their suggestions to Dan Frankel and they could be pass on to the Planner. Mr. Frankel asked that all suggestions be submitted by the end of the week. Council President Kilpatrick agreed and commented.

- **PUBLIC WORKS – Council President Kilpatrick**

- A) **Minutes & Departmental Reports:**

- Council President Kilpatrick moved the following minutes and reports be received & filed:

- 1) Public Works Supervisors' reports for Bldg. & Grounds, Parks, Recycling, Roads & Sanitation and Garage Services all for the month of May, 2018.

- Seconded by Councilwoman Novak.

- B) **Committee Reports – Council President Kilpatrick:**

- 1) Congratulated the graduates from SWMHS Class of 2018 as well as the promotion of the 8th grade students.
 - 2) Commented on complaints she received as well as pictures from residents of Roosevelt Blvd. The Borough Engineer reported that Roosevelt Blvd. was on the initial list as a section identified by Public Works. Plans and Specifications have been prepared and since then a few other areas have been added to the list. That is being finalized and we should be going out to bid early next month and anticipate construction in the September time frame.

- **MAYOR – Kennedy O'Brien**

Before moving on Councilman Buchanan said that earlier, when the ordinances were being adopted, for the COAH issues a resident questioned if the Mayor would be signing them or vetoing them. He asked the Borough Attorney for clarification on the difference between a Resolution and an Ordinance and how the Mayor should act on them once passed by the Council. The Borough Attorney responded that typically a Resolution is not vetoed it is merely not executed or not approved. With an Ordinance the Mayor has ten (10) days in order to sign the ordinance and if not he must, within the time period prescribed provide a written explanation as to his veto. Councilman Buchanan said or he could return it unsigned. Councilman Buchanan said that the Council could overturn the Mayor's veto by 2/3rds vote. Councilman Buchanan asked if the Attorney would send a memo to the Mayor advising him of the procedures. Mr. DuPont said that if that is what

the council wants he would sit down with the Borough Clerk and prepare the memo in accordance with State Statute.

- **BUSINESS ADMINISTRATOR – Daniel E. Frankel**
- Admin. & Finance

- Planning & Zoning**

- Public Safety**

- 1) Request received from Police Chief to hire six police officers to attend Cape May Police Academy in late August.
 - Councilwoman Novak asked if we have funds available for six officers as she thought that funds were only available for five. Mr. Frankel responded that we did but would check with the CFO tomorrow. So this approval would be subject to the confirmation tomorrow. Agreed.
- 2) Authorization to purchase SCBA Equipment from New Jersey Fire Equipment of Greenbrook through NJ State Contract T-07090/A80961 in an amount not to exceed \$243,399.00.

- Resolution**

- 3) IT – Authorization to award a contract to Condoris through NJ State Contract #M0483/A89967 for public safety complex server virtualization and storage in an amount not to exceed \$52,561.12.

- Resolution**

- 4) IT - Authorization to award a contract to Video Corporation of America through NJ State Contract T1466/A81124 for the furnishing and installation of video conference system in the Office of Emergency Management in an amount of \$54,950.00 (FEMA to reimburse).

- Resolution**

- Public Works**

- 1) Authorization to extend the contract with Rachels-Michele Oil Co., Inc. for the provision of Gasoline and Diesel Fuel for one (1) additional two (2) year term.

- Resolution**

- 2) Authorization to award a contract to Field Turf USA, Inc. through the Keystone Purchasing Network contract #201801-1 for the resurfacing of War Memorial Park Basketball Court and Labyrinth resurfacing in an amount not to exceed \$82,865.00.

- Resolution**

- 3) Authorization to waive road restoration requirements in Ordinance #13-1-10 and approve PSE&G to pave from curb to center line on Buttonwood Drive, Cypress Drive, Willow Court and Cedar Terrace.

- Councilwoman Kilpatrick and Novak objected**

Discussion –

Councilwoman Kilpatrick said that the ordinance reads that when there is a third party opening of a roadway that the roadway be paved from curb to curb. If not this puts an extra burden on our Public Works men and budget. Councilwoman Novak said that when a waiver is made it is done prior to the work commencing. She further explained the circumstances in Laurel Park. Councilwoman Novak stated that she does not agree with approving a waiver after the fact. Mr. Frankel said that he did have a meeting with PSE&G with the Road Supervisor and DPW Director with regard to these four roads were not fixed properly, PSE&G went out to inspect them and they recognize that the job was not done well. He further spoke about the modernization of PSE&G pipes and that part of the modernization project is that they have a certain amount of money allotted for and they did get approval from the Council prior to this project that the roadway would be paved from center to curb. But these four specific roads in Laurel park were a patch jobs and not done correctly and are willing to pave from center line to curb to correct the problem. He stated that if the council does not agree with the waiver and

permit them to pave from center line to curb we will be left with a trench, in this regard. The council was upset with their stating they would leave the trench if not approved from center line to curb and with the fact that they did not pull permits for these roadways. The Council asked the Borough Attorney for their recourse. The Borough Attorney suggested they withdraw this authorization and specifically outline a resolution in writing so that the Mayor and Council understands just what Mr. Frankel put on the record and what the options are. Councilman Buchanan asked there was a plan for their modernization program. And that they should be coordinating with our DPW Director and Engineer on our paving projects. Further comments were made regarding their performance in Morgan. Councilman Grillo stated that a road opening should be done in coordination with Water & Sewer, a cable company, etc. We do not want to keep opening streets. He also commented that they are modernizing because they want to make more money. He agreed with Co. Kilpatrick that we should be on top of this and they should come in and give us a plan for at least the next five years. Co. Kilpatrick said that the plan should then be reviewed by our engineer and DPW Director so we are all on the same page.

Council President Kilpatrick called for a **motion to withdraw this request.**

Motion made by Co. Buchanan and seconded by Co. Lembo.

Roll Call: all Ayes.

Council President Kilpatrick then asked the Attorney what the next step would be. Mr. DuPont said that he would work with Mr. Frankel and PSE&G and outline the concerns. Council President Kilpatrick said that when it comes to these particular roads she would like to see this addressed sooner rather than later then go through with the bigger plan for the rest of the roadways. Borough Attorney will meet with the BA.

- Recreation

- 1) Special Event Application received from Darul Arqam School of South River, to conduct a prayer service on August 20 or 21, 2018 in Kennedy Park from 9AM-2PM Prayer service to include activities including a picnic and inflatables, etc. please review all reports.
 - After discussion on the concerns of the activities, i.e. inflatables and rides for the kids and safety at this event approval was granted for the use of Burkes Park.

- Resolution

- Water & Sewer

- 1) Authorization to purchase one (1) F-250 Pickup Truck through NJ State Contract #T-2100/A88727 **and** one (1) F-350 Pickup Truck through ESCNJ Contract 17/18-21 from Beyer Ford of Morristown, NJ in an amount not to exceed \$64,616.41.

- Resolution

- 2) Request for authorization for Special Council for Water – William Northgrave to represent the borough in restoring the Duhernal Water Allocation to original amounts prior to June 13, 2007.

- Resolution

➤ **C.F.O. – Denise Biancamano - None**

➤ **BOROUGH ENGINEER -Jay Cornell**

- 1) Hercules Village Water and Sanitary Sewer Improvements – Receipt of Bids (Verbal Report).

- Resolution

➤ **BOROUGH ATTORNEY - Michael DuPont - None**

7. EXECUTIVE SESSION (Motion to enter into closed session)

-- Motion to Reconvene Time: _____

- **PUBLIC PORTION**

At this time the Council President Kilpatrick opened the meeting for questions or comments on any and all matters.

Those appearing were:

- Fred Block 25 Calliope Road.

Commented on Cross Avenue and the disrepair that it is in especially on motorcycles. He then expressed his concerns for motorcycle riders and the disrepair of Minnisink Avenue.

The Engineer said that this road is also contained in the partial road contract which will probably go out to bid and begin construction in September.

He then talked about roadway ripples along Ernston Road.

The Engineer said that they are aware of the issues and that the DOT has a test to determine if the roadway ride-ability is done to an acceptable level and if not there could be penalties. So there is a test being performed to determine if is in the parameters and if not then a contractor will have to come back and repair it.

Mr. Block asked why the lots along MacArthur and Weber are in dire need of a cut. Councilman Buchanan said that with the Governor's buy-out the lots were to return to their natural state. The Borough only cuts along the 10 foot right of way of the roadway – curbs and sidewalks.

There being no further questions or comments the Council President Kilpatrick called for a motion. Councilman Buchanan **made a motion to close the Public Portion. Seconded by Councilwoman Novak.**

Roll Call: Voice Vote, all Ayes.

Councilman Buchanan asked the Engineer a question about the water runoff and drainage on Minnisink Avenue and if that part of the roadway would be a candidate for something for drainage improvements.

The Engineer stated that there is not much you can do for drainage because you are at a low point in the roadway there so your options are limited on where the water can go to flow out. There is also the problem with the storm water running from the railroad above, which brings dirt and clogs the storm sewer. This caused a lot of maintenance of keeping the storm drain clean and this will help in the flow. Councilwoman Novak said that we have contacted the railroad and they have come out and drop stone but this does not cure the problem. The Engineer said that when the roadway was created in the 1980 there were pipes installed for the future so that they could be connected out toward Bailey Park and a discharge area but there you are looking a wetlands, permits and a lot of other issues that would allow that to happen. So, things can be done there but that will be a very costly improvement.

- **ADJOURNMENT**

No further business. **Councilman Buchanan moved to adjourn the Agenda Session. Motion was seconded by Councilwoman Novak.**

Roll Call – Voice Vote, all ayes. Carried.

Time 9:31 P.M.

Respectfully Submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved