

Combined Meeting of the Mayor and Borough Council held on Monday, July 9, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:32 P.M. followed by a short prayer and salute to the flag.

STATEMENT OF NOTICE OF PUBLICATION

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

ROLL CALL:

Present: Councilpersons Bella, Buchanan (via conference call from Florida), Eicher, Henry, Novak, Perrette

Absent: Co. Buchanan signed off conference call at 7:05 PM

Others Present: Mayor O'Brien
CFO Wayne Kronowski
Business Admin. Dan Frankel
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. Discussion on adopting the following Resolutions:

Resolution amending the 2012 Municipal Budget.

Mr. Kronowski explained that this is as a result of the last budget meeting and stating that the amendments total \$115,000. in reductions, plus a small grant that was received since the last amendment in the amount of \$863.

He read the following resolution into record:

**BOROUGH OF SAYREVILLE
2012 BUDGET AMENDMENT
RESOLUTION #2012-188**

WHEREAS, the Local Municipal Budget for the year 2012 was approved on the 12th day of March, 2012; and

WHEREAS, the Budget was Amended on May 29, 2012; and

WHEREAS, it is desired to further amend said approved Budget.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Sayreville, County of Middlesex that the attached amendments to the approved Budget of 2012 be made:

RECORDED VOTES

Ayes

Nays

Abstained

Absent

Bella			
Buchanan			
Eicher	None	None	None
Henry			
Novak			
Perrette			

Borough of Sayreville 2012 Budget Amendment
General Revenues

	From	To
3. Miscellaneous Revenues		
Section F:Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenue Offset with Appropriations		
Alcohol Education Rehab Enforcement Fund	0.00	863.41
Total Section F:Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenue Offset with Appropriations:	<u>320,853.84</u>	<u>321,717.25</u>
Total Miscellaneous Revenues	20,822,009.84	20,822,873.25
5. Sub Total General Revenues (Item 1,2,3 and 4)	24,956,009.84	24,956,873.25
6. Amount to be raised by Taxes for Support of Municipal Budget		
a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	25,759,501.59	25,642,154.59
b) Addition to Local District School Tax	0.00	0.00
c) Minimum Library Tax		<u>1,663,740.94</u>
<u>1,663,740.94</u>		
Total Amount to be raised by Taxes for Support of Municipal Budget	<u>27,423,242.53</u>	<u>27,305,895.53</u>
7. Total General Revenues	<u>52,379,252.37</u>	<u>52,262,768.78</u>
Borough of Sayreville 2012 Budget Amendment General Appropriations A. Operation Within "CAPS"		
General Administration Salaries &Wages	204,000.00	189,000.00
Police		
Salaries & Wages	11,119,000.00	11,069,000.00
Construction Code Official		
Salaries & Wages	620,000.00	585,000.00
Sanitation		
Salaries & Wages	1,005,000.00	990,000.00
Total Operation {Item 8(A)} within "CAPS"	<u>34,834,087.00</u>	<u>34,719,087.00</u>
Total Operations Including Contingent - Within "CAPS"	34,868,087.00	34,753,087.00
Detail:		
Salaries and Wages	19,605,087.00	19,490,087.00
Other Expenses	<u>15,263,000.00</u>	<u>15,263,000.00</u>
(H-1)Total General Appropriations for Municipal Purposes within "CAPS"	<u>38,818,223.50</u>	<u>38,703,223.50</u>
(A) Operations - Excluded from "CAPS"		
Public & Private Programs Offset by Revenues		
Private Revenue Offset with Appropriations		
Alcohol Education Rehab Enforcement Fund	0.00	863.41
Total Public & Private Programs Offset by Revenues	329,964.84	330,828.25
Total Operations - Excluded from "CAPS"	<u>5,441,158.84</u>	<u>5,442,022.25</u>
Detail:		
Salaries and Wages	60,000.00	60,000.00
Other Expenses	<u>5,381,158.84</u>	<u>5,382,022.25</u>

(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>11,488,490.87</u>	<u>11,489,354.28</u>
(O) Total General Appropriations- Excluded from "CAPS"	<u>11,488,490.87</u>	<u>11,489,354.28</u>
(L) Subtotal General Appropriations{Items (H-1)and (O)}	<u>50,306,714.37</u>	<u>50,192,577.78</u>
(M) Reserve for Uncollected Taxes	<u>2,072,538.00</u>	<u>2,070,191.00</u>
9. Total General Appropriations	<u>52,379,252.37</u>	<u>52,262,768.78</u>

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of Division of Local Government Services for the Certification of the 2012 Local Municipal budget so amended.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

After Budget Amendment Resolution was read into record, the Mayor opened the meeting to the Public for questions or comments on the budget amendment.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street
-Questioned what would happen if this budget does not get passed tonight.
Response by CFO Kronowski stating that if it does not pass he would recommend they adopt a resolution authorizing estimated tax bills be issued.
-Questioned how the Tax Appeals are affecting the budget.
- Wanted further cuts from the capital part of the budget.
- Dave McGill, 20 Stephen Street
-Commented that Sayreville has good services and that requires equipment.
- Asked if the Attorney had an answer as to if the Mayor votes if there is a tie vote on the budget and if it has ever been done in the past where the Mayor broke the tie during a vote on the budget.

The Borough Attorney responded that he spoke with the DCA and that it is common practice that the Mayor breaks the vote during a tie. That the Mayor's vote does count in certain circumstances so with a tie vote it does count. He said that he also spoke with the clerk who researched and found that it had been done in the past.

- Bob Kominkiewicz, Ernston Road
-Stated that the budget should be cut. Then questioned how much in taxes are paid toward Open Space and if the tax could be put on hold for a period of time to help the taxpayers.

Mr. Kronowski responded that the designation for Open Space Funds was put in place by referendum and could only be removed through a referendum.

No further questions or comments. Councilwoman Eicher moved Resolution #2012-188, Amending the 2012 Municipal Budget be approved on Roll Call Vote. Seconded by Councilman Perrette.

Mr. Kronowski explained that this budget amendment does not require a separate Public Hearing because the figures did not change an appropriation by more than 10%.

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

- Discussion on Resolution #2012-189 a Resolution adopting the 2012 Municipal Budget.

Mr. Kronowski stated that budget workshops have been held and the budget has been cut and cut again. He said that the public comments are well received and cuts have been made accordingly but we are now at the seventh month of the year. He said that if you want to eliminate some items entirely that would bring the budget down even further but that would be at the expense to services and protection going into the next year. He said that the other issue is that we are going to run out of cash come August. Mr. Kronowski explained the time-lines regarding tax billing and deadlines.

Councilwoman Novak commented that even if we don't pass this budget tonight we will still be required to make tax payments the County and School and this may require the borough to sell Tax Anticipation Notes (TAN's).

Councilman Perrette said that the budget being presented tonight is 33% lower than the school budget that was passed. He further explained the components in a tax bill which still needs to be paid out. He explained all the work that went into this budget and number of workshops held to date and that anything further cut from this budget is going to be detrimental to the community.

At this time the Mayor opened the meeting to the public for questions or comments on the Budget Resolution #2012-189.

Those appearing were:

- Bob Kominkiewicz, Ernston Road
- Questioned the snow removal budget from last season.

Mr. Kronowski explained the budget line items for snow removal and the amounts cut.

No further questions or comments on the 2012 Municipal Budget Resolution.

Mayor called for a motion on the Resolution #2012-189 a Resolution adopting the 2012 Municipal budget.

Councilman Perrette made a motion to close the public portion and adopted Resolution #2012-189 Adopting the 2012 Municipal Budget. Motion seconded by Councilwoman Eicher.

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

Clerk announced that the resolution failed.
(for the record the following is the Budget Resolution that was presented)

BUDGET RESOLUTION #2012-189 - Failed

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) \$ 25,642,154.59 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 ABSENT	NAYS	ABSTAINED
Councilwoman Eicher None	Councilman Bella,	Councilman Perrette
Councilwoman Novak	Councilman Buchanan Councilman Henry	
(Failed)		

SUMMARY OF REVENUES

GENERAL REVENUES

Surplus Anticipated	\$ 2,800,000.00
Miscellaneous Revenues Anticipated	\$ 20,822,873.25
Receipts from Delinquent Taxes	\$ 1,334,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	\$ 25,642,154.59
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	\$ 1,663,740.94
TOTAL REVENUES	\$ 52,262,768.78

SUMMARY OF APPROPRIATIONS

GENERAL APPROPRIATIONS

WITHIN "CAPS"	
(a&b) Operations Including Contingent	\$ 34,753,087.00
(e) Deferred Charges and Statutory Expenditures – Municipal	\$ 3,950,136.50
EXCLUDED FROM "CAPS"	
Operations – Total Operations Excluded From "CAPS"	\$ 5,442,022.25
(c) Capital Improvements	\$ 230,000.00
(d) Municipal Debt Service	\$ 5,476,029.00
(e) Deferred Charges – Municipal	\$ 341,303.03
(m) Reserve for Uncollected Taxes	\$ 2,070,191.00

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

TOTAL APPROPRIATIONS	\$ 52,262,768.78
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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 9th day of July 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.

Mayor O'Brien scheduled another budget workshop for Monday, July 16th at 6:30 PM.

At that time Councilman Buchanan signed off. Time 7:05.

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.

There were no appearances.

Councilwoman Eicher moved the Public Hearing on Consent Agenda Resolutions be closed and the resolutions be approved on Roll Call vote. Seconded by Councilman Perrette.

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

RESOLUTION #2012-183

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

Absent
Daniel Buchanan, Councilman

/s/ Mary J. Novak
Councilwoman

/s/ Lisa Eicher,
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of July 9, 2012, in the amount of \$6,164,202.53
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

RESOLUTION #2012-184

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE: Matthew V. Atlak
POSITION: Police Officer
DEPARTMENT: Police
EFFECTIVE: July 10, 2012
(pending the results of physical examination)

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel.

/s/ Councilman Frank J. Bella
(Public Safety Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-185

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE: Walter R. Arway
POSITION: Police Officer
DEPARTMENT: Police
EFFECTIVE: July 10, 2012
(pending the results of physical examination)

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel.

/s/ Councilman Frank J. Bella
(Public Safety Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-186

WHEREAS, on June 7, 2012 the Mayor and Council of the Borough of Sayreville received bids for a "Hook Lift Swap Loader Truck with Attachments"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 9th day of July, 2012:

1. Contract for the "Hook Lift Swap Loader Truck with Attachments" be awarded to Brown's Hunterdon International, LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ on their bid price of \$138,926.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-187

NOW, THEREFORE, BE IT RESOLVED that this Resolution hereby memorializes action taken by the Governing Body at the June 23, 2012 Council Meeting approving application(s) for One Day Liquor Licenses for a Social Affair for the following:

- Church of Our Lady of Victories for their Oktoberfest on September 29, 2012, from 7 - 11 PM.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

**BOROUGH OF SAYREVILLE
2012 BUDGET AMENDMENT
RESOLUTION #2012-188
(Voted on earlier)**

BUDGET RESOLUTION #2012-189
(Voted on earlier and - Failed)

RESOLUTION #2012-190

(READ IN FULL)

WHEREAS, the Borough of Sayreville has not adopted the 2012 Local Municipal Budget; and

WHEREAS, the Borough of Sayreville has obligations that have to be met during the months of August and September; and

WHEREAS, in order to meet such obligations the Borough of Sayreville must raise revenue by either issuing tax anticipation notes or issue an estimated third quarter tax bill; and

WHEREAS, the Chief Financial Officer has determined that the following rates should be used for an estimated third quarter tax bill:

Municipal Tax	\$1.197
Municipal Open Space	\$0.020
County Tax	\$0.746
County Open Space	\$0.064
School Tax	\$2.495

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that the Tax Collector be hereby authorized to issue third quarter tax bills based upon the aforementioned rates; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Councilwoman Novak moved the Resolution be approved on Roll Call Vote.

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

BUSINESS SESSION

COMMUNICATIONS/COMMITTEE REPORTS

* **DISPOSITION:**

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Request for Resolution authorizing the submission of and execution of the 2013 Municipal Alliance Grant Application by the Sayreville Alliance for Family Education to the Department of Human Services, Division of Addiction Services.

- **Resolution.**

b) Report received from the Open Space Committee recommending the sale of the following borough owned property:

- Blk. 419, Lots 4-8.01, Division Street, request to purchase made by Pawel Wcislo

- Blk. 147, Lot 65.01, Hart St., request to purchase made by Augusto Matos.

- **Approval to sell with deed restrictions, non-buildable or sub-dividable, refer to Borough Attorney.**

c) Committee Reports

- **PLANNING & ZONING** – Councilman Henry

- a) **Minutes-**

- Councilman Henry moved the following minutes be received and filed. Seconded by Councilwoman Novak.

- Board of Adjustment – May 23, 2012

- b) **Notice to Adjacent Property owner** of an application received from Vincent Gambardella for an application before the Zoning Board for a proposed above ground pool which encroaches rear yard setback. Block 32.08, Lot 1, 6 School Drive.
- Receive & File.

c) Committee Reports:

Discussion regarding the DeCotiis firm representing the borough on the Club 35 Civil Right Lawsuit and how they were selected.

Mayor stated that this was a JIF matter and requested that the DeCotiis firm represent the borough because they have the background history of this lawsuit and it would have the borough money.

Councilman Henry asked the borough attorney if the borough has the right to request that a different attorney represent the borough due to the fact that this firm personally filed lawsuits against himself and Councilman Buchanan.

The borough attorney explained how attorneys are typically chosen.

Councilman Henry commented on the budget process then stated that he would like to have the DeCotiis firm removed from this Civil right Lawsuit from Club 35.

Comments made between council members during which Councilwoman Novak called to the Mayor for a Point of Order.

Councilman Bella then questioned who pays the law firm and if that would make a difference in premiums if JIF covered it.

Response made by the Borough Attorney that the JIF pays the law firm representing the borough and the borough pays premium rates set by the JIF.

- **PUBLIC SAFETY** – Councilman Bella

- a) Request to hold Block Party on August 4, 2012, (rain date Aug. 11th) received from Charles Spano and residents of Oxford Dr, between Florence & Albert Drive, from 10am- Midnight

- Approved.**

Committee Reports:

Progress.

- **PUBLIC WORKS** – Councilwoman Novak

- a) **Minutes- (none)**

- Report on the Mayor's request for Street Light on the corner of Washington Rd. & Margaret St.

- Approved.**

Mayor also reported that some time ago the light at the end of Main Street Extension and Chevalier Avenue had been knocked out and since that time we've been trying to determine whose responsibility it is to pay for that repair. He requested that the borough repair it and look for payment after because it is a very dangerous intersection.

Councilman Bella reported that he had several conversations with the previous business administrator on this issue who said that the area will be redeveloped with the Bass Pro project and what we do now would be knocked down. The borough engineer re-confirmed his statement. So Councilman Bella said that we have waited this long to fix it we should wait a little longer and pay for it once.

Mayor wanted to get the consensus of the council because it is dangerous for the motorists.

Councilwoman Novak said that she would talk to Sgt. Bartlinski and get a report and guidance from him and report back to the governing body. This was agreed upon.

c) Committee Reports:

Councilwoman Novak thanked the community service workers as they did a good job leaning up our streets, she also thanked the DPW Director and Supervisors as well.

- **RECREATION** – Councilwoman Eicher
a) **Minutes: None**

b) Committee Report –

Councilwoman Eicher thanked everyone for their involvement in the July 4th Celebration. She also noted that the Recreation Director also expressed his gratitude to everyone who helped make this event a success.

Councilwoman Eicher then reported on various Recreation programs.

Councilwoman Eicher asked the Business Admin. to look into getting what is left of the old Spare Time Tavern building demolished.

Progress.

- **WATER & SEWER** – Councilwoman Eicher
a) **Minutes (none)**

- b)** Request for authorization to have CME prepare plans and specifications for the replacement of a waterline on Major Dr., between Parr and Connors Court, due to multiple breaks over the past three weeks.
- **Approved.**

c) Committee Reports:

- **MAYOR** – Kennedy O'Brien

a) Appointments

I) SERA Appointment

Mayor O'Brien moved the following appointment(s):

Sayreville Economic & Redevelopment Agency – Raniero Travisano – 5 Yr.
Term Motion seconded by Councilman Perrette.

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

II) Request for Sayreville representation on the Citizens Advisory Group for the Raritan Bay Slag Site.

- Environmental Commission's recommendation:

Terry Yetsko and Paula Siarkiewicz as an Alternate.

(Still need a Rep. from SERA)

- **Approved.**

b) Other Business

Mayor called Fran O'Conner to the mic to give a report.

- Fran O'Conner, 84 Weber Avenue

Reported that the DEP issued the permits for the work on Weber Avenue, for the interim wall stating that it has been a very difficult task to get to this point and thanked the Borough Engineer for his expertise for getting them to this point. She said that the next step in the funding. She said that she sent in a request to Cindy Randazzo of the DEP requesting consideration for funding on the wetlands mitigation.

Mayor O'Brien thanked everyone who participated in making the Fourth of July Celebration a huge success.

- **NEW BUSINESS –**
- **BUSINESS ADMINISTRATOR –**

I. Nixle Information System (Verbal Report).

He asked that everyone sign up for this information tool as it will keep the residents informed in issues and things going on in town.

Councilman Bella said that the Reverse 911 call phone number shows up as "unavailable" on the residents' phones. He asked if this could be corrected so that residents could better acknowledge that is the borough calling the residents.

II. Review of **Special Event Permit Applications** received from:

- Robert J. Caramella – to conduct a Car Show Fundraiser at the Sayreville War Memorial High School on July 15, 2012 (rain date of July 22, 2012). All proceeds to benefit a young lady with Leukemia.

- Women Aware, Inc to conduct a candle light vigil at Buchanan Waterfront Park on
Oct. 24, 2012.

- **Resolution.**

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

I. Bill List Resolution

II. Adoption of 2012 Local Municipal Budget

- **ENGINEER -Jay Cornell**

I. Green Acres Open Space Acquisition – Review of Potential Purchases (Report Attached).

II. Improvements to Gondek Drive – Receipt of Bids.

- Bids are due next week and request Resolution for next meeting.
- Approved.

III. Ernston Road/Bordentown Avenue Intersection Improvements

- Status of Project (verbal report).

- **BOROUGH ATTORNEY - Michael DuPont**

I) Authorization for a Resolution in support of SERA'S efforts to purchase Block 257, Lot 3.05 to enhance Sayreville Waterfront Development at the NL Site.
- Resolution.

Mr. Kronowski, CFO asked the Borough Attorney for the status of the acquisition of property to close out the matter of the Estate of Charlotte Quaid. The borough attorney indicated that a bond ordinance needs to be prepared to finalize the settlement. Mr. Kronowski stated that he would have that prepared for the next meeting.

- **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting to the public for any and all issues.

Those appearing were:

- Mr. Weber, Wesco Street

Complained about his son getting fined for dumping clean dirt by his house. then asked about dirt being trucked in by to be used on SERA redevelopment.

Mayor responded stating that he has a letter from SERA Director stating that as of this date SERA had not approved the deposit of dredge material from the Shadow Lake site to the National Lead Redevelopment site.

Mr. Weber then questioned where they got the dirt they brought into the frog pond behind Economy Auto Body.

The Borough Engineer said that is part of the DEP approved environmental cleanup operation and the is a very strict procedure as to how that dirt is brought into the borough, he then explained the procedure.

Mr. Weber then complained that they brought dirt in from one town to another when they did this and that is exactly what they fined his son for.

The Borough Engineer said that these are two different issues, one is part of a DEP approved environmental cleanup. This issue was further explained by the Borough Attorney.

- Charles Lukie, Melrose

Asked if these people had permission to move carcinogens through the town and how are these trucks covered and the run-off into the Raritan Bay. He also asked who would benefit Sayreville or Middletown.

Mayor said that he is going to request the O'Neill Properties company to come to our next meeting to give a presentation to the governing body about the newspaper article.

Mr. Lukie asked if a bench, picnic table and horseshoe pit could be installed down at the River Road Waterfront park.

Councilman Henry responded as a member of SERA that as the Mayor has indicated the article regarding the soil is incorrect. That there are strict regulations as to what type of soil could be brought in and the DEP and O'Neill Properties would be testing any soil before it is brought in.

- George Podolak, Scott Avenue, Committeeman Dist. 5, Melrose

Asked the Mayor have the article read into record as well as his memo to Assemblyman Wisniewski. He requested a representative from the borough write a letter to the Asbury Park Press, The Home News Tribune and the Suburban stating that the article is not true and why.

The Mayor reiterated that he is going to ask the O'Neill Properties people come to the next meeting because this is misinformation.

-Nellie Malet, MacArthur Avenue

Complained about the pot holes in MacArthur Ave. between Dolan and Francis Street. She then asked when it would be repaved.

The borough engineer responded that it is not on the list to be repaved.

Mayor asked that Dan Frankel review with the borough engineer the pros and cons about MacArthur Avenue being reverted back to the county.

- Frank Weber, 170 Wesco St.

He said that there are two trees on his street that need to be topped/trimmed. Co. Novak responded that she would send out the Shade Tree Commission.

- Bob Kominkiewicz, 103 Ernston Road
- Commented on the governing body's bickering.
Asked why SERA could not send someone every meeting and report.

Response by Councilman Henry and Councilman Bella that there are two council members who sit on SERA and are here to answer your questions and that the previous SERA Director was a full time position here in borough hall and the current one is a part time position with offices not located here. He asked if Mr. Kominkiewicz had any specific question.

- Mr. Kominkiewicz asked what is going on with the Robert E. Lee site.

Councilman Bella responded that there are clean-up issues at the site and the Environmental Commission made recommendations to place two people on the Slag Committee. So nothing is being done in the near future.

- Questioned the opening of Ernston Road to Washington Road for the Fourth of July Celebration.

Response by the borough engineer that this is only temporary for this event.

- Mrs. Strek commented that she was not pleased with Councilwoman Novak's comments about Mr. Bertrand and asked what relevance her comments had.

Councilwoman Novak said that she felt that she had to say what her final straw was within her decision to change the business administrator.

- Barbara Kilcomons, 22 Schmitt Street
- Agreed with Mrs. Strek with comments made at the end of the meeting like that. Questioned the borough's purchase of Block 257, who are we purchasing it from and what amount.

Response by the attorney that he had not seen any of the details it was just a request from SERA for the Borough's support in their purchase of the property.

Mayor said that he will talk with Raniero Travisano that he have the Executive Director of SERA give a report once a month, with all the questions coming up.

- Mrs. Kilcomons commented on the newspaper articles regarding the dredging of soil, its contaminates, and concerns that Sayreville still may get the soil in the future.

Mayor responded that hopefully two weeks from tonight we will have a representative from O'Neill Properties and SERA here to answer the concerns of the residents.

- Mr. Kilcomons asked Councilman Bella if the SERA's meetings were all open to the public or are the all closed for litigation matters.

Mr. Bella responded that they are all open to the public however, when there is a matter of litigation or negotiation they go into closed session. He said that she was correct in saying that most of the meetings in the past year and a half that he has sat on SERA have

been on litigation matters hence the need for closed session. He said that as he mentioned fortunately one of the major litigation cases have been resolved. He said that at one recent meeting a presentation was given on the Club Bene site and that was in open session. Things that can be discussed in open are and others are for closed. Councilman Bella further described the amount of contaminated soil that has been removed from the NL site and the cost of clean fill and the procedures to approve and bring in any type of soil.

- John Rucki, Hendricks Court
- Welcomed the new Business Administrator.
-Wants more timely reports from the Part-time Executive Director of SERA.

Councilman Bella responded that the Executive Director attended a council meeting about six months ago and offered to attend when requested. But Councilman Henry and himself sit on SERA and are available to answer questions.

- Dave McGill, Stephen Street
- Asked for clarification as to whether or not SERA meetings are open to the public.

Councilman Bella said that SERA meetings are all open to the public and that during the meeting if there comes a need to discuss certain items in closed session then they will go into closed. There are no "closed secret meetings".

Councilman Henry said that SERA approved the developer of projects then the developer has to go before the planning board and the projects are approved on the planning board level. When SERA picks a developer they pick the developer they show SERA what they are proposing, SERA tries to put our spin on what they would like to have to beautify Sayreville then it goes to the planning board for final approval. These meetings are all open to the public and residents are all welcomed to ask any questions just as you do here.

- Frank Weber
- Stated that the Mayor should be on SERA.

- Larry Doyle, Parker Court
- Commented that the people of Sayreville want an update once a month on SERA matters.

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

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION ITEMS - none

ADJOURNMENT

No further business.

Councilman Eicher made a motion to adjourn. Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 8:38P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved