

Combined Meeting of the Mayor and Borough Council held on Monday, July 14, 2014 in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien 7:03 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

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

- **ROLL CALL:**

Present: Councilpersons Buchanan (via phone conference), Eicher, McGill, Melendez (via phone conference), Novak, Rittenhouse

Absent: None

Others Present: Kennedy O'Brien, Mayor  
Daniel E. Frankel, Business Administrator  
Theresa A. Farbaniec, Municipal Clerk  
Jay Cornell, P.E., Borough Engineer  
Michael DuPont, Esq., Borough Attorney

Others Absent: Wayne A. Kronowski, C.F.O./Treasurer

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

- **SWEARING IN**

Municipal Clerk Farbaniec sworn in Police Lieutenant James S. Novak

- **PRESENTATIONS:**

☞ The Mayor and Council recognized and presented MJ Zappola with a Proclamation for his spontaneous and heroic actions in saving a three year old girl from drowning during a Father's Day BBQ.

☞ Commercial Utility Consultants Energy Aggregation Update.  
- Presentation made by Stacia Scaduto, Vice president of Operations.  
She advised the Council that the Energy Aggregation Auction was held on July 9, 2014 and there were three suppliers one dropped out leaving the two. She said the winning supplier is Verde Energy USA, Inc. She said that they are licensed with the BPU and the auction result produced .09639 current JCPL rate of .10246. She explained that the rate would be available for a 12 month period. She said that what the council would need to do next if they decide to move forward with the contract. CUC would begin resident education so that the residents would understand the benefits of the program, what to do if they are not interested. She said that there would be an official opt out period, approximately through the month of August. Stated a letter would go out informing them the FAQ, prior to that they send post card mailers, advertising, conducting Town Hall type meetings. They would work with council and staff to be sure they get to as many residents as possible. They would send staff out here to borough hall and field phone calls and be on staff for residents.

She reviewed the ways residents would have the ability to opt out and that they could opt out or in at anytime. She said the supply would begin approx. Oct. 1<sup>st</sup>. August would be the 30 day opt out period, Sept. would be when the supplier and JCP&L would put together the customer information on who has a budget plan or not. She discussed the only change in the bill and other frequently asked questions.

Mayor O'Brien expressed his concern over starting the opt out process in August inasmuch many families are away on vacation then the begin/start-up of school. He asked if we could begin the process in October. He also asked if they had the presentation digitally to be placed on our web and cable access.

Ms. Scaduto said that they would have to go back to the supplier and see if they were willing to delay the opt out period so she would have to get back to the council on that. And to the second question she said yes they have a video or could link to their web site.

Council President Novak stated that the residents would get the majority of the savings the sooner we start it because the majority of your electric is used in the hotter months and does not want a delay to October the savings is going to be substantially less for this year. Mayor responded that if we start the notification process in August the program would not get started until October anyway and would be adamantly opposed to starting the notification process during the month of August.

Councilman McGill asked what type of savings the residents would be looking at. Ms. Scaduto said \$50-\$75/resident on average. Councilman McGill said that he would like to frame out this program with the most information possible so he could go to the citizens of Sayreville and inform them of the savings but would like to get it started as soon as possible to gain the most savings.

Mayor was still concerned about the roll out time and transparency and would be more comfortable with the program starting up October 1<sup>st</sup>. He said start the education now, as they would not be saving on this summer's energy bills anyway and would like to be thorough and advise as many residents as possible.

Council President said she would like to start this as soon as possible. She said that she knows people would be upset initially. Felt that they were elected to make decisions and that this would be in the best interest of the residents and would like to see this move ahead as it is presented.

Councilman Rittenhouse agreed with the Mayor stating that in reading the presentation, that anyone who does not sign to opt out is automatically enrolled. He said that a lot of people will see the information as junk mail and not read it with their options. He felt that waiting the extra month would be better. He suggested sending information home with the students in the schools and on their web site.

Mayor asked Ms. Scaduto to get back to the council and let them know about the Oct. 1<sup>st</sup> date. And she indicated that they would not be able to hold the price for that long. She indicated that the bid documents are for a seven day waiting period. Mayor said he did not like the idea that they were being rushed and asked what the difference and risk would be if they waited. She responded that the supplier would not hold their rate as it is based on the energy market.

Councilwoman Novak said that they have been working on this since March and that we asked CUC to go out and secure bids and price based upon the number of residents we have and to deny the residents a cost saving because you are afraid of phone calls from people who are upset then you are denying it to the rest who would be happy and would rather explain to the few people that would be upset.

Mayor re-stated his position which was that he would be more inclined to do October 1<sup>st</sup> if we spent the next two and one half months educating the residents as most of them are away on vacation then busy with school start-up and may interpret it as a bums rush. And don't agree with the manner we are going about it.

Council President called a question to the floor.

Council President Novak made a motion to proceed with the CUC education and contract for the new rate as soon as possible. August 1 education period begins as well as the opt-out period.

Councilman Rittenhouse questioned if she wanted the execution of the contract in the package presented and she said yes.

Councilman McGill seconded the motion.

Comments:

Councilman Rittenhouse said that the contract price did not include CUC’s charge. Ms. Scaduto indicated that their price is included in the rate. Councilman Rittenhouse said that he felt that they still needed time because when first discussed he was not aware that it would be everyone automatically enrolled.

Councilwoman Eicher questioned the dates and fees and what her company profits by. She said that today being July 14<sup>th</sup>, there would be three weeks of informing the residents of the option to opt out and about the program and then the month of August to opt out and who would be educating the residents. Ms. Scaduto said that was correct and that they would handle educating all the residents such as placing information on the web site, town hall meetings, would meet with the seniors individually, post cards, advertising in newspapers from now through the end of August, and August 1-30 will be the opt-out period. September 1<sup>st</sup> the residents will be enrolled and then switched over to the provider, Verde in October based upon the JCPL meter readings and start see the savings in November. Residents can opt out at any time. If you do not accept this price and the terms of the agreement they would have to go back out to auction for another bid price and she explained that process. She also explained their fees and that it is part of the fee that is being offered to the residents.

Mayor asked if there were any other comments. None being made he called for a Roll Call clarifying that voting yes would be a vote in favor of this contract.

	Ayes	Nay
Roll Call: Councilpersons Buchanan	X	
Eicher	X	
McGill	X	
Melendez	X	
Rittenhouse		X

• **EXECUTIVE SESSION –**

Mayor O’Brien announced that the Council will be going into Closed Session.

The Borough Attorney read the following Resolution into record:

**RESOLUTION FOR CLOSED SESSION**

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

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

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

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

- Litigation

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

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

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

/s/ Mary Novak, Council President

APPROVED:

/s/ Kennedy O'Brien  
Mayor

Council President Novak moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman McGill.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 7:58 PM.

- **RECONVENE**

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

Time: 8:30 PM

Roll Call: Voice Vote, all Ayes.

Mayor asked that the Borough Attorney state the two motions for the council to vote on.

Mr. DuPont said this is a motion to hire the firm of DeCotiis to review the applet issues regarding the Hillside Estates v. Sayreville at an amount not to exceed \$8,000.00, solely to appeal Judge Hurley's decision. This appeal must be filed on or before Aug. 1, 2014.

Motion moved by Councilman Rittenhouse and seconded by Councilwoman Eicher.

	<b>Ayes</b>		<b>Nays</b>	
Roll Call: Councilpersons Buchanan	X			
Eicher	X			
McGill			X	
Melendez	X			
Novak			X	
<u>Rittenhouse</u>	<u>X</u>			
	4	-	2	PASS

Mr. DuPont said the next motion will be to retain Robert Clarke, Labor Counsel to represent the borough associated to any punitive damages in the Monaco v. Borough of Sayreville and to manage the Monaco Case.

Motion moved by Council president Novak and seconded by Councilwoman Eicher.

	<b>Ayes</b>		<b>Nays</b>	
Roll Call: Councilpersons Buchanan	X			
Eicher	X			
McGill	X			
Melendez	X			
Novak	X			
<u>Rittenhouse</u>	<u>X</u>			
	4	-	0	PASS

Councilman Buchanan left the meeting (via phone conference) at 8:34 PM  
Mayor asked for the next order of business.

- **OLD BUSINESS**

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

Clerk Farbaniec read the following Ordinances for Public Hearing:

Mayor O'Brien opened the meeting to the public for questions or comments on **Ordinance #265-14.**

There were no appearances.

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

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

**ORDINANCE #265-14**  
**BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS**  
**FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,000,000**  
**THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES**  
**OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$2,000,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$100,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,000,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,900,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are the reconstruction and improvement of Cliff Avenue (West), Ninth Street, Karen Street, Zaleski Drive, McCutcheon Avenue, Dolan Avenue, Stephen Street, Martins Lane, Hensler Lane, Such Street and Pulaski Avenue, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,900,000.

(c) The estimated cost of said purposes is \$2,000,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$100,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,900,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of

the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

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

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,900,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

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

/s/ Mary J. Novak, Councilwoman  
(2<sup>nd</sup> - Admin. & Finance Committee)

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

- **NEW BUSINESS:**
  - a) The Clerk read the following Ordinance for Introduction:

**ORDINANCE # 266-2014**  
**AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION",**  
**TO ADD SUBSECTION 2-67, "SKATE PARK COMMITTEE" OF THE REVISED**  
**GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
(Co. Eicher, Recreation – Public Hearing July 28, 2014)

Councilwoman Eicher moved the Ordinance be approved on first reading, advertised according to law and a public hearing to be scheduled for July 28, 2014. Motion was seconded by Councilwoman Novak.

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

**b) Other – (none)**

**CONSENT AGENDA/RESOLUTIONS**

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

There being no appearances, Council President Novak moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call vote. Motion seconded by Councilman McGill.

Councilman Melendez questioned Resolution #2014-109 regarding the GIS Mapping. The Engineer explained that this is a requirement that the State has given the borough until the end of the year to go through and provide that mapping so it is something that has to be done.

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

**RESOLUTION #2014-199**

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

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien, Mayor

/s/  
Councilman Daniel Buchanan - Absent

/s/ Councilman Ricci Melendez

/s/ Councilwoman Lisa Eicher

/s/ Councilwoman Mary J. Novak

/s/ Councilman David McGill

/s/ Councilman Arthur Rittenhouse

**Bill list of July 14, 2014, in the amount of \$5,391,465.60  
(Bill List – See Appendix 2014-A for this date, in a separate Bill List File for 2014).**

**RESOLUTION #2014-200**

**BE IT RESOLVED** that Angela Moat is hereby granted an unpaid Personal leave of absence, from her position as Communication Operator in the Police Department, from August 1, 2014 to February 1, 2015.

/s/ Arthur Rittenhouse, Councilman

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-201**

**BE IT RESOLVED** that the following person is hereby appointed to the following department, in accordance with Civil Service procedures:

<b>NAME OF APPOINTEE:</b>	Stephen Myers
<b>POSITION:</b>	Truck Driver
<b>DEPARTMENT:</b>	Department of Public Works
<b>EFFECTIVE:</b>	July 15, 2014

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



**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-202**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY  
OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE PURCHASE OF ONE (1) 624K WHEEL LOADER  
THROUGH HGACBuy (HOUSTON-GALVESTON AREA COUNCIL)**

**WHEREAS**, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") is in need of a 624K Wheel Loader; and

**WHEREAS**, the Governing Body of the Borough of Sayreville is a member of HGACBuy in order to purchase services, equipment, etc. from vendors approved by the HGACBuy thus saving in costs for products and administration time; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville approve the purchase of one (1) 624K Wheel Loader through the HGACBuy Purchasing Program, Contract #EM06-13 at a purchase price not to exceed One Hundred Ninety-Six Thousand Five Hundred and Seven (\$196,507.00) Dollars (delivered).

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-203**

**BE IT RESOLVED**, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for Treated Rock Salt for Snow Removal.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-204**

**WHEREAS**, on June 19, 2014 the Mayor and Council of the Borough of Sayreville received bids for "Ninety Five (95) Gallon Universal Waste Containers"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 14th day of July, 2014:

1. Contract for the "Ninety Five (95) Gallon Universal Waste Containers" be awarded to Schaefer Systems International Inc., 10021 Westlake Drive, Charlotte, NC on their average bid price of \$54.77 per container 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 Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-205**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF  
MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BIDS  
RECEIVED FOR THE PLUMBING WORK AND REPAIRS**

**WHEREAS**, on May 22, 2014 the Borough of Sayreville accepted Bid Proposals for Plumbing Work and Repairs; and

**WHEREAS**, after all of the packages were reviewed it was identified that certain needs that weren't reflected in the original specifications; and

**WHEREAS**, The Mayor and Council feel it would be in the best interest of the Borough to substantially revise the specifications for this bid.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, by the Mayor and Borough Council that all bids received on May 22, 2014 for Plumbing Work and Repairs are hereby, and the Borough Clerk is authorized to re-advertise for same.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-206**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: 2010 Roadway Paving & Reconstruction  
Project- Phase IV  
Improvements to Glenwood Ave., Greenhill Ave.,  
Horseshoe Rd. & Modzelewski Dr.
- Contractor: A-Team Concrete, Inc.  
104 George Street  
South River, NJ 08882
- Net Decrease: \$71,769.38
- Reason: Adjustment of original contract to reflect  
actual quantities installed and work  
performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-207**  
**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: 2010 Roadway Paving & Reconstruction  
Project- Phase IV  
Improvements to Glenwood Ave., Greenhill Ave.,  
Horseshoe Rd. & Modzelewski Dr.
- Contractor: A-Team Concrete, Inc.  
104 George Street  
South River, NJ 08882
- Balance Due: \$ 16,984.57

**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 \$127,384.29 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, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014-208**  
**RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF SAYREVILLE TO RENEW P.R.C.L.**  
**#1219-33-01219-44-003-007, FANCY CORNER CATERERS FOR THE 2014-2015 LICENSE YEAR**

**WHEREAS, Fancy Corner Caterers**, is the holder of Plenary Retail Consumption License No. 1219-44-003-007 (the "Licensee"), issued by the Governing Body of the Borough of Sayreville as the Issuing

Authority (the ‘Issuing Authority’) for a “consumption license” in the Borough of Sayreville, New Jersey for the 2014-2015 license year; and

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

**WHEREAS**, Tax Clearance was issued by the Division of Taxation on June 30, 2014 for the licensing term 2014-2015;

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED THAT** Plenary Retail Consumption License Number 1219-44-003-007 issued to Fancy Corner Caterers, 508-510 Raritan Street, Sayreville, NJ hereby renewed for the 2014-2015 Licensing Term.

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

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien, Mayor

**RESOLUTION #2014-209**

**BE IT AND IT IS HEREBY RESOLVED**, that the Borough Engineer is hereby authorized and directed to prepare GIS Mapping required by the NJDEP for the Water/Sewer Department and that he be paid for said services at a fee not to exceed \$17,500.00.

/s/ Lisa Eicher, Councilwoman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-210**

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

<b>NAME OF APPOINTEE:</b>	James Pizzillo
<b>POSITION:</b>	Police Officer
<b>DEPARTMENT:</b>	Police
<b>EFFECTIVE:</b>	July 21, 2014

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-211**

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

**NAME OF APPOINTEE:** Chris Engelbrecht  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST:

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-212**

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

**NAME OF APPOINTEE:** Jeffrey Taylor  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-213**

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

**NAME OF APPOINTEE:** Matthew Kenny  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-214**

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

**NAME OF APPOINTEE:** Patricia Arias  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014-215**

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

**NAME OF APPOINTEE:** Thomas Tesar  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014, pending completion  
of pre-employment requirements

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2014- 216**

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

**NAME OF APPOINTEE:** Angela Moat  
**POSITION:** Police Officer  
**DEPARTMENT:** Police  
**EFFECTIVE:** July 21, 2014, pending completion  
of pre-employment requirements

**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/ Arthur Rittenhouse  
Arthur Rittenhouse, Councilman  
(Public Safety Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

At this time the Mayor opened the meeting to the public for questions or comments on Resolutions #2014-210 to Resolution #2014-216.

Those appearing were:

Barbara Kilcomons, 22 Schmitt Street  
Questioned if these seven officers were replacements for retirees.

Mr. Frankel respond that at this time six were replacements but are expecting one additional officer to be retiring in the near future so it is actually seven.

No further questions or comments. Councilman Rittenhouse moved the public portion be closed on these Resolutions and that they be adopted on roll call vote pending any contingent items attached to the resolution. Motion seconded by Councilwoman Eicher.

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

**Business Session Agenda – July 14, 2014**

**COMMUNICATIONS & COMMITTEE REPORTS**

• **ADMINISTRATIVE & FINANCE – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

Councilwoman Novak moved the following Minutes and or Reports be Received & Filed:

- Board of Education minutes of May 12, 2014

Seconded by Councilman McGill.

b) Received the following **application(s) for Bingo/Raffle Licenses from:**

1) **St Stanislaus Kostka Church** to conduct an On-Premise Draw Raffle on Sept. 6, 2014 (RA:1882).

2) Amendment to Raffle License #RL:1880 changing the date from Sept. 12, 2014 to Sept. 19, 2014.

**- Approved**

c) Application for **Social Affair Permit** received from **St. Stanislaus Kostka R.C. Church** to dispense beer during their parish picnic being held September 6, 2014 on parish grounds.

**- Approved**

d) Committee Reports – Progress

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

Councilman McGill moved the following Minutes/Reports be Received & Filed:

- Board of Adjustment minutes of May 28, 2014

Seconded by Councilwoman Novak.

b) Notice of resignation received from Mary Beth Mueller from the Main Street By-Pass Committee.

**-Receive & File**

c) Notice received from PSE&G that they filed a Motion to the New Jersey Board of Public Utilities requesting that the Board Permit them to decrease its Basic Gas Supply Service Commodity Charge to Residential Service effective October 1, 2014.

**-Receive & File**

d) Notice received from PSE&G that they filed a petition with the New Jersey Board of Public Utilities in June 2014 requesting a resetting of the Company's Electric and Gas Green Programs Recovery Charges.

**-Receive & File**

e) Notice received from Twp. of Edison that a public hearing is to be held on July 23, 2014 for Ordinance No. 1875-2014 changing the zone of two properties as recommended in the 2013 Master Plan Review.

**-Receive & File**

f) Notice received from PSE&G that a Public Hearing will be held August 12, 2014 on the matter of costs incurred in response to major storm events in 2011 and 2012.

**-Receive & File**

g) Committee Report: Progress.



- **PUBLIC SAFETY – Councilman Rittenhouse**

a) **Minutes & Departmental Reports: (none)**

b) Application of Thomas H. Kross going from an Associate Member to a Regular Member firefighter in Melrose Hose Co. No. 1 was accepted at their July 14, 2014 meeting.

**-Approved**

c) Application of Keri A. Pentek as a (regular member) firefighter in Sayreville Engine Co. No. 1 was accepted at their June 26, 2014 meeting.

**-Approved**

d) Application of Richard D. Masterson as a (regular member) firefighter in Morgan Hose Chemical Co. No. 1 was accepted at their May 1, 2014 meeting.

**-Approved/Denied**

e) Committee Reports

-Reported on the Snapple Bowl game that will be taking place this Thursday at the War Memorial High School.

- Advised the governing body that former Mayor Kerr had passed away and that they should send a card to their family.

- **RECREATION – Councilwoman Eicher**

a) **Minutes & Departmental Reports: (None)**

Move the following Minutes/Reports be Received & Filed:

b) Application for a Special Permit received from Sayreville Police Department to conduct a “National Night Out” in Kennedy Park on Tuesday, August 5, 2014.

**- Permit Approved**

c) Committee Reports

- Commended all involved with the 4<sup>th</sup> of July celebration as it was a big success.

- and other trips and sign ups sponsored by the Recreation Department.

She asked the Business Admin. what the next step would be to having the electronic sign at Ernston Road. Mr. Frankel said that proposals would have to be put together and placed in next year’s budget. Mayor asked if there was anyone opposed. No opposition.

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

a) **Minutes & Departmental Reports: (None)**

b) Committee Reports-

1) Updated the governing body on the IT Employment Process.

- **PUBLIC WORKS – Council President Novak**

a) **Minutes & Departmental Reports: (None)**

b) Committee Reports:

1) Commended the Parks and Recreation Departments and Jerry Ust on a fantastic 4<sup>th</sup> of July celebration. As well as the police department for their traffic control.

- **MAYOR – Kennedy O’Brien**

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

**- Planning & Zoning**

1) Request received from the Construction Official for a Resolution to cease the authorization of fees being waived for all homes in flood zones, but allowing the permit fees to be waived on a case by case basis.

**- Resolution.**

**- Public Safety**

I) Request from resident of 3241 Washington Road to have NJ Transit bus stop in front of home moved 25-50 yards down the road by the bar or Krauzers convenience store. Both locations have trash cans and will not disturb residents with noise or pollution.

**- Approved.**

II) Request for Resolution to hire two per diem dispatchers to cover vacancy due to Leave of Absence.

**- Approved/Resolution.**

III) Authorization to purchase a 2014 Chevy Tahoe SSV 4X4 for the Sayreville Fire Department from Day Chevrolet through NJ State Contract T2776/A82926.

**- Approved/Resolution.**

IV) Authorization to purchase seven (7) Police Vehicles through State Contract- five (5) inventory stock vehicles and two (2) to be ordered at a total cost not to exceed \$239,748.00 from Winner Ford plus computers and graphics scheme for a grand total of \$249,648.00.

**- Approved/Resolution.**

**- Public Works**

I) Authorization for CME Associates to prepare Plans and Specifications for Roof Repairs at the Senior Center and the Public Safety Complex and upon approval of said specifications the Borough Clerk is authorized to advertise for the receipt of bids.

**- Approved/Resolution.**

II) Authorization for GRM Facilities Management (HVAC Contractor) to Remove and replace the 30 Ton HVAC Unit at the Library at a price not to exceed \$37,982.00.

**- Approved/Resolution.**

III) Authorization to purchase one (1) 2014 Ford F-250 4WD Pickup from Beyer Ford through State Contract #85971.

**- Approved/Resolution.**

IV) Authorization to purchase Gem Construction Forks and 10ft. Hydraulic Angle Broom for John Deere Front End Loader from Jesco Inc. through State Contract T2188/A85848 in the amount of \$29,312.00.

**- Approved/Resolution.**

V) Authorization for GRM Facilities Management (HVAC Contractor) to replace a boiler at the Senior Center at a price not to exceed \$68,585.24 (CDBG Funded).

**- Approved/Resolution.**

VI) Authorization to award the maintenance contract for Electrical Work and Repairs to Facility Solutions Group, Perth Amboy, NJ on their low bid price as contained in their contract documents on an as needed basis.

**- Approved/Resolution.**

**- Recreation**

**- Water & Sewer**

I) Authorization to extend contract for Hydrated Lime with Carmeuse for one (1) additional year with no increase in contract price.

**- Approved/Resolution.**

II) Authorization to purchase two (2) 2014 Ford F-250 Utility Body with plow (State Contract #85971) and one (1) Ford F-450 Utility Body with plow, lift gate and crane (State Contract #83560) through Beyer Ford.

**- Approved/Resolution.**

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

I. Bill List Resolution

- **BOROUGH ENGINEER -Jay Cornell**

I. Emergency Services Building Roof Replacement – Closeout of Contract and Change Order (Report Attached).

**- Approved/Resolution.**

II. Improvements to William Street – Closeout of Contract and Change Order (Report Attached).

**- Approved/Resolution.**

III. North Ernston Road – Review of Roadway Conditions (Report Attached).

- Engineer to apply for another NJDOT grant.

IV. Woodland Avenue Park – Proposed Street Hockey Court (Report Attached).

- Business Admin. to speak with the CFO regarding funding, cost will be approximately \$25,000.

V. 2013 Roadway Paving and Reconstruction Project – Phase II – Receipt of Bids (Verbal Report).

**- Approved for resolution if everything is in order.**

- **BOROUGH ATTORNEY - Michael DuPont**

- **PUBLIC PORTION**

At this time the Mayor opened the meeting up to the public for any and all questions or comments. There were no appearances and the Mayor called for a motion.

Council President Novak made a motion to close the public portion. Seconded by Councilman McGill.

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION – held earlier in meeting.**

- **ADJOURNMENT**

No further business.

Council President Novak made a motion to adjourn. Motion seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes.

Time: 8:55 P.M.

SIGNED:

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

\_\_\_\_\_  
Date Approved