

Regular meeting of the Mayor and Borough Council held on Monday, August 8, 2011, 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 regular 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:**

Councilpersons Buchanan, Eicher, Henry, Kelly.

Absent: Councilman Bella, Councilman Perrette, both excused absences

Others Present: Mayor O'Brien
Business Admin. Bertrand
C.F.O. Kronowski
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont

At this time Mayor O'Brien asked Council President Kenneth P. Kelly to call for a moment of silence.

Councilman Kelly asked everyone to remain standing and called for a moment of silence for the twenty- two (22) Navy Seals from Seal Team Six and others for a total of thirty (30) service members from our Armed Forces who perished in a helicopter crash in Afghanistan, in their honor.

Mayor O'Brien asked that Councilman Kelly be in charge to put together an In-Memoriam Proclamation for the members of the Seal team so that we may send to the Dept. of the Navy.

Councilman Buchanan moved the Mayor's request. Seconded by Councilman Henry.

Roll Call: voice Vote, all Ayes.

- **PRESENTATIONS – None**

- **OLD BUSINESS**

Municipal Clerk read:

b. Public Hearing on Ordinance #163-11.

ORDINANCE #163-11

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX AND
STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF
TEMPORARY AND PERMANENT EASEMENTS FOR THE
MAIN STREET/WHITE OAKS DRIVE IMPROVEMENT PROJECT**

(Co. Perrette, Admin. & Finance Comm. – Public Hearing August 8, 2011)

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #163-11. No one appeared.

Councilman Kelly moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Eicher, Henry, Kelly, all Ayes.

ORDINANCE # 163-11

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH
OF SAYREVILLE, COUNTY OF MIDDLESEX AND STATE OF
NEW JERSEY AUTHORIZING THE ACQUISITION OF TEMPORARY AND PERMANENT
EASEMENTS FOR THE MAIN STREET/WHITE OAKS
DRIVE IMPROVEMENT PROJECT**

WHEREAS, the Borough of Sayreville and the County of Middlesex have entered into an agreement for certain improvements, including but not limited to traffic signalization, striping, signing and road widening for portions of Main Street and White Oaks Drive in the Borough of Sayreville; and

WHEREAS, pursuant to the Agreement, the Borough of Sayreville has been designated as the lead agency, responsible for acquiring the necessary temporary and permanent easements for the construction and maintenance of the improvements; and

Whereas, CME Associates, the municipal engineer, has prepared plans entitled "Improvements to the White Oaks Drive and Main Street (Rt. 670) Intersection"; and

WHEREAS, in furtherance of the Improvement Project, the Borough has caused appraisals to be performed on the properties for which easements are required, and has acquired some temporary easements; and

WHEREAS, in order to move forward with the project, it is necessary to formally authorize the project and accept the temporary easements already received.

NOW THEREFORE BE IT ORDAINED as follows:

Section I

The Governing Body has determined that the project entitled "Improvements to the White Oaks Drive and Main Street (Rt. 670) Intersection" is in the best interests of the Borough of Sayreville.

SECTION II

The Governing Body hereby authorizes the project as set forth in the plans entitled Improvements to the White Oaks Drive and Main Street (Rt. 670) Intersection" prepared by CME Associates dated September 2006.

SECTION III

In furtherance of the road improvement project, the Governing Body hereby authorizes the Borough Attorney and Engineer to take all steps necessary to acquire temporary and permanent easements necessary for the completion of the project, including, but not limited to, title work, additional appraisals, if necessary, entering into negotiations with the property owners of the respective properties, making and accepting offers for the acquisition of the necessary easements, and, in the event negotiations are not successful, commencing the necessary action(s) in condemnation to acquire the necessary easements.

SECTION IV

The Borough of Sayreville hereby accepts the Deeds of Temporary Construction Easement to the Borough of Sayreville, Grantee and the County of Middlesex, Grantee for the Main Street and White Oaks Drive Improvement Project as more fully described in the metes and bounds description attached to the Deeds as on file in the Borough Clerk's office from the following:

John M. Zych and Kim A. Zych, Grantor, Temporary Construction Easement "E-15"
 Negel Brown, Grantor, Temporary Construction Easement "E-2"
 Zigmont Targonski and Edward Targonski, Grantor, Temporary Construction Easement "E-8", the said Deeds to be recorded in the Middlesex County clerk's Office.

Section V

The Borough Clerk shall publish a copy of this Ordinance authorizing the acceptance of the property in the Home News Tribune by two insertions at least once a week during two consecutive weeks; the last publication to be not earlier than seven (7) days prior to the conveyance.

Section VI

The Mayor and Clerk are hereby authorized to execute the necessary documents to effectuate the closing.

Section VII

Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section VIII

If any provision of this Ordinance or the application of such provision to any provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section IX

This Ordinance shall take effect upon adoption in accordance with law.

/s/ Councilman Daniel Buchanan

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

Municipal Clerk read:
Public Hearing on Ordinance #164-11.

ORDINANCE #164-11
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIV OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION
14-15.1 TO AMEND FEES REGARDING FEE COLLECTION,
TO AMEND FEES FOR WATER SHUT-OFFS
AND ADD PROVISIONS TO RE-ESTABLISH SERVICE
 (Co. Kelly, Water & Sewer Committee – Public Hearing August 8, 2011)

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #164-11. No one appeared.

Councilman Kelly moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Henry.

Roll Call: Councilpersons Buchanan, Eicher, Henry, Kelly, all Ayes.

ORDINANCE #164-11
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIV OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION
14-15.1 TO AMEND FEES REGARDING FEE COLLECTION,
TO AMEND FEES FOR WATER SHUT-OFFS
AND ADD PROVISIONS TO RE-ESTABLISH SERVICE**

BE IN AND IT IS HEREBY ORDAINED by the Mayor and the Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 14, Section 15.1 of the Revised General Ordinances of the Borough of Sayreville is hereby amended as supplemented as follows:

14-15.1 Date Due, Shut-Off Fees.

- a. All bills for water are payable quarterly at the office of the Water Utility Director-Superintendent except in cases of building permits. If not paid within thirty (30) days, the water shall be shut off and not turned on again except on the payment of arrearages with interest at eight (8%) percent per annum up to one thousand five hundred (\$1,500.00) dollars of delinquent charges and eighteen (18%) percent per annum on all arrearages in excess of one thousand five hundred (\$1,500.00) dollars as well as the payment of a twenty-five (\$25.00) dollar shut-off fee and a twenty-five (\$25.00) dollar turn-on fee. Restoration of service is provided during the normal working hours, weekdays between 12:00 noon and 3:00 p.m. Provided payment is made on a weekday before 3:00 p.m., restoration of service will be performed that day. In the event that payment is received after 3:00 p.m. and customer requests the service be restored that same day, an additional ninety (\$90.00) dollar charge will be applied. The homeowner or an adult over the age of eighteen (18) years must be present at the time of the restoration of service.
- b. The twenty-five (\$25.00) dollar water shut-off fee will also be collected in all cases where water service is commenced.
- c. All of the water service charges set forth under this section including any and all arrearages, interest, fees, advance payments and any other moneys that may be due and payable as a result of any water shut-off or any notice of water shut-off to real property shall be made in person at the Borough location designated for such payments and shall only be payable by way of cash, or certified check or money order for the full amount due.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 14 Water and Sewer, Section 14-15 Billing and Section 14-15.1 Date Due, Shut-Off Fees** of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ Councilman Kenneth P. Kelly, Sr.

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

NEW BUSINESS

Clerk reported having received the Supplemental Debt Statement from C.F.O. Kronowski, effective August 8, 2011. (motion to rec. & file)

Councilman Kelly moved the Supplemental Debt Statement be received and filed. Seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Eicher, Henry, Kelly, all Ayes.

a. Introduction of the following Ordinance(s):

ORDINANCE #165-11

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

(Co. Perrette, Admin. & Finance Comm. – Public Hearing August 22, 2011)

Councilman Kelly moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on August 22, 2011.

Seconded by Councilman Henry.

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

ORDINANCE #166-11

A LOAN ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2011 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$74,661, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

(Co. Perrette, Admin. & Finance Comm. – Public Hearing August 22, 2011)

Councilman Kelly moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on August 22, 2011.

Seconded by Councilwoman Eicher.

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

CONSENT AGENDA/RESOLUTIONS

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

Mayor O'Brien opened the meeting to the public on Consent Agenda Resolutions only.

No one appeared.

Before closing the public portion Business Admin. Bertrand asked that Resolution # 2011-184, be tabled until the next meeting, August 22nd, as we are waiting for additional documents to effectuate that hire.

Mayor called for a motion to Table Resolution 2011-184.

Councilman Buchanan moved the resolution be tabled. Seconded by councilman Henry.

Roll Call: Voice vote, all Ayes.

Council President Kelly moved the Public Portion be closed and the consent Agenda Resolution be approved on Roll Call Vote. Seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Eicher, Henry, Kelly, all Ayes.

RESOLUTION #2011-179

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

(Absent)
Frank J. Bella, Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

/s/ Kenneth P. Kelly, Sr.
Councilman

/s/ Lisa Eicher

(Absent)

Councilwoman
Councilman

Nicholas J. Perrette,

**Bill list of August 8, 2011, in the amount of \$4,339,898.50
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

RESOLUTION #2011-180
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
JULY 25, 2011 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the July 25, 2011 Council Meeting approving the following:

- a) Raffle Applications/License received from and issued to:
- Our Lady of Victories HSA
 - #1707 – Off Premise 50/50 to be held on Nov. 12, 2011;
 - #1708 – Off Premise Draw to be held on various dates during the months of Sept. Oct, Nov. 7 Dec, 2011;
 - #1709 – On Premise Draw to be held on Nov. 12, 2011.
 - NJ State Council Columbiettes
 - #1710 - Off premise 50/50 to be held on Dec. 20, 2011.
- b) Request to “Turn the Town Teal” and hang ribbons as an awareness campaign for Ovarian Cancer.
- c) Request for Special permit for Social Affair for the Sayreville Leprechauns to hold an anniversary picnic on October 1, 2011 (date changed from August 13th) at Burkes Park.

/s/ Kenneth P. Kelly, Sr.
 Councilman Kenneth P. Kelly, Sr.
 (Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

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

PERSON TO PERSON TRANSFER
(Pocket License)

RESOLUTION #2011-181

WHEREAS, an application has been received by the Municipal Clerk for a Person to Person Transfer of Plenary Retail Consumption License #1219-33-056-007, heretofore issued to Chingari Fine Dining, LLC (pocket license);

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business; and

WHEREAS, the applicant has duly advertised in the Home News Tribune on April 7, 2011 and April 14, 2011 as required by law, and has produced proof of publication as to such advertising; and

WHEREAS, no objections or protests have been made with regard to said transfer; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville does hereby approve, effective August 9, 2011, the transfer of the aforesaid Plenary Retail Consumption License #1219-33-056-007 to Marullo 3, LLC and does hereby direct the Municipal Clerk of the Borough of Sayreville to endorse the license certificate to the new ownership as follows:

“This license, subject to all of its terms and conditions, is hereby transferred to Marullo 3, LLC, effective August 9, 2011.”

/s/ Kenneth P. Kelly, Sr.
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2011-182

WHEREAS, on July 19, 2011 the Mayor and Council of the Borough of Sayreville, received bids for the “Monthly Inspection, Maintenance and Repair of Borough Elevators”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 8th day of August, 2011 that:

1. Contract for the “Monthly Inspection, Maintenance and Repair of Borough Elevators”
be awarded Standard Elevator Corp, 68 Union Avenue, PO Box 2204, Clifton, NJ 07015 for the following:

- Monthly Service - \$ 639.00
- Tests and Inspections - \$1,200.00

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

/s/ Dan Buchanan
Councilman Dan Buchanan
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2011-183

BE IT AND IT IS HEREBY RESOLVED that Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for the acquisition of one (1) Sanitation Truck Cab and Chassis for use on an existing 27-Yard Body in the Sanitation Department.

/s/ Dan Buchanan
Councilman Dan Buchanan
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2011-184 - TABLED

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

NAME OF APPOINTEE: Jason M. Summerer
POSITION: Laborer
DEPARTMENT: Department of Public Works
EFFECTIVE: August 9, 2011

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.

RESOLUTION #2011-185

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

NAME OF APPOINTEE: Michael A. Pascone
POSITION: Police Officer
DEPARTMENT: Police
EFFECTIVE: August 9, 2011

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/ Lisa Eicher
Lisa Eicher, Councilwoman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2011-186

BE IT RESOLVED that the persons listed on "Attachment A" are hereby appointed, in accordance with N.J.S.A. 40A:9-154.1 to the following title and department:

POSITION: School Traffic Guards
DEPARTMENT: Police
EFFECTIVE: September 1, 2011 through August 31, 2012

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/ Lisa Eicher,

Lisa Eicher, Councilwoman
 (Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec

Theresa A. Farbaniec
 Municipal Clerk

/s/ Kennedy O'Brien

Kennedy O'Brien
 Mayor

ATTACHMENT A - Resolution # 2011-186**Crossing Guards 2011-12**

Anghelone, Judith
 Blazas, Sharon
 Browne, Eva
 Ciecko, Elaine
 Connors, Barbara
 Davis, Cleo A.
 Hamlin, Carol
 Heim, Patricia
 Jung Jr., John
 Koval, Irislea
 Leonard, Cynthia
 Marks, Marion
 McCarthy, Janet
 Pinho, Alfred
 Quinlan, David
 Weiss, Judith
 Williams, James
 Williams, Patricia

REOSLUTIONS TO BE READ IN FULL - None

COMMUNICATIONS/COMMITTEE REPORTS**❖ PLANNING & ZONING – Councilman Henry****a) Minutes**

- Board of Adjustment - June 22, 2011

Motion to Receive & File made by Councilman Henry. Seconded by Councilman Kelly.

b) Notice to Adjacent Property Owners

- Park Management, LLC has applied to Twp. of Old Bridge for a full release of Performance Guarantees and Performance Bond and Cash Guaranty together with all outstanding Inspection fees posted covering property known as Block 5001, Lot 5.12, 3168 Bordentown Ave., Johnny on the Spot. Meeting scheduled for August 15, 2011 at 7:30 PM, Old Bridge Municipal Building.

Motion to Receive & File made by Councilman Henry. Seconded by Councilman Kelly.

Councilman Henry asked that Kristina Borjesson, be allowed to come to the next meeting of the Mayor and Council to make a presentation and to hear what she may have to bring to the table to move Channel 15 forward as a programmer and have a better channel.

Mayor asked the Clerk to put the item on the Agenda.

Progress.

Mayor asked Councilwoman Eicher to Report on Public Safety and Recreation.

❖ PUBLIC SAFETY**a) Request for coin toss at the intersection of Washington Road and Ernston Road received from:**

- Boy Scout Troop #68 on September 17, 2011.
- Morgan-Parlin Panthers on Oct. 1, 2011. - Approved.

Councilwoman Eicher had suggested that in addition to the policies regarding canning, the Council change the policy to only allow canning one weekend per month. We set the date such as the 1st or 2nd weekend on the month and that is what they will have to choose from, for both intersections, MacArthur Avenue/Jerne Mill Road and Ernston Road and Washington Road from 10AM- 2PM with first preference given to Public Safety organizations.

❖ RECREATION –

Councilwoman Eicher made a motion to appoint the following people to the Recreation Advisory Board.

- Jennifer Barreoro
- Regina Oriolo
- Anna Ruzanski

Motion seconded by Councilman Buchanan.

Roll Call: Voice vote, all Ayes.

❖ PUBLIC WORKS – Councilman Buchanan

Councilman Buchanan reported on a cellular alarm service for the Weber Avenue Pump Station stating that these proposals are being worked on and should be ready shortly.

He further reported that they are looking at Sayreville recycling all batteries as the County only recycles rechargeable batteries at this time.

Progress.

❖ **WATER & SEWER** – Councilman Kelly
- **VETERANS ALLIANCE LIAISON**-

a) Request received from Senator Lautenberg for various municipalities support in a **Moment of Remembrance on September 11, 2011** requesting that sirens and bells tone for one minute at 1PM Eastern time from various Churches, firehouses, etc. and call upon all to stop and remember those we lost on that day along with a Proclamation or Resolution.

Councilman Kelly made a motion to support Senator Lautenberg's recommendation for a Moment of Remembrance on September 11, 2011 and called for a Resolution to be adopted at the next meeting.

Seconded by Buchanan., All ayes.

He further thanked the men and women of the Water and Sewer Department for their diligent work on behalf of the borough.

❖ **ADMINISTRATIVE & FINANCE** –

a) **Minutes:**

- Board of Education - June 29, 2011
- Board of Education - June 21, 2011

Motion to Receive & File made by Councilman Kelly. Seconded by Councilman Buchanan.

b) Received Raffle applications from the Sayreville War Memorial High School Band Parents Association to conduct an off Premise Raffle (50/50) on October 22, 2011 (#1713).

Motion to approve made by Councilman Kelly. Seconded by Councilman Henry.

c) 2011 Direct Tax Appeals from the following:

- Moorehouse-Speedwell, LP, Block 31, Lot 1, 3101 Bordentown Ave.
- Sayreville Holding, LLC, Block 441, Lot 1.01

Motion to Refer to Tax Counsel made by Councilman Kelly. Seconded by Councilwoman Eicher.

d) Application for a Special Permit for Social Affair received from St. Stanislaus Kostka Church/HSA to hold their annual Oktoberfest on October 22 (Oct. 23 rain date) on school property from 12 Noon – 12 Midnight.

Motion to approve made by Councilman Kelly. Seconded by Councilwoman Eicher.

e) Received Special Ruling from the State of New Jersey, Division of Alcoholic Beverage Control to permit the renewal of the PRCL #1219-33-028-008, Victory Entertainment, Inc. (Pocket License) for the 2011/2012 and 2012/2013 License Term.

Motion to approve and clerk to prepare resolution made by Councilman Kelly. Seconded by Councilman Henry.

- f) Request received from Donna Brodzinski, Tax Collector, for a Resolution authorizing the Tax Collector to refund a portion of 2010 taxes in the amount of \$2,920.94, covering 68 Buchanan Ave., Blk 340.03, Lot 439. The refund is due to the approval of a 100% Disabled Veteran Tax Exemption by the Tax Assessor effective June 28, 2010.

Motion to approve and clerk to prepare resolution made by Councilman Kelly. Seconded by Councilman Buchanan.

❖ **MAYOR** – Kennedy O’Brien
- Appointments.

Mayor O’Brien nominated Barbara Kilcomons to a 5 Year Appointment to the Sayreville Economic and Redevelopment Agency. Seconded by Councilman Kelly. Motion seconded by Councilman Kelly.

Comments:

Councilman Henry asked if this was a recommendation made by Tom Tighe.

Mayor responded that he had not heard from Tom Tighe.

Councilman Buchanan said that he spoke with Tom Tighe and Rennie Travisano and they both said they were recommending Don Newton and Darrel Hartsfield to the Mayor.

Mayor indicated that there was a motion on the floor and asked for a Roll Call:

Roll Call:	Councilpersons Buchanan	-	Nay
	Eicher	-	Nay
	Henry	-	Nay
	Kelly	-	Ayes

3/1 Motion failed.

NEW BUSINESS

BUSINESS SESSION – August 8, 2011.

BUSINESS ADMINISTRATOR - Jeffrey Bertrand

Administration & Finance:

- a. Best Practice Survey Review discussion by the Business Admin. and the governing body, calling for a Resolution identifying the answers and certifying the CFO’s signature on the survey.
- Resolution.
- b. Discussion of proposed capital bond ordinance for the acquisition of machinery and equipment as proposed in the capital budget plan.
- Bond Ordinance.

Public Works:

- a. Discussion of proposed capital bond ordinance for facility improvements.
- Bond Ordinance.

Recreation: none

Water & Sewer:

- a. Authorization to purchase a replacement Ford F-350 pick-up truck with a plow and Utility Body for the water department from state contract #A73961 in the amount of \$39,347.60 as planned in the 2011 operating budget.
- Resolution.

Public Safety:

- a. Authorization to purchase a replacement Ford F-350 crew cab pick-up truck with a plow assembly and Utility Body for the fire department from state contract #A73961 in the amount of \$40,724.60 as a result of a successful fund raising effort by the volunteer fire department. The entire amount of this purchase will be covered by the donations received.
- Resolution.
- b. Authorization to execute a Grant in the amount of \$5,000. from the Middlesex County Prosecutor's Office for quality of life issues to the Police Dept. for funding their police crimes, need this that grant immobilized by Sept. 1st.
- Resolution.

Planning & Zoning: none**Personnel: (executive session)**

- a. Public Works
 1. Replacement of the Recycling Coordinator (due to resignation)
- b. Police Department
 1. Hiring of a part time (hourly) Police Dispatcher.

Councilman Kelly wanted to advise the residents that the 9-11 Memorial Services were going to take place on September 11th at 7PM at Burkes Park. He also said that fees were authorized for a full page ad for Memorial Day but it was too late to get into the newspaper. He made a motion to purchase a ½ page ad on the 10th anniversary of 9-11 so the residents are advised of these services.

Mayor also suggested the purchase of 2-3 street banners for the announcement.

Council President included that in his motion.

Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

C.F.O.- Wayne Kronowski

- a) Bill Resolution

ENGINEER -Jay Cornell**BOROUGH ATTORNEY - Michael DuPont**

Attorney DuPont advised the governing body that the recent objection filed by Tomar Construction to Allied Construction being awarded the bid for the Water Treatment Plant expansion Project was overturned by the court and we won thanks and kudos to our Borough Engineer, Jay Cornell. He felt we were successful due to a large part of his attention to detail and his due diligence.

PUBLIC PORTION

Mayor O'Brien Kelly opened the meeting to the public for any and all questions or comments.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.

Thanked the Mayor for trying to appoint her to SERA even though it was turned down by her democratic colleagues. Commented that she did not know she needed Mr. Tighe's screening or approval.

Commented about another article in the newspaper regarding the twelve truckloads being brought to the redevelopment site and on a comment from Mr. Speagle. She further commented on Governor Christie's signing of an Environmental Trust in the amount of \$650 million and where that money was given.

She asked if National Leas was a licensed landfill.

Councilwoman Eicher responded to her comments about the appointment.

- Theresa Strek, 140 McCutcheon Ave.

Asked whose terms were up on SERA.

- Nellie Malet, MacArthur Ave.

Commented that Barbara Kilcomons would be a major benefit to SERA.

She then asked if the piece of grassy land in the sidewalk between Main St. and Washington Rd. could be bricked.

Mayor and the Business Administrator said they will see if there would be a grant available for such a project. Mayor also suggested that she call Senator Vitale and Assemblyman Coughlin and see if their staff would have any information on what kind of grant would be possible.

- Paula Siarkiewicz, 7 Stiegel Place

Asked how often SERA Director, Joseph Ambrosio, would be attending meetings.

Councilman Henry stated that Mr. Ambrosio said he would attend anytime the council needed him to.

She further commented that she thought it was important for him to attend after such an article. She asked Councilman Henry if he could ask the director to come back and explain it to the residents.

Councilman Henry stated he would.

No further questions or comments.

Councilman Kelly moved to close the Public Portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION ITEMS**

Attorney DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

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

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

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 5-10 minutes to discuss the following matters:

Personnel
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/ Councilman Kenneth P. Kelly, Sr.

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Voice Vote, all Ayes

Time: 7:32 PM

- **RECONVENE**

Councilman Kelly moved to reconvene the meeting. Seconded by Councilman Buchanan.

- **ADJOURNMENT**

No further business.

Councilman Kelly made a motion to adjourn. Motion seconded by Councilman Buchanan.

Roll Call: Voice vote, all Ayes.

Time: 7:42.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved