

Combined Meeting of the Mayor and Borough Council held on Monday, September 22, 2014 in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien 7:04 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, Eicher, McGill,  
Melendez (via teleconference), Novak, Rittenhouse

Absent: None

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

Others Absent: None

- **Approval of prior Minutes** of the Mayor and Borough Council:

Council President Novak moved the following minutes be approved on Roll Call Vote, subject to correction if necessary.

- ☒ Receipt of Bids - August 12, 2014  
(Furnishing & Installing a New Automated Refuse Loader Body & Lift Arm onto Borough Refuse Vehicle)
- ☒ Receipt of Bids - August 19, 2014 (Plumbing Work & Repairs and Rock Salt)
- ☒ Receipt of Bids - August 26, 2014 (2013 Roadway Paving & Reconstruction Project – Phase II)

Motion was seconded by Councilman McGill.

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

- **SWEARING IN**

Police Chief John Zebrowski was called to introduce Thomas Tesar.  
Theresa Farbaniec, Municipal Clerk swore in Thomas Tesar as Police Officer in the Sayreville Police Department and upon doing so he signed the Oath of Office.

- **PRESENTATIONS/PROCLAMATION:**

- **Certificate of Appreciation/Recognition was presented to Mr. Paul Tegen and Mr. Marc Hain of Red Oak Power for their contribution to our community by donating four (4) Automated External Defibrillators to the Sayreville Fire Department.**

**All officers and members of the Fire Department and Governing Body thanked them for the generous contribution.**

- Remarks by Councilman Rittenhouse

- **Joe Notarangelo, President Board of Health** (scheduled but not in attendance).

- **OLD BUSINESS**

- a) Public Hearing on the following Ordinance(s): **(None)**

- **NEW BUSINESS:**

- a) **INTRODUCTION OF THE FOLLOWING Ordinance(s):**

**ORDINANCE # 271-14**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION**  
**7-12 MID-BLOCK PEDESTRIAN CROSSWALKS**  
(Co. Rittenhouse, Public Safety Committee – Public Hearing Oct. 14, 2014)

Councilman Rittenhouse moved the Ordinance be approved on first reading, advertised according to law and a public hearing be scheduled for October 14, 2014. Motion was seconded by Councilman McGill.

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

• **CONSENT AGENDA/RESOLUTIONS**

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street  
Questioned Resolution #2014-276 and who was going to pay for the improvements.  
-Response by Co. McGill and the Engineer that the DOT requires the borough go through and be the applicant in order to get the intersection studied and upgraded. This resolution will authorize the borough to enter into an agreement with the State to do that as well as the developer to pay the borough's share of the cost.

Questioned #2014-278 - Improvement Project for Pulaski Avenue Resolution  
- Mr. Cornell explained that this is a DOT Grant Application trying to get additional money this year.  
Discussion followed regarding the intersection of Pulaski and Washington Rd.

No further appearances. Mayor O'Brien called for a motion.

Council President Novak moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call vote. Motion seconded by Councilman Buchanan.

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

**RESOLUTION #2014-264**

**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

/s/ Councilman Ricci Melendez

/s/ Councilwoman Lisa Eicher

/s/ Councilwoman Mary J. Novak

/s/ Councilman David McGill

/s/ Councilman Arthur Rittenhouse

**Bill list of September 22, 2014, in the amount of \$2,899,562.43**  
**(Bill List – See Appendix 2014-A for this date, in a separate Bill List File for 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 Civil Service Commission.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-268**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Open Competitive Procedures:

**NAME OF APPOINTEE:** John Smith  
**POSITION:** Laborer  
**DEPARTMENT:** Dept. of Public Works  
**EFFECTIVE:** September 23, 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 Civil Service Commission.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-269**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Open Competitive Procedures:

**NAME OF APPOINTEE:** Craig Fallon  
**POSITION:** Equipment Operator  
**DEPARTMENT:** Dept. of Public Works  
**EFFECTIVE:** September 23, 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 Civil Service Commission.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-270**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Open Competitive Procedures:

**NAME OF APPOINTEE:** Charles Wojtaszek  
**POSITION:** Equipment Operator  
**DEPARTMENT:** Dept. of Public Works  
**EFFECTIVE:** September 23, 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 Civil Service Commission.

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

**ATTEST:** **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-271**

**WHEREAS**, on November 8, 2012 the Borough of Sayreville awarded a two year contract for “Snow Plowing and Services” to B & W Construction Co. of NJ, Inc.; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for a two-year period at no additional increase in price contained therein; and

**WHEREAS**, B & W Construction Co. of NJ, Inc has indicated their interest in extending their terms of the aforesaid contract for two (2) additional years;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Snow Plowing and Services” is hereby renewed for two additional years at no additional increase in price.

- B & W Construction Co. of NJ, Inc.  
PO Box 574, South River, NJ 08882
  - Item 1
  - Item 2, Lines 5, 6, 7 & 8
  - Item 3, Line 1

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

**ATTEST:** **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-272**

**WHEREAS**, on November 8, 2012 the Borough of Sayreville awarded a two year contract for “Snow Plowing and Services” to T. Marcinczyk and Sons, Inc.; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for a two-year period at no additional increase in price contained therein; and

**WHEREAS**, T. Marcinczyk and Sons, Inc., has indicated their interest in extending their terms of the aforesaid contract for two (2) additional years;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Snow Plowing and Services” is hereby renewed for two additional years at no additional increase in price.

- T. Marcinczyk & Son, Inc.  
3185 Bordentown Ave., Parlin, NJ 08859  
- Item 2, Lines 1, 2, 3, 4 & 9

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014-273**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase “Turnout Gear” from Skylands Area Fire Equipment & Training, LLC, through State Contract (#80948), at a total cost not to exceed \$37,635.48.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2014 - 274**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
IN SUPPORT OF THE MIDDLESEX COUNTY BALLOT QUESTION  
REGARDING THE ESTABLISHMENT OF A  
COUNTY CULTURAL AND ARTS TRUST FUND**

**WHEREAS**, the Middlesex County Board of Chosen Freeholders has adopted a Resolution authorizing the placement of a referendum on the November 4, 2014 General Election Ballot regarding the establishment of a County Cultural and Arts Trust Fund; and

**WHEREAS**, the Mayor and Council of the Borough of Sayreville strongly agree with the Freeholder Board that the drastic reduction in funding for the performing and presenting arts, and other such cultural events and activities, including arts education, has unfortunately lead to a substantial lack of opportunities for the residents of Middlesex County to be exposed to and participate in the arts, and particularly the youth of the County to gain an appreciation for the arts and other cultural life experiences through quality arts education; and

**WHEREAS**, similarly, the resulting deterioration of existing theaters, arts facilities and other venues of cultural and arts programming and presentation has created a substantial risk that such historic cultural facilities will be lost forever, while new facilities are not being developed to take their place, thereby deriving future generations of the ability to be exposed to and enjoy new arts programming, all to the detriment of the cultural life of Middlesex County; and

**WHEREAS**, these negative circumstances confronting cultural and arts initiatives and facilities will severely impact our ability to recognize and preserve the heritage and history of the County, which includes recognizing and honoring our veterans, which together serve as a vital resource and enhancement to the quality of life for all of the residents of the County; and

**WHEREAS**, in order to provide a much needed alternate source of funding for the preservation and development of such vital cultural and arts initiatives, programs and facilities, the Middlesex County Freeholder Board has acted to place a Proposition on the upcoming November Ballot authorizing the governing body of the County of Middlesex to establish the

“Middlesex County Cultural and Arts Trust Fund” to provide a dedicated source of funding to help support, promote and advance the Cultural Arts in Middlesex County.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Council of the Borough of Sayreville strongly support the Middlesex County Board of Chosen Freeholders in its wise and forward thinking efforts to provide an alternate source of funding to help support and promote the Cultural Arts in Middlesex County and strongly urges all of the County’s municipalities, organizations and voters to support this noble effort at preserving and promoting the County’s heritage and history and improving the quality of life for all of our residents, especially our young people, by supporting the Ballot Proposition.

**BE IT FURTHER RESOLVED** that a copy of this Resolution of Support be forwarded to the Middlesex County Board of Chosen Freeholders and all of the municipalities comprising the County of Middlesex.

/s/ Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O’Brien  
Mayor

**RESOLUTION #2014 - 275**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for Repairs to the Roofs at the Engine Co. No. 1 and Morgan Fire House for a fee not to exceed \$18,500.00 and upon approval of plans and specifications the Borough Clerk is hereby authorized to advertise for the receipt of bids.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O’Brien  
Mayor

**RESOLUTION #2014 - 276**

**RESOLUTION OF THE BOROUGH OF SAYREVILLE  
CONSENTING TO NJDOT INVESTIGATION AND COST SHARING FOR THE ROUTE 35 AND OLD  
SPYE ROAD / TYLER STREET INTERSECTION**

**WHEREAS**, the Borough of Sayreville Planning Board, as a condition of their approval of the Highview Homes, LLC project on Old Spye Road, required the Applicant to petition the New Jersey Department of Transportation (NJDOT) to modify the traffic signal timing at the Route 35 and Old Spye Road / Tyler Street intersection to provide additional green time to the Old Spye Road approach during the critical peak street hours; and

**WHEREAS**, in order to improve the operational conditions of the intersection and reduce the vehicular delays on the Old Spye Road approach for existing and projected peak hour conditions, on March 12, 2014 the Borough of Sayreville did contact the NJDOT to endorse the signal timing modifications recommended by the Planning Board; and

**WHEREAS**, on March 25, 2014, the NJDOT responded to the Municipality requesting the Borough of Sayreville to adopt a Resolution committing to pay 25% of all costs associated with the necessary traffic signal modifications to modify the traffic signal timing at the subject intersection; and

**WHEREAS**, Highview Homes, LLC has agreed to pay the Borough’s 25% share if modifications to the traffic signal equipment are warranted to modify the traffic timing.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the Municipality does herein consent to the payment of 25% of the traffic signal equipment modifications to NJDOT, if warranted, from an escrow funded by Highview Homes. LLC.

/s/ David McGill, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014 - 277**

**Approval to submit a Grant Application and execute  
a Grant Agreement with the New Jersey Department of Transportation  
for the Bordentown Avenue Pedestrian Improvements Project**

**WHEREAS**, the Borough Engineer has recommended the submission of an application for a grant related to a project within the Borough of Sayreville which would fall into the category of projects covered by the Fiscal Year 2015 Municipal Aid Program promulgated by the NJDOT Transportation Trust Fund; and

**WHEREAS**, the Borough Council believes that it is in the best interests of its residents to submit applications for possible grant funds from the Transportation Trust Fund for projects recommended by the Borough Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Council are hereby authorized to submit an electronic grant application identified as SST-2015-Sayreville Borough-00025 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

/s/ Daniel Buchanan, Councilman  
(Administrative & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2014 -278**

**Approval to submit a Grant Application and execute  
a Grant Agreement with the New Jersey Department of Transportation  
for the Pulaski Avenue Road Improvements Project**

**WHEREAS**, the Borough Engineer has recommended the submission of an application for a grant related to a project within the Borough of Sayreville which would fall into the category of projects covered by the Fiscal Year 2015 Municipal Aid Program promulgated by the NJDOT Transportation Trust Fund; and

**WHEREAS**, the Borough Council believes that it is in the best interests of its residents to submit applications for possible grant funds from the Transportation Trust Fund for projects recommended by the Borough Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Council are hereby authorized to submit an electronic grant application identified as MA-2015-Sayreville Borough-00187 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.



**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

/s/ Daniel Buchanan, Councilman  
(Administrative & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTIONS TO BE READ IN FULL: - None**

**Business Session Agenda – September 22, 2014**

**COMMUNICATIONS & COMMITTEE REPORTS**

• **ADMINISTRATIVE & FINANCE – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

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

- Board of Education minutes of August 19 & Sept. 2, 2014
  - Municipal Clerk's Report for the month of August, 2014
  - Investment Activity Report for the month of August, 2014
- Motion was seconded by Councilwoman Novak.

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

- 1) **Harry S. Truman School PTO, Inc.** to conduct an Off Premise Draw on Nov. 14, 2014 (RA:1895).
  - 2) **St. Stanislaus Kostka HSA**, to conduct an Off Premise 50/50 on Dec. 7, 2014 (RA:1896).
- (1&2) - Approved.

c) Application for a **Special Event** received from:

- 1) Faith Fellowship Ministry World Outreach Center to conduct a Youth Conference on October 10 & 11, 2014.
- 1) Approved.

d) Application for a **Beauty Shop License** received from Eliana M. Martins Goncalves, 389 Washington Rd., Sayreville t/a Miracle Beauty Salon.

- Approved / Clerk to Prepare Resolution.

e) Received **Special Ruling** from the State of New Jersey, **Division of Alcoholic Beverage Control** to permit the Renewal of the PRCL #1219-33-058-007, Shooters, Inc. (Pocket License) for the 2014/2015 License Term.

- Approved / Clerk to Prepare Resolution.

f) Authorization to execute an Agreement with the County of Middlesex for the **2014/2015 Municipal Alliance Agreements** and acceptance of funds in the amount of \$39,655.00 which is used for municipal alliance activities.

- Approved / Clerk to Prepare Resolution.

g) Committee Reports – Co. Buchanan

- 1) Commented on a letter forth coming from the Bd. of Education regarding the Highview Homes Pilot Agreement.
  - Clerk stated that the letter and resolution were in the Council's packet.
- 2) Questioned if the proper protocols were being followed regarding our hiring practice with Sayreville resident and volunteer's first preference.
  - Business Administrator Mr. Frankel said that they are.
- 3) Progress.

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports: NONE**

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

- 1) Middlesex County Planning Board minutes of June 10, 2014
  - 2) Sayreville Economic & Redevelopment Agency  
Minutes of Feb. 27 & March 27, 2014
  - 3) Construction, Zoning & Code Enforcement, &  
Fire Prevention reports for the month of August, 2014.
- Motion seconded by Councilwoman Novak.

b) **Application for Trailer License** received from:

- 1) Petillo, Inc. to locate 1 temporary office trailer at Block 257 Lot 3.04, 1000 Chevalier Ave.  
(Bass Pro Shop Site)
- 2) Bowen Engineering Corp to locate two temporary trailers, 1 Construction and 1 storage  
trailer at 601 Jernee Mill Rd. (No. Jersey Energy).

- Approved - Clerk to Prepare Resolution

c) **Notice to Sayreville as Adjacent Property Owner(s)** received from:

- 1) Verizon Wireless seeking minor site plan approval and use variance that would  
permit the location of a wireless communications facility at 575 Jernee Mill Rd.

- Receive & File

- 2) Application of Brian Burlew before the Board of Adjustment on Sept. 24, 2014 for a  
variance at 484 South Pine Avenue, Block 476, Lot 6 seeking approval to expand the  
existing second floor level of their residential structure.

- Receive & File

d) Committee Report:

- 1) Progress.

• **PUBLIC SAFETY – Councilman Rittenhouse**

a) **Minutes & Departmental Reports:**

Councilman Rittenhouse moved the following Minutes and or Reports be Received & Filed:

- Court Administrator, Police Chief, Board of Health, Registrar and County Reports for the  
month of August, 2014.

- Motion seconded by Councilwoman Novak.

b) Request for **coin toss** at the intersection of Washington & Ernston Roads from 10am-2pm  
received from:

- 1) Sayreville Bombers Golf Club Program on Nov. 23, 2014
- 2) Morgan Parlin Panthers on October 26, 2014  
(County approval received)

- Approved.

c) Committee Reports – Co. Rittenhouse

1) Reported that it was his recommendation as well as two of the three members of his committee was that the borough continue to use Helmetta Animal Shelter based upon reports received from the Board of Health, County Health Officials, Police Department and State SPCA which found nothing wrong nor cruelty to any of the animals. The deficiencies they found were two construction items, which are being addressed and fixed. He said that they are also working on the record keeping issues. They are posting more animal photographs. Their main concern was the health of the residents of Sayreville. He said that he was aware that Co. Novak objected to what he said as he spoke with her this morning.

Councilwoman Novak said that she received the report on Friday and read it on Saturday. She said that she has a problem with it having her name on this committee report stating that the committee met and they did not. She commented on their “non” record keeping and the number of OPRA requests and the replies. She said she feels that the facility cannot handle the 21 towns that they service. She further commented on the “non” cleanliness of the shelter; the non spaying/neutering; inoculations not being given to the animals that are adopted out; the lack of vet services; record keeping, she continued reading e-mails. She spoke about the shared services with Helmetta.

Councilman Rittenhouse said that he spoke with various people today and they are working to correct the issues that were found at Helmetta. He spoke about the borough's ability to get someone else to provide the same services at the same costs or less and the length of time, a notice would have to be provided. He also commented that due to the controversy various vets stated that they probably do not want to work in a town with that controversy.

Councilwoman Novak asked Councilwoman Eicher if she agreed with the report and recommendation. Councilwoman Eicher said that until they find a better and more cost effective place she does agree with the recommendation and report.

A more lengthily discussion followed.

Mayor commented on the licensing requirements. He said that he took a poll at Sayreville Day and found that the residents do not want to pay more for Animal Shelter Serves and have their taxes increased to do so.

Mayor recommend the Board of Health put together a set of specs on what they are looking for and a RFQ will be formulated and sent out with all the rest of professional services we appoint the 1<sup>st</sup> of the year.

Mayor further spoke about what the cost factor would be if these services were brought back to our town.

Co. McGill spoke about certain words being used to lightly such as "radical". He then asked about the shared construction services with Helmetta. Mayor responded on this Shared Service.

- **RECREATION – Councilwoman Eicher**

- a) Minutes & Departmental Reports:

Councilwoman Eicher moved the following Minutes/Reports be Received & Filed:

- Recreation Director's report for the month of August, 2014.

Motion seconded by Councilman Rittenhouse

- b) Request for authorization to execute the Lease agreement with the Board of Education for the Morgan Athletic Fields. Board of Education approved the execution of the agreement at their Sept. 16, 2014 meeting (info attached).

- Resolution

- c) Committee Reports - 1) Progress.

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

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

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

- Water & Sewer Director's report for the month of August, 2014.

- b) Committee Reports-

- 1) Councilman Melendez requested the Ordinance regarding excessive water bills due to extreme circumstances be introduced at the next meeting.

- Mayor objected that if a person is not in agreement with the outcome of the decision, he does not want it to come before the Mayor and Council because it may become political and this is taxpayer property.

Councilman Melendez thought that the Mayor and Council had the final say.

- Mayor said that he would rather an appeal go before a neutral party such as a court or Arbitrator.

- Councilman Melendez asked the Borough Attorney for his comments.

Mr. DuPont said that perhaps a better recourse would be that if the party did not agree with the outcome decision of the committee, (the business admin., attorney and water director) the person could file an Administrative Law Appeal.

Mayor asked if anyone had any objection. None made. Mayor asked the attorney prepare it for the next meeting.

Councilman Melendez publically thanked Patty and the Sayreville Day Committee for their hard work as the event is always successful.

- **PUBLIC WORKS – Council President Novak**

a) Councilwoman Novak moved the following reports/minutes be received & filed:

- Public Works Reports – Buildings & Grounds, Parks, Recycling, Roads, Garage Services, Sanitation and Office on Aging Report all for the month of Aug., 2014.
- Rent Leveling Board minutes of Sept. 9, 2014.
- Motion was seconded by Councilman McGill.

b) Committee Reports – Council President Novak

1) She said that she met with the Open Space Committee regarding her request for a ballot referendum question on eliminating the tax being collected for Open Space which she had approved by referendum in the first place, creating this fund. After the lengthy discussion with the committee she decided to abandon that notion. Councilman Rittenhouse said that the Historical Society also commented that they also discussed by the Historical Society and they also do not want this on the ballot.

2) Council President Novak said that the Shade Tree Commission is making some recommendations for changes to the Ordinance and she requested authorization for the borough attorney to review the changes and possibly have the changes incorporated into the ordinance for introduction at the next meeting. Mayor asked the clerk to make copies for everyone and forward to the attorney.

3) Commented on the DPW garages being inadequate and referred to a St. and Local Government Review from 1999 and read from one of their final paragraphs as to their findings.

- **MAYOR – Kennedy O'Brien**

- 1) Thanked the volunteers of the Sayreville Day Committee for another successful event.
- 2) Encouraged the residents to help support of a fundraiser all week next week at Camillo's for a fellow resident who recently married, is pregnant and recently found out she has stage 3 breast cancer.
- 3) Mayor read into record correspondence and Resolution received from the Sayreville Board of Education regarding the Pilot program for the Chase Signature Housing Program.

WHEREAS, the Sayreville Borough Council ("Council") recently voted to approve a 25-year tax abatement, known as a Pilot Program, for the Chase Signature housing development that will be built adjacent to Route 35 ("Pilot Program"); and

WHEREAS, the Pilot Program will likely have a negative impact on the funds received by the Board through the local tax assessments; and

WHEREAS, the Pilot Program will add an unidentified number of students to the school district without the benefit of increased tax revenue that would enable the Board to support those students; and

WHEREAS, increased enrollment without the benefit of increased tax support may require the Board to cut programs and staff or increase taxes on residents outside of the Pilot Program; and

WHEREAS, despite assertions to the contrary, the Council did not consult with the Board or any representative thereof regarding the Pilot Program prior to the Council's approval of the Pilot Program;

NOW, THEREFORE, BE IT ORDAINED that the Board hereby requests that the Council consult with the Board in the future prior to taking action that will directly affect the interests of the Board as well as the students and taxpayers of the school district; and

BE IT FURTHER RESOLVED THAT the Board hereby requests that the Council designate a portion of funds generated through the Pilot Program to be provided to the Board annually to alleviate the impact on the students and taxpayers of the school district.

Signed Emidio D'Andrea

Mayor asked Councilman Rittenhouse to put together a three person committee along with the appropriate professionals to meet with the Board of Education’s counterpart committee to come up with a formula as they had requested.

Mayor said that he would also like to entertain a motion of process that in the future before this council passes **any pilot agreement** it would first go before the board of education for review and comment. Councilman Rittenhouse moved the Mayor’s motion. Seconded by Councilwoman Eicher.

	<b>Ayes</b>	<b>Nays</b>
<b>Councilpersons</b> Buchanan	X	
Eicher	X	
McGill		X
Melendez		X
Novak	X, with comment that she would like to include any pilot agreement changes and renewals.	
<u>Rittenhouse</u>	<u>X</u>	

Clerk reported vote, 4 Ayes & 2 Nays, motion passed.

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

- **Administrative & Finance**

- **Public Works**

- 1) Authorization for CME Associates to prepare plans and specifications for bids for Landscape Maintenance for Various Borough Owned Properties and upon approval authorizing the Borough Clerk advertise for the receipt of bids.

- **Resolution.**

- 2) Authorization for CME Associates to prepare plans and specifications for bid for Closed Circuit Television (CCTV) System Upgrade and Installation at the Public Safety Complex and the Sayreville Soccer Fields and upon approval authorizing the Borough Clerk advertise for the receipt of bids.

- **Resolution.**

- 3) Request for authorization to execute a contract with Sun Pacific Power Corp for the replacement upgrade of NJ Transit Bus Shelters.

- Creative Outdoors has agreed to modify their contract to exclude bus shelters.

- **Resolution.**

Councilwoman Novak asked for a status report on the agreement with the Board of Education for the use of the fields on Woodland Avenue.

Mr. Frankel stated that the resolution was adopted tonight with the correct block and lot information.

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

- 1) Bill List Resolution

- 2) Emergency Appropriation – Sewer Dept.

- Mr. Kronowski reported that Crossman Pump Station still has a by-pass rental pump due to hurricane Sandy and is used in case of power failures and that at this time the borough needs to purchase one. This would be mobile and be able to use at other pump stations in case of an emergency. He said that the engineer is in the process of preparing plans and specifications for a new and upgraded pump station, costs are higher than anticipated and we need an emergency appropriation. He also explained that FEMA reimbursement had been applied for but we will not be reimbursed for the whole figure.

- **Resolution for the purchase on an emergency basis & Ordinance amending bond ordinance already adopted for vehicles and equipment.**

- 3) Request for authorization to introduce an ordinance for tax and water bill payment and to cover the convenience fee.

- Approved/Ordinance

- **BOROUGH ENGINEER -Jay Cornell**

1) Improvements to Ernston Road – Change Order Requested (Report Attached)  
 - Resolution.

2) Lee Avenue Area Drainage Study – Review of Flooding Problems (Report Attached)  
 Engineer reported that this was a half million dollar project and is recommending that it be put in next year's budget if they want to move forward with this project. Mayor asked that he look to the State DOT, because a lot of this run off comes from the highway. The engineer said that they can look at alternate funding.

• **BOROUGH ATTORNEY - Michael DuPont**

- 1) Authorization for the demolition of:
  - 124 Buchanan Avenue
  - 14 Morris Street
- Approved for demolition – clerk to prepare Resolutions.

• **PUBLIC PORTION**

At this time the Mayor opened the meeting up to the public for any and all questions or comments. He also announced that the 5 minute limitation will be enforced. Those appearing were:

- Richard Lucas, 28 Winding Wood Drive, Apt. 7A
  - Said that two weeks ago, at night he ran out of gas and was pushing his motorcycle home and two young men by the name of Nick and Anthony, volunteer firefighters from President Park Fire House. Mr. Lucas explained he ran out of gas and his Harley only took 91 octane. He said that there was nothing they could do and drove off. He said that they returned with a gal. of gasoline from the only station opened at 1am which was on Rt. 9. He said that it did not work and they drove off and came back 20 minutes later with 2 gal. of gas. He said he offered to pay them and they did not accept. He said that at the time they did not know that he was a US Marine Retired, 100% Disabled-Two Tours in Iraq. He just wanted these two gentlemen to be recognized.

Mayor said that the he and the people of Sayreville thanked him for his service. Mayor said that these two men will be recognized and asked him to come back again.

- Ken Olchaskey, 108 North Edward Street
  - Spoke about the Municipally Sponsored Athletic Organization Ordinance and compliance date. He asked for the history on its extension and what action was taken to extend it. He felt that the ordinance would have to be formally amended not verbally.
    - ❖ -Attorney was authorized to prepare an Ordinance amendment.
- Stanley Drwal, 121 Bissett Street
  - Commented about spraying on vegetation at the Julian Capik Nature Preserve.
    - ❖ Mr. Frankel stated that he has no knowledge about the Nature Preserve but reported that there was no insecticide used along Main Street. But will find out more information.
    - ❖ Mayor asked the Business Admin. to contact First Energy.
  - Mr. Drwal asked that the governing body look into other options for Animal Shelter and Control Services.
- Tom Bishada, 17 Greenhill Avenue
  - Commented on Pilot Agreements and the cost to students and that it is unfair to the taxpayers. He requested that Ordinance #267-14 be rescinded or amended that the property tax can be recouped from this development.
  - Further commented on Brownfields and the Point.
  - He also commented on the Home News article regarding the Tobacco Law.
- Barbara Kilcomons, 22 Schmitt Street
  - Questioned if the Landscape Maintenance bids would also include the properties on Weber and MacArthur Avenue.
    - ❖ Mr. Frankel said that it would not and the Engineer further explained what properties this specification would cover.
  - Questioned why the street sweeper only has a spring and fall schedule.

- Shade Tree Commission has a lot of money in their budget. Why not plant trees on the vacant lots.

- ❖ Mayor said that 1) They do not have a plan for the area yet and 2) We are at the end of the budget year and manpower year. This will be looked at next year and a plan will be made.

- Mike D’Addio, 13 Zaleski Drive  
SERA Chairman.

He responded to Mr. Biesiada’s comments regarding the Pilot Project.

The club is going to come down, the apartments are coming down. The crime and drug problems will be gone and we will have a nice development which will bring other retail businesses into the area. This is an investment into this small area of Rt. 35.

- Brianne Rodgers, 28 Muth Street

- Thanked Councilwoman Novak for speaking out about the issues with the shelter. She also spoke about the people we call the radicals. But if it weren’t for those people the shelter would not be improving.

- ❖ Councilman Rittenhouse said that the people he spoke out about are those who hurt Helmetta shelter not those who help.

-Asked why not Woodbridge, if it was because they support TNR.

- ❖ Co. Rittenhouse said that all reports indicate that there was nothing wrong in Helmetta. He said that there are a few issues which they addressed but with all the negativity they cannot move forward. Can’t get the vet to come back, volunteers, etc. and RFP. All because of the negativity.

- Ms. Rodgers spoke about TNR and grants. She gave out pamphlets about TNR Program and feral animals. She still felt the Board of Health was still blowing her off when she tried to reach out to them.

No further questions or comments

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

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION - None**

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:47 P.M.

SIGNED:

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

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