

Mayor Kennedy O'Brien opened the Agenda Meeting at 7:32PM followed by a salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, October 13, 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, McGill,
Kilpatrick, Melendez (left the meeting at 9:00 PM)
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, Borough Attorney

Others Absent: None

- **OLD BUSINESS** - None

NEW BUSINESS:

a) Ordinances for Discussion - None

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Board of Education Minutes of September 15, 2015. - Receive & File
- Motion seconded by Council President McGill.

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

- 1) **St. Stanislaus Kostka Holy Name Society** to conduct an Off Premise Raffle on January 1, 2016 (RA:1979).

- Approved.

c) Application for **Social Affairs Permit** received from:

- 1) St. Stanislaus HSA to conduct a Wine Tasting Event on Dec. 12, 2015 from 6-11pm in the school gym.
- 2) Our Lady of Victories HSA to conduct a Wine Tasting Event on March 5, 2016 at Monsignor Dalton Hall.

- 1 & 2 Approved

d) Received **Special Ruling** from the State of New Jersey, **Division of Alcoholic Beverage Control** to permit the Renewal of the PRCL #1219-33-031-005, Shiv Akshar, LLC (Pocket License) for the 2015/2016 License Term.

- 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 #1219-33-024-006, Tapan Liquors, LLC (Pocket License) for the 2014/2015 and 2015/2016 License Term.
- Approved/Clerk to Prepare Resolution.
- f) Notice of filing and Public Hearing scheduled for the proposed transfer of JCP&L transmission assets and lease of property assets to Mid-Atlantic Interstate Transmission, LLC - Hearings scheduled for 10/26/15 Morristown, NJ and 10/28/15 in Freehold, NJ. (Notice posted on bulletin board)
- Receive & File.
- g) Committee Reports:
1) Reported that her Finance Committee meeting scheduled for tonight was postponed.
- **PLANNING & ZONING – Councilman Buchanan**
- a) **Minutes & Departmental Reports:**
Councilman Buchanan moved the following reports/minutes be received & filed:
- 1) Planning Board Minutes of September 2, 2015.
- Motion seconded by Councilwoman Novak.
- b) Request from Code Enforcement to amend Ordinance Section 12-3.5 changing fees involved with the inspection of Rental and Resale properties.
- Clerk to prepare Ordinance .
- c) Committee Reports – Councilman Buchanan
- 1) Asked for a report on the time frame on the repair of the lights out in the parks.
Mr. Frankel responded the outages have been reported to JCP&L as well as resident complaints and that they have been working on the repairs and will get a schedule for the next meeting if the repairs have not been completed.
- 2) Housing Authority Senior Housing.
Engineer reported that the Housing Authority also gave a presentation to the Planning Board at their last meeting and they did not take any action. They indicated that they were going to have some further studies/discussions. Councilman Buchanan stated that he would like this matter to move forward and have a Resolution on the next agenda.
Mayor suggested that he reach out to the Planning Board chairman.
The Engineer gave more clarity as to the procedure.
- SERA responded to the Council that the property probably would meet the criteria as an area in need of redevelopment.
- The Planning Board has not given a formal response.
This one is a little different someone would have to recommend it back to the Mayor and Council that a study would have to be pursued and recommended back to the Planning Board to have a study done to see if it meets the criteria.

Councilman Rittenhouse stated that at the last meeting the Mayor asked that it be fast tracked through SERA and the Planning Board.

Discussion followed on the length of the process of this recommendation.

Mayor asked the Council President and Councilman Buchanan to follow-up on this matter.

PUBLIC WORKS – Councilwoman Kilpatrick

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

b) Committee Reports:

- 1) Councilwoman Kilpatrick gave a short biography on Danny Carter.

• **RECREATION – Councilman Melendez**

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

b) Application for **Special Event** received from the Messiah Lutheran Church to conduct a vendor/ flea market fund raising event to benefit families in need on Oct. 24, 2015 from 1-7:30pm.

- Approved.

c) Committee Reports – Councilman Melendez:

- 1) Reported on the Hit The Bricks Run, thanked all involved in making the race a success. Raised \$4,100.00 for the BIC Organization.
- 2) Halloween Parade.
- 3) IT Report-Security Cameras at the Public Safety Complex, Senior Center and the corresponding areas then to the Library.

Comments: Mayor commented on the cost of the cameras and labor and the use of a facilitator making decisions felt it should come back before the governing body for transparency. He stated that he does not want to use a facilitator as it is not in the best interest of the borough.

Response by Councilman Melendez that this project went out for proper bid and does not know what he is talking about when using the term facilitator.

Council discussion on a facilitator.

4) Would like to look into better commuting services for the residents of Sayreville and a proposal on the next agenda for the appointment of an Auditor to review and report on traffic, busses and the park and ride.

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

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

b) Committee Reports-Councilman Rittenhouse:

- 1) Thanked the American Legion for the Vietnam Remembrance Day Ceremony on Oct. 11th.
- 2) Commented on the misinformation that the Ballot Question on Open Space reads and encourages people to vote “No” on the question and this would continue the Open Space.
- 3) Stated that he still did not receive the information from Co. Buchanan regarding Weiner Lesniak.

- Co. Buchanan asked Co. Rittenhouse about a complaint from a Main Street Townhouse resident.

Councilman Rittenhouse responded that he has been in touch with resident to inform the resident that he is waiting for all the reports from the department.

• **PUBLIC SAFETY – Council President McGill**

a) **Minutes & Departmental Reports:**

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

- 1) Board of Health minutes of September 3, 2015.
Motion seconded by Councilwoman Novak.

b) Resolution received from the Twp. of Edison opposing the 180 mile oil pipeline between Albany, NY and Linden, NJ to be constructed by Pilgrim Pipeline Co.

- Receive & File.

c) Committee Reports – Co. McGill:

- 1) Christmas Tree farm on Cheesequake Road.
- 2) Asked the Mayor what he meant by democrats giving “No Show Jobs” that he talked about in the newspaper.

Roll Call:

	Buchanan	KILPATRICK	McGill	Melendez	Novak	Rittenhouse
Ayes	X	X	X	X	X	
Nays						X
Abstain						
Absent						

During the Roll Call –

Councilwoman Novak commented on pensions and pension padding.

Councilman Rittenhouse also commented that if the resolution was for pension reform the Mayor’s name would not be part of the resolution.

• **MAYOR – Kennedy O’Brien**

- 1) Mayor commented that Ed Strek and the American Legion did our town proud during the Vietnam Veteran ceremony on Sunday. Mayor called him forward for comment.

Mr. Strek stated that the information on the ceremony was posted on the cable access Channel, invitations are not passed out.

- Mr. Frankel asked if the organization could just inform the Mayor and Council through the clerk of any event so that the governing body is aware. Not a public notice.

- 2) Mayor commented on the Resolution that was read in full tonight and how the pension works.

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

- Admin. & Finance

- 1) Authorization for the Borough Clerk to advertise for RFP’s for Professional Services for 2016.

- Resolution.

- Planning & Zoning

- 1) Recommendation received from the Veteran’s Alliance as well as the Tax Assessor for Proposed New Street Names.

- Mr. Frankel stated that he met with the developer from the Point who is looking for a name to submit on the planning board application on a street name for the entrance into the Point.

Mayor asked that they meet with the Veterans Alliance.

- Public Safety

- 1) Notice received of the retirement of Donna Lee Standowski from her position of Senior Account Clerk in the Municipal Court, effective December 1, 2015.

- Receive & File.

- 2) Request for authorization to appoint two (2) employees in the Municipal Court, replacing the two retirees (details in packet).

- Resolutions.

- 3) Authorization to accept and execute grant agreement with the NJ Dept. of Transportation for the Highway Safety Fund - Motorcycle Grant Project #HSF-2013-Sayreville Borough 00008.

- Resolution

- 4) Authorization to accept and execute grant agreement with the NJ Dept. of Transportation for the Highway Safety Fund - 2014 Safe Corridor project for the purchase of One (1) 2015 Ford Pursuit Sedan, Project #HSF-2014-Sayreville Borough 00044.

- Resolution

- Public Works

- 1) Authorization to refer Plans and Specifications for the repairs to the Skate

Board Park to the Skate Board Park Committee and the Recreation Advisory Board.

- Councilwoman Novak commented that this committee was not re-appointed at the beginning of the year and asked if we ever found out about the Go Fund Me Account.

- Response by Mr. Kronowski reported that the police department did look into it and the individual that put up the Go Fund Me Account sent him an e-mail stating that when the contract is awarded for the repairs to the Skate Park they will forward the money over.

- Mayor also indicated that the Skate Park Committee has been involved from the beginning and still want their input.

2) Shade Tree Commission is requesting authorization for the execution of the 2016 Green Communities Grant.

- Resolution

- Recreation

- Water & Sewer

○ **C.F.O. - Wayne Kronowski**

1) Amend Bond Ordinance #194-12 to include Rapplelea Street.

- Mayor asked if there was any objection for the inclusion of the repaving of this street in that Ordinance. None made.

- Ordinance

• **BOROUGH ENGINEER - Jay Cornell**

1) Ciecko Court Drainage Improvements – Closeout of Contract and Change Order (Verbal Report).

- Resolution

2) Purchase of a Hook Lift Truck – Request to Withdraw Bid (Verbal Report)).

- Resolution

3) Authorization for the Borough Engineer to prepare plans and Specifications for the Installation of Emergency Generator at Borough Hall for a fee not to exceed \$24,500.00. and upon approval of plans and specifications the Borough Clerk is hereby authorized to advertise for bids (purchase through a FEMA Grant).

Mayor asked the Borough Engineer to report on the article that was in the newspaper about the flood walls.

- Mr. Cornell responded that the MCUA is receiving grant money for the modifications to the pumping stations on Canal Street and in Edison. They are constructing flood walls around it and also emergency generators so that we do not have problems like we did during Hurricane Sandy, where the sewerage backed up into the streets.

- Resident from Boehmhurst Avenue questioned the gate and berm on Boehmhurst being opened up to traffic.

Mayor asked Sgt. Bartlinski to address the resident.

- Sgt. John Bartlinski reported that over one year ago a letter came to the council about some residents requesting that Boehmhurst Avenue be opened to Sayreville Blvd. He said that it is the recommendation of the Police Dept. at this time that the road be modified with some sort of gate so that the road could be opened only in an emergency. He said that if the road were to be opened permanently, it would be open to nothing. There would be more traffic on Boehmhurst Avenue; one portion of Sayreville Blvd. could become a raceway; illegal dumping and be a place for people to gather.

Questions from a resident from the pew (inaudible). All questions were answered by Sgt. Bartlinski.

Sgt. Bartlinski informed the Mayor that he will have a thing called a speed spy indicating traffic and speed in either direction.

- **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:

- Louise Einhorn, School Traffic Guard.

Representing herself and the other crossing guards.

Requested the council's consideration in a pay raise. Stated that they are the lowest paid crossing guards in the surrounding towns. Last per diem raise was 16 years ago. And that there are some inefficiencies.

Some posts are dangerous. They are out there in the rain, snow, ice, heat, etc.

Mayor asked for Sgt. Bartlinski to send reports to ensure better safety for the guards as well as his recommendation on how to compensate and equalize the crossing guard pay scale.

Sgt. Bartlinski stated that he has made these recommendations for over the past three years.

Mayor asked that he forward them to the Clerk for distribution in the next packet.

- Jorge Gonzalez, Sayreville Housing authority
Commented on the 72/80 Unit mixed use senior project they have been discussing for a few weeks now. He said that the Mayor asked that it go before the Planning Board for consideration for those numbers to be included in their COAH Plan. He said that the Planning Board at this stage is only advisory to the council, SERA stated that the area could be included as an area of need of redevelopment. He said that the decision lies with the Mayor and Council to move the project forward by adopting a resolution to allow the Housing Authority to discuss a long term lease.

Mayor asked him if he had a plan, ie, what are the salary ceilings that a person has to meet in order to qualify to move into a facility that he is proposing, the size of the unit has not been discussed or the rent. He also stated that he would like the affected residents of the area to be involved in this process.

Mr. Gonzalez said that the funding is coming from the entire state through NJHMFA. He then asked the council if they could pass a resolution placing this property in need of redevelopment for further study and negotiate a long term lease with the Borough through the Mayor and Council.

Mr. DuPont stated that he would speak with the engineer after this meeting and Councilman McGill said that he would have to review the resolution.

- Mike D'Addio, 13 Zaleski Drive
SERA Chairman
Stated that SERA Commissioners have reviewed the issue and has recommended that this area be placed in a redevelopment zone if that is what the council desires. Any resolution that should come from the council at this point is placing the property in a redevelopment zone. Then you decide if this is what you would like to have built there and then plans would come back to SERA for consideration, then a redevelopment plan, Housing Authority would then appoint a redeveloper.

- Jorge Gongalez, Chairman Housing Authority
Stated that they would be helping the residents of the Borough of Sayreville.
- Ted Petersen, 971 Crestview Apts.
Commented on illegal leases and evictions and upset that Councilwoman Kilpatrick neglected to respond to his phone calls. He then stated that his hearing has been scheduled for Oct. 19, 2015 he then said that the decision that is going to be rendered at this Rent Control Hearing needs a Landlord Tenant Attorney Specialist because this decision is going to affect 35% of this community in accordance with the Rent Control Ordinance. He asked that in addition to Mr. DuPont that a Landlord Tenant Attorney specialist attend this rent control board meeting to help the board render a decision in this matter.

Mr. Petersen said that Legal Services of New Jersey offered to supply Sayreville with a recommendation as well as Catholic Charities and the NJ Tenants Organization.

Mayor said that he spoke with some of the members of the Rent Leveling Board and there are areas in the Ordinance that they are unfamiliar with as they are appointed volunteers and that this is the first time they ever had to deal with such an issue. He asked if there is a motion to appoint an expert in Rent/Tenant laws.

Motion made by Councilman Rittenhouse to seek recommendations from the NJ Tenants Organization for these matters. Seconded by Councilwoman Kilpatrick.

Councilman Buchanan questioned how much this attorney would be paid for his services.

Mayor asked Councilman Rittenhouse if there could be an amendment to the motion to include a not to exceed figure of \$3,000.00. Both Councilmembers agreed and the motion is amended to seek recommendations from the NJ Tenants Organization, Catholic Charities or the Legal Services of New Jersey and that they be paid for their services at a rate not to exceed \$3,000.00. Mayor asked the Borough Attorney to follow through with this motion.

Mr. DuPont said that there is only three days until the hearing and the hearing will probably have to be rescheduled. After an attorney is selected the Mayor and Council will have to approve, so this will take time.

Business Administrator Mr. Frankel suggested in order to save time that we check "other" attorneys the council appointed at the beginning of the year to see if they have this expertise. Mayor did not agree because these attorneys are general attorneys covering general topics.

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Novak, Rittenhouse, all ayes.
(Councilman Melendez left 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.

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:28P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved