

Mayor Kennedy O'Brien opened the Agenda Meeting at 7:40PM followed by a salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, September 15, 2015 has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Kilpatrick, McGill,
Melendez, 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
Wm. McGovern, Esq., Borough Attorney

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

- **OLD BUSINESS**

a) -If the following Ordinances were introduced at Council meeting they will be listed for Public Hearing and Adoption on September 28, 2015.

ORDINANCE #306-15

**BOND ORDINANCE FURTHER AMENDING BOND ORDINANCE NUMBER 224-13
FINALLY ADOPTED JULY 22, 2013 BY THE BOROUGH OF SAYREVILLE, IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, IN ORDER TO PROVIDE FOR A
CHANGE IN THE IMPROVEMENTS AUTHORIZED BY SUCH ORDINANCE**

- **NEW BUSINESS:**

a) Ordinances for Discussion - None

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

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

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

- 1) **PTO Wilson School** - to conduct a Bingo on Oct. 2, 2015 on school property (BA:499).
- 2) **Breathe The Morgan Lucas Schuldt Foundation**
to conduct an: On Premise Draw/Tricky Tray; an On Premise 50/50; an Arm Chair Raffle on Oct. 23, 2015 at the Sayreville VFW (RA:1971,RA:1972, RA:1973).
- 3) **St. Stanislaus Kostka Athletic Association** to conduct an Off Premise 50/50 on November 21, 2015 on school property (RA:1974).
- 4) **Sayreville Main Street Players LTD** to conduct an On Premised Draw/ Tricky Tray on Nov. 13, 2015 at the Sayreville Senior Center (RA:1975).

b 1-4) Approved.

c) Application for **Social Affair Permit** received from the South Amboy Fire Dept. to distribute beer at a fundraiser to be held on Oct. 3, 2015 at the Raritan Bay Waterfront Park.

c - Approved

d) Notice of Public Hearing for the Casino Revenue grant funded program for Sr. Citizens and Disabled Resident Transportation Assistance program through NJ Transit. Copies of the hearings are available at their web site or at the locations on dates in October.

d - Receive & File

e) Committee Reports:

1) Progress.

• **PLANNING & ZONING – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

Councilman Buchanan moved the following reports/minutes be received & filed:

1) Sayreville Planning Board minutes of August 5, 2015.

Seconded by Councilwoman Novak.

b) **Notice to Sayreville as Adjacent Property Owner/Surrounding Municipality** received from:

- The Twp. of East Brunswick on an Amendment to their Zoning Ordinance, Chapter 228/Zoning.

- Receive & File

- Applications before the Sept. 23, 2015 Board of Adjustment received from:

i) **Amboy Bank** for Use Variance Relief, Bulk Variance Relief and Preliminary and Final Site Plan Approval for the removal of an existing residential structure and to expand the Bank building by an additional 1,175 sq. feet.

ii) **Calogero & Anissa Covello** to permit a site yard and combined side yard setback encroachment to permit the construction of an addition to home on property known as 12 Oakwood Dr., Block 449.02, Lot 18.

- Receive & File

c) Committee Reports – Councilman Buchanan

1) Discussion on the Old Treatment Works facility and the last bids that came in were once again too high. He asked the Engineer about other options such as knocking the building down and placing a modular in its place, or even trailers.

Engineer Cornell responded that we did receive bids for the 3rd time and they came in too high. So now we could negotiate a contract or look at other options. He said that a while ago the borough obtained a price from an architect for a modular and that was also too high. Will obtain another current one and present options at the next meeting.

2) Park and Ride – Would like to find out how much we are losing and find other options for that lot to make more money. Councilman McGill asked the Business Administrator to look into this matter.

3) Commented on the traffic at the intersection of Bordentown Avenue and Ernston Road. He asked the engineer when we can approach the County about restriping. The Borough Engineer stated that it is at the point right now that he can contact Sgt. Bartlinski of the Traffic Safety Bureau and can draft a letter from the borough administrator to send to the County.

Councilman McGill said that a lot of side streets have out of town people parking to catch the bus at other areas to avoid paying for a parking pass. Asked for stricter traffic enforcement to move these people into the commuter lot.

Councilwoman Novak asked if we heard anything back from the County about widening Washington Road. The engineer stated that the County received the request and he

believes that they were going to have a study done to determine what could possibly be done to widen it.

- **PUBLIC WORKS – Councilwoman Kilpatrick**

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

Councilwoman Kilpatrick moved the following minutes be received and filed:

- 1) Rent Leveling Board minutes of September 8, 2015
Seconded by Councilwoman Novak.

- b) Committee Reports – Councilwoman Kilpatrick:

- 1) Questioned the Borough Engineer for a status report regarding the Intersection Improvements of White Oaks Drive. Mr. Cornell stated that the County received bids last week and they are in review.

- 2) SRO Officer – Stated that on behalf of 20-30 staff members and Administration, she is happy to say that on the first day the SRO Officer was reinstated and these people showed their appreciation in having the students and staff safer everyday.

- **RECREATION – Councilman Melendez**

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

Move the following minutes or reports be received and filed: (None)

- b) Application for **Special Event Permit** received from:

- 1) Vallie Bracey/Tracilynn Fashion Jewelry to sponsor a 2K walk for cancer at the Julian Capik Nature Preserve on October 3, 2015 at 8:30 am. – No expense to borough.

- 1) Approved

- 2) New Road School to sponsor a car & bike show on school property
(3071 Bordentown Ave) on Sept. 26, 2015 to benefit Autism NJ.

- If police officer is required, PD will bill.

- 2) Approved

- c) Committee Reports-Councilman Melendez:

- 1) Expressed his support for some type of temporary modular/trailer for the Water Staff. Engineer stated he will check into state contracts for temporary office trailers for this purpose.
- 2) Car Show and Sayreville Day postponed till Sept. 26th and 27th.
- 3) Other Recreation Sponsored events.
- 4) Library Programs
- 5) IT Report – Security Cameras at PD should be done in two more weeks then onto the Security at the Sr. Center followed by the Police Radio System and the solutions they are currently looking into with a consultant. Will have a quarterly report coming out.

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

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

Move the following minutes or reports be received and filed: (None)

- b) Committee Reports-Councilman Rittenhouse:

- 1) Stated that the Water Committee met and as mentioned earlier they discussed modular/trailer type of housing for the Water/Sewer staff and the engineer and the business administrator will be looking into the matter.
- 2) Thanked the Water & Sewer Dept. for their quick action in repairing two water main breaks in the past two weeks.
- 3) Thanked the volunteers from the American Legion Color Guard for their participation in the 9-11 Memorial Service and the High School Football game opening ceremonies.

- **PUBLIC SAFETY – Council President McGill**

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

Councilman McGill moved the following minutes or reports be received and filed:

1) Board of Health minutes of June 4, 2015.

Seconded by Councilman Buchanan.

- b) **Coin Toss requests** received from:

1) Sayreville Riverdogs Blue on **March 12 & 13, 2016.**

- Denied, until after January. Have them reapply in December, 2015.

- c) Request from Police Chief for authorization for Clerk to advertise for auction of various vehicles and equipment no longer required for public use.

- Resolution.

- d) Committee Reports – Councilwoman Kilpatrick:

1) Happy to have the SRO Officer back at the Middle School.

2) Also support the placement of a Modular trailer at the Water Treatment Plant for Sewer employees.

3) Progress.

- **MAYOR – Kennedy O’Brien**

1) Thanked Ken Kelly friend, Chief of Staff, former Councilman, former Sayreville Detective, former Commander of the VFW for his efforts in preparing the 9-11 ceremony. Thanked Kevin Ciak for a wonderful speech.

2) Commented on the opening day football game.

3) Stated that two months ago he brought up about the overgrown weeds along MacArthur Avenue following Hurricane Sandy and after the homes were bought out by the State Blue Acres Program. Which originally was to go back to its natural state and is now becoming a concern about rodent problems, which was confirmed does exist. The State does not have a solution and was advised to go to their local landscaper, etc. for their input such as a planting. Asked the business admin during his report to give an update on his finding.

Mr. Frankel stated that he did meet with Glen Lucas the exterminator. He said that you are not getting rid of the rodents. Traps will not get rid of them and unfortunately he does not a solution to the problem. But as far as the landscaping is concerned we need to discuss it and decide. Mayor said that he was looking for a different type of planning. Asked that he contact one or more of our established landscaper for a low maintenance type of growth there. Cutting lawns could be expensive. Councilman Rittenhouse suggested that we contact Rutgers Extension and look for something that only grows 12-24” tall as was explained to him at the convention last year. This would also help absorb the water. Councilman Melendez suggested reaching out to other municipalities who are experiencing the same issue and see what they may be doing. Councilwoman Novak said that at a previous meeting she suggested that we contact a tree farm that may want to come in and plant. We wouldn’t have to maintain it then and they would have acreages to plant.

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

- **Admin. & Finance**

a) Request for Grievance Hearing before the Mayor and Council received from R. Bauman -need to set date.

- Scheduled for Sept. 28, 2015 at 6pm and have labor counsel attend.

b) QPA Salary – To be discussed at the next meeting as far as salary requirements.

- **Planning & Zoning**

- **Public Safety**

a) Request for authorization to amend Ordinance 15-1.7 Permit Fee – for an increase in the fees for Uniform Fire Code and Non-Life Hazard Use Fees.

- Ordinance.

b) Request for authorization to amend Ordinance 8-20 to include a fee for Certification of a Vital Statistic Record - \$5.00.
- Ordinance.

- Public Works

a) Request for authorization for the Borough Clerk to advertise for the receipt of bids for Uniform Rental and Cleaning.
- Resolution.

b) Request for authorization to award contract for Picnic Area Pavilion Upgrades at Burkes to Park to Dell-Tech, Inc., 930 New York Ave., Trenton, NJ on the bid of \$78,500.00.
- Resolution.

c) Request for authorization for B&W Construction Co. to perform the necessary repairs to Liberty Street Slope in the amount of \$60,000., subject to approval and funding source. B & W Construction is our contracted vendor.
- Resolution.

d) Authorization to award contract for Property Maintenance to Custom Care Services, Inc. as per bid price.
- Resolution.

e) Request for authorization to execute an Inter-Local Service Agreement with the Middlesex County Improvement Authority for the continuation of the Yard Waste Recycling and Marketing Services for a two year period from September 1, 2015 through July 31, 2017.
- Resolution.

- Recreation

- Water & Sewer

a) Request for authorization to award bid for Hydrated Lime to Carmeuse Lime, Inc. of Pittsburgh, PA for their low bid of \$169,490.
- Resolution.

○ **C.F.O. - Wayne Kronowski**

a) Local Government Finance Best Practices Inventory required to be filed by October 16, 2015.
-Resolution at a future meeting.

● **BOROUGH ENGINEER -Jay Cornell**

a) Modifications to the former Bordentown Avenue Water Treatment Plant Building – Receipt of Bids (Verbal Report).
- Already discussed.

b) Morgan Pump Station Force Main Replacement – Easement from adjacent property owners for Acquisition (Verbal Report).
- Refer to Borough Attorney.

Councilman Melendez asked the Borough Engineer for the process in which we decide road repairs and who was responsible for curbing.

- The engineer explained that an inventory on roads is taken and they are ranked as to their condition. So annually we review that list and speak with Mr. Bailey, the DPW Director as they get complaints in during the year and then they are prioritized and the top twenty roads are selected for repair. This year Co. Kilpatrick rode with the DPW team when they conducted their review. He said that curbing is the responsibility of the homeowner except if the borough is going to improve a roadway then they would go ahead and address the curb and sidewalk.

Co. Kilpatrick also reported on the roads and was hoping to increase the road repair budget next year.

- **BOROUGH ATTORNEY – None**
- **EXECUTIVE SESSION – None**
- **PUBLIC PORTION**

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

Those appearing were:

- Tom Pollando, 15 Oakwood Drive
 - Mr. Pollando asked Councilman Melendez where we were with the purchase of the helmets that was discussed at the last meeting. Councilman Melendez said that he contacted Ridell and they are putting together a package and will make a presentation at the next meeting.
 - Mr. Pollando asked if there was a way that we could get someone from First Aid to travel with our teams out of town to be available in case of an injury for evaluation. Councilwoman Novak stated that there are a lot of kids and a lot of games. But we could make sure the other team has first aid coverage on their field that could handle the kids. Mr. Pollando suggested that our team managers have an agreement where their first aid squads would cover at their fields and our first aid squad cover on our fields. Councilman Melendez expressed his concern about the safety during practices and if it could be possible to get someone from each organization trained as a precaution and get our children right to the hospital if necessary.
 - Mr. Pollando then questioned where we are at with the Automatic Defibrillators. Mr. Frankel responded that our QPA has recommended the award through State Contract and they are being ordered.
 - Mr. Pollando thanked Mr. Melendez for coordinating with other organizations to utilize our fields instead of having to go out of town.
 - He invited the Mayor and Council to the opening their fall ball on Saturday at 10AM.
- Ziggy Dombrowski, 32 Weber Avenue
 - Concerned about the cutting of grass along Weber Avenue. He said that he has been maintaining the property surrounding his property for some time now because it is a fire hazard and the same for the other remaining residents. He said that the properties are an eyesore. Mayor responded that there were hundreds of people who lived on those two streets and no longer live there and the borough lost a great deal of tax revenue so we have to be careful of our tax expenditures. Everyone left and now the properties are going to go back to its natural state, but it does not look right, along with his concerns of a rodent infestation. He reminded Mr. Dombrowski that the borough did not turn its backs on the victims of Hurricane Sandy. Council President McGill stated that he had been out to Mr. Dombrowski's home and applauded him on the beautiful job putting his home back together again and he does cut the grass along the adjoining lots but he is in agreement with the Mayor and Councilman Rittenhouse's idea to inquire with Rutgers to find some way to alleviate this problem for the people who still reside along Weber and MacArthur Avenues but still wished he could do more.
- Ted Petersen, 971 Rt. 9 No., Creswtview Apartments
 - Asked Councilwoman Kilpatrick if there was a reason why she did not respond to his phone calls. She said that she had been checking her borough phone repeatedly and did not see any new voice mail messages.
 - He said that her voice mail was full.

Councilwoman Kilpatrick told Mr. Peterson that she has had multiple conversations with the Rent Leveling Board Chairman regarding his issues.
- He further spoke about his complaint being filed in June with the Rent Leveling Board and questioned why it took only one letter from the attorney from the Landlord to the Rent Leveling Board to have a meeting adjourned. Councilwoman Kilpatrick responded that he would have to get in touch with the Board.

- He further stated that the Mayor returns his phone calls and has written a letter on his behalf. He then proceeded to read the Rent Leveling Ordinance. Councilwoman Kilpatrick deferred to the attorney for a reply as she did not want to harm his case.

A heated discussion ensued and a Point of Order was called upon Mr. Petersen.

Councilman Buchanan asked the Borough Attorney that inasmuch as there is a landlord and tenant hearing to be held should any on these council members answer any questions at this point.

The Attorney responded that he felt that any council members should not be answering legal questions with regards to the ordinance or interpretation of the ordinance. They should not be getting into any factual allegations or the basis of any facts of what is potentially or currently scheduled for hearing. He also noted that during the public session here, individuals are granted a 5 minute time limit and this council has been very generous listening to his comments but does not feel getting into asking legal questions on something that has been already scheduled before another entity is appropriate.

- Mr. Petersen closed his comments.

- Bob Kominkiewicz, 103 Ernston Road
 - He felt that this issue has been going on now for weeks and felt he does not show any respect to the council.
 - Commented about the traffic under the bridge not getting any better.
 - Against the exchange of the property for the Sr. Housing, especially if it is for outsiders.
 - Asked Councilman Melendez what the outcome was for the sale of hot dogs for events.

Councilman Melendez stated that he would be the only vendor selling hot dogs at the Car Show and at Sayreville Day.

Mayor said that before he closes the public portion he wanted to mention that there was an article in the newspaper about what the NFL was doing to deal with concussions. He said that there is an independent doctor assigned by the NFL. He said that at the last council meeting the borough received about \$30,000.00 and, in 15 minutes the money was spent. He said he did some research on the program and said that he is in favor of the helmet program for the safety of the young players.

Councilman Buchanan gave his perspective as an official stating that every official has to go for a concussion certification course and at the high school level they have a trainer on sight and if a player gets injured and are taken out they cannot go back in unless there is an independent review by their doctor.

Councilman Melendez said that Pop Warner was the same, coaches have to be certified.

Councilman Rittenhouse announced that Historical Society President Jason Slesinski sent out e-vites to everyone to the 40th Anniversary of the Sayreville Historical Society this Thursday at 7PM at the Sr. Center.

Mayor asked if there were any further questions or comments from the public.

Appearing were:

Fady Gohbrial, 33 Roll Avenue

- Questioned who he would talk to regarding criminal conduct and about the police not handling the situation correctly.

Mayor stated that he could speak with the Business Administrator and the Borough Attorney following the conclusion of the meeting.

No further questions or comments.

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

Roll Call: Voice Vote, all Ayes. Carried.

Councilwoman Kilpatrick commented for the record that Mr. Petersen has been here multiple times and has been heard. She explained her roll as Liaison on the Rent Leveling Board. She stated that where Mr. Petersen is concerned she wants the right thing to happen, the right outcome. She closed by stating that she sits up here for all of the people and will continue to do what she can.

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:02 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved