

Combined Meeting of the Mayor and Borough Council held on Tuesday, November 12, 2013, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Council President Buchanan at 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 combined 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:**

Present: Councilpersons Buchanan, Eicher, Henry, McGill,
Melendez, Novak.

Absent: None

Others Present: Kennedy O'Brien, Mayor (arrived at 7:20PM)
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

APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

Council President Buchanan made a motion to have the following minutes of the Mayor and Council approved, subject to correction if necessary.

- ☒ September 9, 2013 - Combined Meeting
- ☒ September 9, 2013 - Closed Session
- ☒ September 23, 2013 - Combined Meeting
- ☒ September 23, 2013 - Closed Session

Motion Seconded by Councilwoman Eicher.

Roll Call: Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak.
All ayes, carried.

PROCLAMATION & PRESENTATION

- Certificate of Recognition was presented by the Mayor and Borough Council to the Sayreville War Memorial High School Marching Band for their 1st place finish on October 20, 2013 at the Tournament of Bands – Greater New York/New Jersey Metropolitan Championship on their score of 91.55.

Certificate was accepted by Paul DeSarno, President of the Band Parents Assoc. who also made a few comments. He asked all the members of the band to turn around and acknowledge the people of the audience.

- **OLD BUSINESS**

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

ORDINANCE #236-13
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE SECTION 8-3.1 AND 8-3.3 (a),
PEDDLERS AND HAWKERS
(Co. Novak, Admin. & Finance Committee)

Council President opened the meeting up to the public for questions or comments on Ordinance #236-13.

Being no questions or comments Council President called for a motion.

Councilwoman Novak moved the Public Hearing be closed, the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Eicher.

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

ORDINANCE #236-13
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE SECTION 8-3.1 AND 8-3.3 (a)

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

8.3 PEDDLERS AND HAWKERS*

8-3.1 Definitions. As used in this section:

Food/Beverage shall mean edible items that are normally consumed by human beings.

Merchandise shall mean items other than food/beverage.

Motor Vehicle shall be defined as set forth in N.J.S.A. 39:1-1.

Peddler shall include any person, whether or not a resident of the Borough, traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house, or from street to street carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, food, ice cream, fruit ices, soda, water, garden farm products or provisions offering and exposing the same for sale, or making sales and delivering articles to purchasers. "Peddler" shall also mean and include any person offering and exposing for sale, or making sales of food items, ice cream, fruit ices, soda, water and other consumable food products which are sold for the purpose of immediate consumption from a vehicle on wheels located in a permanent location on a daily basis, the vehicle capable of being moved either under its own power or being towed by a motor vehicle. "Peddler" shall mean and include the works "hawker" and "huckster".

Special Event shall mean a temporary event occurring within the Borough of Sayreville, such as a circus, fair, parade, carnival or similar event having a temporary duration which does not exceed two (2) weeks.

Specific Location shall mean the presence of a peddler at a single location for more than one (1) hour, with written approval from property owner for the purpose of selling or distributing the peddler's product(s) this section only applies to all P-2 Site Specific License holders

8-3.2 License Required. It shall be unlawful for any person to engage in the business of peddler within the corporate limits of the Borough without first obtaining an appropriate permit and license as provided by subsection 8-3.3. Such license shall only be issued in the name of the individual who actually engages in the activity for which the license is issued and no such license may be transferred to another individual.

8-3.3 Type of License. Each and every peddler shall be required to obtain one (1) of the following licenses which shall conform to the actual activity of each peddler:

a. *P-1 – Food/Beverage Peddler – Mobile.* Each and every peddler who engages, in whole or in part, in the activity or business of selling or distributing food/beverage using a motor vehicle shall first obtain a P-1 (Food/Beverage Peddler – Mobile) license. Such a

license holder shall nevertheless be prohibited from engaging in such activity or business at a specific location as defined in subsection 8-3.1. The purpose of this license is to stop, make a sale and move on.

b. *P-2 – Food/Beverage Peddler – Site Specific.* Each and every peddler who engages, in whole or in part, in the activity or business of selling or distributing food/beverage at a specific location shall first obtain a P-2 (Food/Beverage Peddler – Site Specific) license.

c. *P-3 – Bait & Tackle at River Road Waterfront Park.* Each and every peddler who engages in whole or in part in the activity of selling or distributing bait and tackle at the River Road Waterfront Park shall first obtain a P-3 (Bait & Tackle Peddler) license. This license shall be limited to the sale of bait, tackle and water. There shall be a limit of two (2) licenses, issued on a first come/first serve basis only at the River Road Waterfront Park. The hours of operation shall be from dawn to dusk and expiring on December 31st of the licensed year.

Any other provision of this section or any other provision of Section ~~8-3~~, subsections 8-3.1 or 8-3.2 of the Revised General Ordinances of the Borough of Sayreville to the contrary notwithstanding, no P-2 license shall be issued to any peddler unless the peddler had a valid P-2 license on the effective date of this subsection.

A peddler holding a valid P-2 license, or the legal representative for the estate of a peddler which held a valid P-2 license on the effective date of this subsection, may apply for a limited transfer of the P-2 license. The limited transfer of a P-2 license shall be permitted from the license holder or the estate of the license holder, to a spouse, sibling, child or parent of the P-2 license holder. An application for limited transfer of a P-2 license shall be processed in the same manner as an application for limited transfer of a P-2 license shall be processed in the same manner as an application for a new license. No P-2 license shall be issued to an applicant who does not hold a valid peddler's license which was in effect on the effective date of this subsection. In the event that a peddler holding a P-2 license fails to renew his license in a timely manner prior to the expiration of the license, the license shall be deemed to have been abandoned and such licenses shall no longer be renewed nor reissued.

8-3.4 Sale of Merchandise Prohibited. Peddlers shall be prohibited from selling or distributing merchandise within the Borough of Sayreville, except that peddlers who currently possess a valid peddlers license may sell merchandise until said license expires, provided that in no event shall said license be renewed.

8-3.5 Special Event Permit. Any other provision in this section notwithstanding a permit may be issued to a peddler for the sole purpose of selling merchandise or food/beverage at a special event. The duration of such special event permit shall not exceed two (2) weeks or the actual duration of the special event, whichever is less.

8-3.6 Fees. The following fees shall be established for a Peddlers or Hawkers License issued in the Borough:

- a. Annual Peddlers P1 Mobile license: \$125.00
- b. Annual Peddlers P2 Site license: \$100.00
- c. Annual Peddlers P3 Bait & Tackle license: \$125.00
- d. Annual Peddlers license (after 7/1) surcharge:
\$ 50.00 if 30 days late;
\$100.00 if 60 days late;
\$200.00 if 90 days late
- e. Peddlers special permit license \$35.00

8-3.7 Use of Streets. No peddler shall have an exclusive right to any location, nor shall the peddler be permitted to operate in any congested area where the operations might impede or inconvenience the public. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

8-3.8 Time Restrictions. No person shall sell, offer for sale, hawk or peddle in the Borough any of the items listed in subsection 8-3.1 of the Revised General Ordinances of the Borough of Sayreville before 9:00 a.m. on weekdays and 12:00 noon on Sundays and after 6:00 p.m. from November 1 to March 31, and 8:00 p.m. from April 1 to October 31, except at and in conjunction with a special event.

8-3.9 Enforcement. The provisions of this section may be enforced by the Zoning Officer of the Borough of Sayreville or by any police officer of the Borough of Sayreville. It shall be the duty of any peddler who holds a license issued pursuant to this section to maintain the license on their person whenever transacting business. Upon request of an enforcement officer, the peddler shall be required to produce a valid license. Any person found to be in violation of this ordinance shall be subject to the general penalty provisions in Section 1-5 of the Revised General Ordinances of the Borough of Sayreville.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Eight General Licensing**, 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/ Lisa Eicher, Councilwoman
(Recreation Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

NEW BUSINESS:

Clerk Farbaniec read the following:

a. Introduction of the following Ordinance(s):

ORDINANCE #237-13

**AN ORDINANCE READOPTING ORDINANCE NO. 842-03
ENTITLED "AN ORDINANCE OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY,
PROVIDING FOR THE EXEMPTION OF CERTAIN DWELLINGS
PURSUANT TO P.L. 1992, CHAPTER 441**

(Co. Novak, Admin. & Finance Committee – Public Hearing to be held on Nov. 25, 2013)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 25, 2013. Motion Seconded by Councilman Henry.

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

CONSENT AGENDA/RESOLUTIONS

Council President Buchanan opened the meeting to the public for questions or comments on the consent agenda items. No one appeared.

Mayor called for a motion to close public portion.

Council President Buchanan made a motion to close public portion and the consent agenda resolutions be approved upon roll call vote. Motion was seconded by Councilwoman Novak.

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

CONSENT AGENDA/RESOLUTIONS

RESOLUTION #2013-271

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.

	<u>/s/ Kennedy O'Brien</u> Mayor	
<u>/s/ Daniel Buchanan</u> Councilman		<u>/s/ David McGill</u> Councilman
<u>/s/ Lisa Eicher</u> Councilwoman		<u>/s/ Ricci Melendez</u> Councilman
<u>/s/ William J. Henry</u> Councilman		<u>/S/Mary J. Novak</u> Councilwoman

**Bill list of November 12, 2013, in the amount of \$15,277,878.37
(Bill List – See Appendix 2013-A for this date, in a separate Bill List File for 2013).**

RESOLUTION #2013-272

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2013 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Human Resources (1105-108-2-3115)	\$	\$ 15,000
Fire Department (1265-301-2-9090)		10,000
Prosecutor (1275-309-1-1101) (1275-309-2-17210)	2,000	2,000

Electricity
(1430-930-2-18150)

25,000

\$ 27,000

\$ 27,000

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-273

**CANCELING BALANCES OF IMPROVEMENT AUTHORIZATIONS
NO LONGER NEEDED**

WHEREAS, certain Capital Improvement appropriation balances remain dedicated to projects are now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance and unused debt authorizations may be canceled;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville that the following unexpended balances be canceled:

ORD. NO.	DESCRIPTION	FUNDED
<u>General Capital Fund</u>		
1998-205	Ergonomic Furniture	\$ 17,147.61
2008-060	Microwave Communication System	31,782.25
2010-153	Vehicles and Equipment	3,041.82
2011-166	Police Vehicles	6,869.00

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer for his records.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-274

**CANCELING BALANCES OF STATE AND LOCAL GRANTS
NO LONGER REQUIRED**

WHEREAS, certain State and Local Grant balances remain that are associated with programs that have been closed out with the providing agency and are no longer required; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances can be offset against the program receivable or Fund Balance;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville that the following unexpended grant balances be canceled:

2007 Cool Cities	\$ 17,650.00
2010 Municipal Alliance Activities	\$ 1,033.92
2010 Bomb Detection	\$ 68,000.00
2010 Bias Education	\$ 300.00
2011 Community Concerns	\$ 200.00
2011 Municipal Alliance Activities	\$ 82.79
2012 Municipal Alliance Activities	\$ 284.09

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer for his records.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-275

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #A83577, of one (1) 2013 Ford F250, 4WD Pickup Truck with Utility Body for the Borough of Sayreville, Garage Services Department, from DFFLM, LLC, t/a Ditschman Flemington Ford, 215 Routes 202 & 31, Flemington, NJ, at a total cost not to exceed \$27,000.00.

/s/ William J. Henry, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-276

**Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Extension January 1, 2014 to June 30, 2014**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Governing Body of the Borough of Sayreville, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, Borough was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to Sayreville Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council does hereby authorize the submission of the grant extension for the Sayreville Municipal Alliance grant in the amount of:

DEDR	<u>\$54,663.00</u>
Cash Match	<u>\$13,665.75</u>
In-Kind	<u>\$56,055.00</u>

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Sayreville do hereby acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2013-277

BE IT RESOLVED that the proper borough officials are hereby authorized and directed to execute an Interlocal Service Agreement with the County of Middlesex for Road Line Striping of five Municipal roads in the Borough of Sayreville.

- Main Street
- Johnsons lane
- Ernston Road
- MacArthur Avenue
- Cheesequake Road

/s/ William J. Henry, Councilman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2013-278

BE IT RESOLVED that the following person is hereby appointed to the following as per NJCSC Procedures:

NAME OF APPOINTEES: Edward Downes

POSITION: Interim Supervisor – Water & Sewer Department

EFFECTIVE: November 12, 2013

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/ Ricci Melendez, Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013 - 279

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK
TO EXECUTE A DEED BETWEEN THE BOROUGH OF SAYREVILLE AND
SAYREVILLE MEMORIAL POST NO. 4699 VETERANS
OF FOREIGN WARS OF THE UNITED STATES**

WHEREAS, the Borough of Sayreville transferred the property known as Block 55.01, Lot 1.01 on April 19, 1972 to the VFW Post No. 4699 and on August 2, 1972 a second Deed was executed which modified the restrictions to permit the granting of a construction mortgage to the VFW Post No. 4699; and

WHEREAS, the VFW Post No. 4699 wishes to construct a natural gas pipeline and natural gas metering station on Block 55.01, Lot 1.01; and

WHEREAS, the construction of said station will require the VFW Post No. 4699 enter into an easement agreement and to facilitate that action a new Deed has been prepared on behalf of the VFW Post No. 4699; and

WHEREAS, the governing body of the Borough of Sayreville has had the opportunity to review the proposed Deed and to discuss said proposed Deed; and

BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the Deed received from the VFW Post No. 4699 and the executed Deed should be forwarded to Roger J. McLaughlin, Esquire, for execution and recording.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2013-280

WHEREAS, 881 Sayreville TIC, LLC, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2010, 2011, 2012 and 2013 affecting Block 246, lead Lot 2.11 located at 881 Main Street; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for 881 Sayreville TIC, LLC, duly recommend the following:

- Appeal of 2010 be reduced to \$2,000,000
- Appeal of 2011 be reduced to \$1,900,000
- Appeal of 2012 be reduced to \$1,800,000
- Appeal of 2013 be reduced to \$1,800,000
- 2014 assessment will be further reduced to \$1,700,000

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above- proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien,
Mayor

RESOLUTION #2013-281

BE IT RESOLVED that the following person is hereby appointed to the following as per NJCSC Procedures:

NAME OF APPOINTEES: **Robert J. Smith**

POSITION: Director – Water & Sewer Department/
Municipal Department Head

EFFECTIVE: November 18, 2013

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/ Ricci Melendez, Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

Business Session Agenda – November 12, 2013

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

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

- b) Received the following **application(s) for Bingo/Raffle Licenses**:
- 1) St. Stanislaus Kostka HSA to amend Bingo License BL:472AA, changing the Dec. 8th Bingo date to Dec. 1st, 2013.
 - 2) St. Stanislaus Kostka Church to conduct 97 Bingos on various dates in 2014 (BA:482 & BA:483) Sunday & Thursday Bingo.
 - 3) St. Stanislaus Kostka Church to conduct off Premise 50/50's on Feb. 16; May 11; Sept. 14, 2014.
 - 4) Sayreville War Memorial High School Choral Parents Assn. to conduct an On-Premise 50/50(RA:1836) & an On-Premise Draw Tricky Tray (RA:1837) on Feb, 21, 2013, with a snow date Feb. 28, 2013.
- Approved
- c) Application received from Poonam Dutta to operate a Beauty Salon at 520 Ernston Rd., Parlin. Approval, if granted will be pending the issuance of a Business License.
- Approved/Resolution.
- d) Application for a Person to Person Transfer from received from PRCL#1219-33-025-008 Masaniello, LLC to transfer to Arlecchino, Inc., t/a Pulcinella Italian Restaurant & Pizzeria, 3067 Bordentown Ave., Parlin.
- Approved/Resolution.
- e) Received **Special Ruling** from the State of New Jersey authorizing the renewal of PRCL #1219-33-058-007, Shooters, LLC (Pocket License) for the 2012/2013 term.
- Approved/Resolution.
- f) Committee Report –
- 1) Councilwoman Novak congratulated Mr. Rittenhouse on winning the election.
 - 2) Reported on having received numerous letters from residents asking the council to deny the development of large warehouses across from Main Street Condo's. Residents explained how it would affect their quality of life. Councilwoman Novak Informed the residents that the council cannot approve or deny any building. That process can only be done by the planning board. She said that they would do whatever they could do as the governing body to alleviate and mitigate any problems associated with this project.
 - 3) She requested a full report with regards to the White Oaks Traffic Signal.
 - 4) Asked the Business Admin. or attorney to speak with the Home Owners Associations for the placement of bus shelters on their property for the commuters.

Councilman Buchanan said that a bus shelter was knocked down on Washington Road and asked when we could expect to have it back up. Mr. Frankel said that they are having discussions with NJ Transit regarding this shelter and who will pay for the equipment. NJT wants the persons auto insurance to pay for it. Borough Attorney said that hewould contact the insurance company.

• **PLANNING & ZONING – Councilman McGill**

- a) **Minutes & Departmental Reports:**
Councilman McGill made a motion to have the following minutes/reports be received & filed:
- 1) Planning Board Minutes of Oct. 16, 2013.
Motion seconded by Councilman Henry.
- b) Received the following **Planning Board Resolution** which was **Memorialized on Nov. 6, 2013:**
- Crossman Industrial Development Off-Tract Improvements, Crossman Rd., Block 251, Lot 1.
 - Highview Homes, LLC, Preliminary and Final Major Site Plan Resolution, west side of Old Spye Road, near intersection of Rt. 35.

Receive & File.

c) Correspondence received from the Planning Board forwarding a copy of the Engineers Conceptual Cost Estimate of the Crossman Development Conrail Bridge at Lakeview Drive.
- Procedure explained by the Borough Engineer.
- If all were in agreement a **Resolution** would be necessary concurring with the Planning Board and sending it back to them for their determination on every ones fair share for that extension of Lakeview Drive Off-Tract Improvement.

d) Received Notice that Middlesex County Fire Marshal has applied to the DEP for a Letter of Interpretation/Line Verification for Middlesex County Fire Academy, Blk. 256.01, Lot 1.03. --
- No comments made, Receive & File.

[Comments due within 30 days after the publication by DEP]
(Entire packet on file in Clerk's Office)

[Mayor arrived at 7:20 PM]

Hold Over Item from Oct. 28, 2013

e) Notice to Governing Body from the Planning Board that on Oct. 16, 2013 they voted to **recommend the adoption of the amendments to the Sayreville Landfill and Melrose Redevelopment Plan.**

- Borough Attorney to prepare the necessary Zoning Ordinance.

f) Committee Report:

- **PUBLIC WORKS – Councilman Henry**

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

b) Received letter of Resignation from Steven Schaffer, effective Aug. 15, 2013.

(Letter was not received in Clerk's Office until Oct. 30, 2013).

- Receive & File.

c) Committee Reports:

1) Congratulated Art Rittenhouse on his election win and Dan Buchanan for being re-elected.

- **RECREATION – Councilwoman Eicher**

a) Committee Reports:

1) Reported that the proceeds in the amount of \$1,415.00 from the Hit the Bricks Race was donated to the BIC Organization.

2) Winter Fest will be held on Dec. 8th from 4-7 PM, instead of the Holiday Parade.

3) Toy Drive-collecting new unwrapped toys.
To be distributed on Dec. 14th from 2-4PM.

4) Reported that she and Mr. Frankel and Mr. Ust will be working on the Recreation Ordinance covering the Leagues.

5) Asked if there was anything the borough could do about the Amber on the Mocco Tract of property. Mr. Rittenhouse responded (inaudible).

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

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

b) Committee Reports-

1) Congratulated the Band on their achievement

2) Congratulated Mr. Rittenhouse on his victory in the election.

3) Wished a Happy Veteran's Day to all Veterans.

- **PUBLIC SAFETY – Council President Buchanan**

a) **Minutes & Departmental Reports:**

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

1) Board of Health Minutes of October 3, 2013.

Motion seconded by Councilman Henry.

b) Committee Reports-

- 1) Reported on the recycling bins and advertising .
- 2) Asked for a review of the Handbill Ordinance and to have the Do Not Knock Ordinance ready for introduction for next meeting.

- **MAYOR – Kennedy O’Brien**

- 1) Mayor thanked all who participated in the democratic process last week and congratulated Council President Dan Buchanan on his re-election and to newly elected Art Rittenhouse. He also wished Councilman Henry well and is appreciative of his service.

- 2) Mayor commented on Steve Schaffer’s service on the Shade Tree Commission.

- 3) Commented on the moving Veteran’s Day Service held in front of Borough Hall yesterday.

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

- **Admin. & Finance**

- **Public Safety**

Request received from Joe Notarangelo, President Board of Health, for a title change for Linda Miick. She is currently in the title of Clerk 1- P/T, however she has been performing the functions of the title Clerk 2. She meets all requirements and will remain in P/T status.

- **Resolution.**

- **Public Works**

- **Recreation**

- 1) Authorization to contract with GameTime for the purchase of playground equipment and rubberized curbing for Oak Tree Park and Walter D. Faith Memorial Park (Laurel Park). These items are purchased through a NJ State contract number A814111. The final cost after GameTime Everybody Plays Grant (\$41,890.) is \$80,780.29.

- **Resolution.**

- **Water & Sewer**

- **Personnel**

Closed Session Item – Contract Negotiations

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

- 1) Bill List **Resolution**

- 2) 2013 Budget **Transfer Resolution**

- 3) **Resolution** authorizing renewal of Super Storm Sandy Emergency Notes

- Councilman Henry asked how much money the borough has been reimbursed from FEMA so far. Mr. Kronowski responded that we received \$1.6 million dollars of the amount that we applied for and are still looking for approx \$2. Million more from FEMA.

- 4) Resolution authorizing the cancelling of Trust Fund Reserves and these figures will be cancelled into surplus.

- **Resolution.**

- **BOROUGH ENGINEER -Jay Cornell**

- 1) Highview Homes, LLC Site Plan – NJDEP Water & Sewer Permits (Report Attached).

- Resolution authorizing the Mayor to sign these permit applications.

- **BOROUGH ATTORNEY - Michael DuPont**

PUBLIC PORTION

Mayor opened the meeting to the public for any and all issues.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.
 - Congratulated Mr. Buchanan and Mr. Rittenhouse on the election win.
 - Thanked the Mayor and Council for their prompt repair to Batista Court.
 - Suggested that more signage be posted informing the seniors of the Sr. Discount for Bldg. permits.

- Arthur Rittenhouse, 33 Delikat Lane
 - He said that when he first moved here he had reviewed the Master Plan and it called for Lakeview Drive going all the way through. So that was taken into consideration with the traffic study that was done at that Crossman Development and the impact on the amount of traffic on Main St.

Mayor said that the North - South on Lakeview has been a continuous issue for many years and one question would always come up as to who would pay for it. He felt this issue has not made any progress.

-Mr. Rittenhouse then questioned the replacement of the historic brick on Old Spye Road during the Highview Development. He said that was the first brick road in New Jersey and in the United States.

Engineer responded that he has been in touch with the State Historical and Preservation Office to talk about the improvements on that roadway.

- Mr. Rittenhouse announced that this Thursday the Historical Society would be placing the marker for the United Methodist Church recognizing it as the First House of Worship in Sayreville. Followed by their meeting at 7PM and in attendance will be the Raritan Bay River Keeper and there will also be a discussion the munitions behind Main Street Townhouses and Main Street.

- Heating System issues at the Historical Building.

Mayor asked Mr. Rittenhouse for the budget he asked Jason for before his Tenure ends and his Council status begins on Jan. 1st. Mr. Rittenhouse indicated that was something they would be working on at the meeting on Thursday.

Mr. Rittenhouse congratulated Council President Buchanan on his re-election and thanked Councilman Henry for his service.

No further questions or comments. Councilman Buchanan made a motion to close the public Portion. Motion seconded by Councilman Novak.

Roll Call: Voice Vote, all ayes.

- **EXECUTIVE SESSION ITEMS - Contract Negotiations & Personnel.**

5 minutes- 7:42 PM.

Mayor O'Brien announced that the Council will be going into Closed Session and they do not expect any action to be taken when we reconvene.

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 minutes to discuss the following matters:

- Contract Negotiations & Personnel

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/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.
Time: 7:42 PM

• **RECONVENE**

Councilwoman Novak moved to reconvene the meeting. Motion was seconded by Council President Buchanan.

Roll Call: Voice Vote, all Ayes.

Time: 7:54 P.M.

• **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 7:55P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved