

Combined Meeting of the Mayor and Borough Council held on Monday, December 12, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:31 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:** Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette.

Absent: None

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

Absent: None

Mayor stated that the next order of business would be a closes session.

- **EXECUTIVE SESSION ITEMS**

Attorney DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

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

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

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

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

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/ Councilman Kenneth P. Kelly, Sr.

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

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

Time: 6:35 PM

- **RECONVENE**

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

Time: 6:45 P.M.

Approval of Previous Council Meeting Minutes

Council President Kelly moved the following Minutes of the Mayor and Council be approved, subject to correction if necessary:

- Agenda Meeting - July 25, 2011
- Closed Session - July 25, 2011
- Receipt of Bids - August 2, 2011
(Sodium Chloride & Traffic Signal Repair)
- Combined Meeting - August 8 & 22, 2011
- Closed Session - August 8 & 22, 2011
- Receipt of Bids - August 30, 2011
(Borough Hall Roof & Cupola; Improvements to Kennedy Park Spillway)
- Combined Meeting - September 12 & 26, 2011
- Special Meeting - September 20, 2011
(Old Bridge Area Flooding Issues)
- Combined Meeting - October 11 & 24, 2011
- Closed Session - October 24, 2011
- Combined Meeting - November 14, 2011

Seconded by Councilman Buchanan.

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

OLD BUSINESS

Municipal Clerk read:

ORDINANCE No. 171-11
AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VI,
SECTION 6-4.1 "ALCOHOLIC BEVERAGE CONTROL-FEES"
AND CHAPTER II, SECTION 2-64 ADMINISTRATION -FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #171-11. No one appeared.

Mayor asked for a motion.

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

Seconded by Council President Kelly.

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

ORDINANCE No. 171-11
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VI,
SECTION 6-4.1 "ALCOHOLIC BEVERAGE CONTROL-FEES"
AND CHAPTER II, SECTION 2-64 ADMINISTRATION -FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 6, Section 4.1 Fees** of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented as follows:

(1) **6.4.1 License Fees.** The following fees are hereby determined as the appropriate license fees to be charged for the various licenses listed below. Each of the licenses listed below shall be deemed permissible under N.J.S.A. 33:1-12 et seq.

- a. Plenary Retail Consumption License – One Thousand Three Hundred Ninety-Two (\$1,392.00) Dollars.
- b. Plenary Retail Distribution License – One Thousand Three Hundred Ninety-Two (\$1,392.00) Dollars.
- c. Seasonal Retail Consumption License – One Thousand Forty-Two (\$1,042.00) Dollars.
- d. Club License – One Hundred (\$100.00) Dollars.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 2 Administration, Section 2-64.8 FEES LIQUOR LICENSES** of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

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

/s/ Councilman Nicholas Perrette
(Administration & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Municipal Clerk read:

ORDINANCE No. 172-11
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER IX,
SECTION 9-2.5 "ANIMAL CONTROL - FEES"
AND CHAPTER II, SECTION 2-64.17 ADMINISTRATION -FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE**

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #172-11.

There being none, he called for a motion.

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

Seconded by Council President Kelly.

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

ORDINANCE No. 172-11
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER IX,
SECTION 9-2.5 "ANIMAL CONTROL - FEES"
AND CHAPTER II, SECTION 2-64 ADMINISTRATION -FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 9, Section 2.5 Fees** of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented as follows:

(1) **9-2.5 Fees.** The following fees are hereby determined as the appropriate license fees to be charged for the various pet licensing fees as listed below.

- a. Dog License 1 Yr. – Spayed/Neutered \$15.00
 - b. Dog License 1 Yr. – Non Spayed/Non Neutered \$18.00
 - c. Cat License 1 Yr. – spayed Neutered \$13.00
 - d. Cat License 1 Yr – Non Spayed/Non Neutered \$16.00
- (all other late fees and replacement fees shall remain the same)

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 2 Administration, Section 2-64.17 FEES ANIMAL CONTROL** of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

(2) 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/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esq.
Borough Attorney

Municipal Clerk read:

ORDINANCE #173-11
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD
SECTION 8-23 TO ADD "MOTELS"**

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #173-11.

There being none, he called for a motion.

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

Seconded by Council President Kelly.

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

ORDINANCE #173-11
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD
SECTION 8-23 TO ADD "MOTELS"

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

Section 1. This Ordinance amends Chapter 8 of the Revised General Ordinances of the Borough of Sayreville by adding Section 8-23 entitled, "Motels" as follows:

8-23. Motels.

8-23. Definitions. The following terms shall, for the purpose of this Section, have the meaning indicated in this Section.

MOTEL – A facility offering transient lodging accommodations to the general public and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

OCCUPANCY – The use or possession or the right to the use or possession of any room(s) or portion thereof in any motel for sleeping purposes.

PERSON – Any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint-stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

RENT – The consideration charged, whether or not received, for the occupancy of space in the motel value in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and service of any kind or nature, without reduction there from whatsoever.

TRANSIENT – Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right to access, license or by other payment of any money for the right to occupy the premises for a period of fifteen (15) consecutive calendar days or less, counting portions of the calendar days as full days. Any such person so occupying space in a motel shall be deemed a "transient" up to and including the 15th day. In determining whether a person is a "transient", uninterrupted period of time extending both prior or subsequent to the effective date of this Section may be considered.

8-23.2 License Required.

It shall be unlawful for any person, partnership, firm, corporation or entity to establish, operate, maintain, occupy or offer for occupation upon any property owned, controlled or leased by him a motel as defined herein without first having secured a license from the Borough of Sayreville. Said license shall be for a period of one (1) calendar year from January 1st to December 31st. There is no proration of the annual license fee. Said license shall be renewed for additional periods of one calendar year. Said renewal shall be completed no later than 30 days prior to the termination of the existing license. Licenses shall not be transferrable from one person, firm, partnership, corporation or entity to another person, partnership, corporation or entity except as provided in this Section.

8-23.3 Conditions Requiring License. When any person shall by the use of signs, circulars, business cards, newspapers, other publications, radio or television stations advertise or solicit patronage, actively or passively, it shall be considered prima facie evidence of liability, and a license shall be required for the ownership and/or operation of a motel.

8-23.4 Application for a License.

A. Each applicant for such license shall make written application on forms prescribed and supplied by the Borough Clerk setting forth:

1. The full name, phone number, address and post office address, if applicable, of the applicant (if a corporation, provide the names and addresses of the President and Secretary and Registered Agent, if applicable; if a partnership, provide the names and addresses of all partners). The address provided must be different than that of the motel to be licensed.

2. The exact location of the proposed licensed premises, including the street address, block and lot number as described on the Tax Map of the Borough of Sayreville.

3. A description of the business, structure and accommodations upon said land, including a statement of the number of sleeping units, the maximum number of persons who can be accommodated at any given time.

4. The name, address and owner of said lands and buildings and the name, address of the individual, corporation, partnership or other entity renting said building. In the event that the entity who owns or leases the licensed premises is a corporation, the name and address of the officers of the corporation and the particular position they hold, the name and address of any stockholders holding five (5) percent or more of the stock, directly or indirectly, or in any way beneficially of the corporation which is seeking a license and the name, address and phone number of the registered agent, if applicable.

5. The name(s) of the person or persons on the licensed premises upon whom process may be served.

6. The residence of the applicant during the past five (5) years, if the applicant is an individual.

7. Indication of whether the applicant has ever had a license to conduct any type of business anywhere denied or revoked and setting forth details of same.

8. Details of any arrest and/or convictions for crimes or disorderly conduct, including the nature of the offense for which arrested and/or convicted, the date of conviction and the court in which said conviction occurred.

9. The name and address of the applicant's attorney, if applicable.

10. The telephone number(s) where the owner(s) and/or his or her agent may be reached in the event of an emergency. A minimum of at least three emergency contacts must be provided prior to the issuance of the license.

B. The application should contain a certification that the statements made by the applicant in connection with the application and covering the information requested in Paragraph A are true and that the applicant makes such statements to induce the Borough of Sayreville to issue a license to operate a motel covering the applicant's business and that the applicant agrees to comply with all rules, regulations and laws of the State of New Jersey and Borough ordinances applicable to same.

C. The application shall be accompanied by a payment in the amount of the license fee for the period involved. In the event that the license applied for shall be denied, said fee shall be returned to the applicant less ten (10%) percent thereof to cover investigation costs relative to said application.

D. If the applicant is not the owner of the site where the business is to be conducted, the owner's written consent to the conduct of the business described in the application shall be annexed to the application.

E. The application for an issuance of a license hereunder shall constitute the consent of the applicant to an inspection of the entire premises at reasonable times by the Middlesex County health inspectors, Chief of Police, Fire Official, Director of Code Enforcement and other authorized agencies of the Borough of Sayreville for the purpose of determining whether there exists on the proposed licensed premises, violations of any ordinances of the Borough of Sayreville or any law of the State of New Jersey.

8-23.5 Licensing Procedures.

A. Each applicant shall make an application upon forms issued by the Borough Clerk. This Section shall apply to any individual, firm, partnership, corporation or entity who is now or in the future conducting any activity within the Borough limits regulated by this Chapter.

B. Upon application for a license, the Borough Clerk shall send a copy of same to the Middlesex County Health inspector, Fire Official, Chief of Police, Director of Code Enforcement and any other authorized agency who has an officer who shall have the duty to inspect each premises regulated by this Section. If the premises are determined to be in compliance, the respective officers shall provide the Borough Clerk with a written certificate of such approval. Thereupon, if the applicant has complied with the other licensing provisions set forth in this Section, the Borough Clerk shall issue a license in accordance with the terms and conditions of this Section.

C. If, upon inspection, the premises do not comply, the respective officers shall provide the Borough Clerk with a written report setting forth the specific violations of applicable ordinances, statutes, rules, regulations or standards. The Borough Clerk shall thereupon transmit a copy of such reports citing violations to the applicant, together with written notice that a license for the premises will not be considered until the violations contained in the reports are corrected. The applicant shall have the right to request a hearing before the Borough Business Administrator to reconsider the denial of the license. Said request must be in writing.

D. All written reports and certificates by the various officers charged with making an inspection under this Section shall be completed within fourteen (14) days from the date the application is made. All written reports and certificates shall be transmitted to the Borough Clerk.

E. The Borough Clerk shall set a date for a hearing to be held on the denial of said application at a reasonable time thereafter, which hearing, however, shall not be later than March 15th of each year, or in the case of a new license, not later than thirty (30) days from the date of a written request for a hearing unless the applicant requests or consents to a postponement. The Borough Business Administrator will act as hearing officer for said hearing. The Business Administrator will be assisted by the Borough Attorney during this process.

F. A copy of all reports, certificates and investigations shall be made available to the applicant, upon request, at least seven (7) days prior to any hearing date set by the Borough Clerk on a particular license.

G. All applications that are deemed acceptable shall be presented to the Mayor and Council for final review and approval by resolution. This shall include any application(s) that may have been initially denied but had subsequently corrected any concerns or deficiencies through routine correspondence or the administrative appeal process described within.

H. In the event that objections in writing are filed with the Borough Clerk as to the issuance or renewal of a particular license after a recommendation for approval is made to the Mayor and Council or objections are made orally on the night set for issuance or renewal of a license, the governing body may set a date for a hearing. The Council shall then proceed to hear the objection(s) and all evidence for and against the issuance of such license and within ten (10) days determine whether to issue or renew a license or deny same if the evidence presented indicates good cause for the denial of a license. A refusal to issue a license shall be in writing, and the reasons for a denial shall be stated. If the circumstances warrant, the Mayor and Council may hold a hearing on the date set by the Borough Council meeting for the renewal or issuance of a license(s).

I. After considering all evidence with respect to the application, the Borough Council may deny, suspend or revoke the license to the applicant for good cause, and if any application for a license is denied, suspended or revoked, the Borough Council shall state in writing the reason for the denial.

J. Nothing contained herein shall prevent the Borough of Sayreville or officers of the Borough from proceeding against an applicant who is in violation of any of the provisions of this Section by filing a Complaint in a Court of competent jurisdiction.

8-23.6 Occupancy.

A. The sleeping accommodations of a motel shall be rented only for the use of transient occupants and shall not be used or occupied on any permanent basis, and no such occupant shall be deemed to be a resident therein. Every licensed premises shall maintain at all times a complete register of all rentals therein and the true identification and correct hours of occupancy of each person using any room on the licensed premises.

B. No person shall use or occupy any room or a portion of any room in any motel for more than fifteen (15) consecutive calendar days. A portion of a calendar day shall constitute a full day.

8-23.7 Identification of All Renters in each room/unit; Renting for Improper Purposes Prohibited. A licensee shall have the authority to ask the head of a party or any person renting accommodations on the licensed premises for written evidence of his or her identity and residence and, in addition thereto, the full and true name and address of each member of his or her party. In the case of the operator of a motor vehicle, a licensee shall have the authority to ask same the state, license and registration number of the motor vehicle conveying him or her to the licensed premises. In addition to the other rules and regulations proposed hereunder, no licensee shall knowingly rent, allow or permit any room on the licensed premises to be used for any illegal purpose. The licensee's failure to set forth the true identity and correct hours of occupancy of any person shall be deemed knowledge on the part of the license holder of such illegal or immoral purpose or use.

8-23.8 Compliance with all Laws and Regulations Required.

A. All structures, buildings, dwellings, houses or parts thereof used for the purposes herein regulated shall comply with the Uniform Construction Code, the Land Use Development Ordinances, the Uniform Fire Safety Code, Middlesex County Health Code and other applicable ordinances of the Borough of Sayreville and with the rules, regulations and laws of the State of New Jersey.

B. All fire escapes shall comply with the New Jersey Uniform Construction Code. An exit light shall be installed in the passageway or doorway leading to any such fire escapes. Doors leading to fire escapes shall be unlocked from the inside at all times and shall open outward.

8-23.9 Report of Communicable Diseases. A licensee shall report to the proper authorities of the Borough of Sayreville all cases of persons or animals affected or suspected of being affected with any communicable disease in or about the licensed premises.

8-23.10 Restriction on Ownership and Management. The operation, conduct and management of a motel shall not be under the management of, control or supervision of any person convicted of a crime involving moral turpitude or suffering from any contagious disease. No person shall own, directly or indirectly, more than five (5%) percent of stock or be an officer or director of any corporation or participate in any way in the management of any licensed premises if he or she has been convicted of a crime involving moral turpitude.

8-23.11 Payment of Fees.

A. The annual fee for each license hereunder shall be the amount set forth in Chapter 2-64 "Fees and Licenses" of the Revised General Ordinances of the Borough of Sayreville, entitled "

**\$ 150.00 – Application Fee (New or Renewal, change of ownership)
+ \$10.00 – Annual per room fee**

B. Payment of said fee shall accompany the filing of the application for licenses and any intention to renew thereafter.

C. Except as otherwise provided, all license fees shall become part of the Borough's treasury.

D. Where the licensee is engaged in more than one (1) activity as enumerated in this Section, at the same location, which may be subject to more than one fee, said licensee shall be required to pay that fee which would be charged for the activity assessed the highest fee.

4-23.12 Time for Submission of Applications; Term of License.

A. Applications for such license shall be made on a form as set forth in this Section and shall be signed and sworn to by the person, firm, partnership, corporation or entity actually engaged in such business and actually the true owners thereof.

B. All licenses issued hereunder shall be issued for a period of one (1) year commencing January 1st and expiring at 12:00 midnight on December 31st. All renewals shall be applied for and issued in a similar manner as the original application.

C. In the event of a termination or closing of a motel, or a moving of same to a location outside the Borough of Sayreville, the holder of the license shall notify the Borough Clerk of such termination or relocation not less than twenty (20) days prior to the effective date of the termination or change of location. The change of location as set forth in this Subsection is to apply only to those changes of location whereby the motel operation is moving beyond the boundary lines of the Borough of Sayreville. Changes of location within the Borough of Sayreville are governed by of this Section.

8-23.13 Renewal Date. No later than forty-five (45) days prior to the expiration of the existing license, each applicant shall make an application upon the forms issued by the Borough Clerk. This Subsection shall apply to any individual, firm, partnership, corporation or entity who is now or in the future conducting any activity within the Borough of Sayreville regulated by this Section.

8-23.14 Change in Ownership, Corporate Address, and Emergency Contact Information.

1. Any change or modification of ownership of the license motel during the term shall require the execution of a new application. Review of the modifications to ownership shall follow the same procedures as stipulated for all other applications. There shall only be charged an application fee as set forth in Chapter 2-64 of the Revised General Ordinances of the Borough of Sayreville. There shall be no additional "per room fees" associated with this form of application.
2. In the event that emergency contact information (as stipulated in section 8-23.4) has changed, the owner shall provide updated information to the Borough Clerk in a manner and format prescribed by the Borough Clerk within 3 calendar days of the change.

8-23.15 Suspension and Revocation of License. In the event that the Borough Clerk finds upon a written report filed that there is such a serious infraction of the rules, regulations and ordinances of the Borough of Sayreville or the rules, regulations and laws of the State of New Jersey or that the operation of a premises licensed hereunder will constitute a serious menace to the health, safety, and welfare of the people of the Borough or the occupants of such licensed premises, the Borough Clerk shall have the right, upon the finding of good cause, to immediately suspend the license of such person, firm, partnership, corporation or entity licensed under this Section. In the event that a license is suspended as set forth herein, the Borough Business Administrator shall within seven (7) business days hold a hearing, unless the Administrator and the licensee mutually agree to hold same at a later date. A written report upon which the Borough Clerk originally based its determination shall be given to the licensee at the time the Borough Clerk suspends its license.

The hearing to continue the suspension, revoke the license or take such other action as the Borough Council deems necessary in its lawful discretion shall proceed where applicable in the same manner as if the proceeding were for the issuance of a new license. Nothing contained herein shall prevent the Borough of Sayreville or the officers of the Borough from proceeding against the applicant in a court of competent jurisdiction.

8-23.17 Enforcement. The proper enforcement of the provisions of this Section dealing with motel licenses shall be within the jurisdiction of the Borough of Sayreville Police Department and, additionally, within the jurisdiction of those officers charged with providing the necessary inspections and regulations.

8-23.18 Violations and Penalties.

A. Noncompliance with the terms and conditions of this Section shall constitute a violation.

B. Each and every day any violation of this Section exists or continues to exist shall be determined as a violation or offense under this Section.

C. Any person, firm, partnership, corporation or entity violating any provision of this Section shall, upon conviction, be sentenced to a fine not exceeding the statutory limit as provided by State law, be sentenced to a jail term not exceeding ninety (90) days and/or a period of community service not exceeding ninety (90) days.

8-23.19 Deadline for Existing Operations.

Within sixty (60) days of the effective date of this Section, all parties regulated hereunder shall make application for a license to the Borough Clerk. Failure to make such application within the sixty (60) day period shall constitute a violation of this Section.

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/ Councilman Nicholas Perrette
(Administration & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Municipal Clerk read:

ORDINANCE #174-11
AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER II,
DEPARTMENT OF RECREATION, SECTION 2-15.5 (d) "FEES-GROUP
PICNICS" AND CHAPTER II, SECTION 2-64 ADMINISTRATION -FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILE

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #174-11.

There being none, he called for a motion.

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

Seconded by Council President Kelly.

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

ORDINANCE #174-11
AN ORDINANCE AMENDING AND SUPPLEMENTING
SECTIONS 2-15.5 AND 2-64 OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO INCLUDE
PICNIC RENTALS AT BURKE'S PARK

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

Section 1

This Ordinance amends Chapter 2 of the Revised General Ordinances of the Borough of Sayreville by amending Section 2-15.5 entitled, "Fees" as follows:

2-15.5. Fees.

Burke's Park.

The following fees shall be applicable to use of picnic facilities at Burke's Park:

Weekday

Flat Rate Up to 2:00 p.m.

	Resident	Non-Resident
Up to 450 People	\$ 125.00	\$ 175.00 – One Borough Employee
451 – 800 People	\$ 250.00	\$ 325.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

Each additional hour

Up to 450 People	\$ 60.00	\$ 60.00 – One Borough Employee
451 – 800 People	\$ 120.00	\$ 120.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

Saturday

Flat Rate (7 hours, including one (1) hour setup and one (1) hour cleanup)

	Resident	Non-Resident
Up to 450 People	\$ 400.00	\$ 600.00 – One Borough Employee
451 – 800 People	\$ 800.00	\$1,200.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

Each additional hour:

Up to 450 People	\$ 60.00	\$ 60.00 – One Borough Employee
451 – 800 People	\$ 120.00	\$120.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

Sunday

Flat Rate (7 hours including one (1) hour setup and one (1) hour cleanup)

	Resident	Non-Resident
Up to 450 People	\$ 450.00	\$ 650.00 – One Borough Employee
451 – 800 People	\$ 900.00	\$1,300.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

Each additional hour:

Up to 450 People	\$ 70.00	\$ 70.00 – One Borough Employee
451 – 800 People	\$ 140.00	\$ 140.00 – Two Borough Employees
Over 800	To be negotiated based upon needs of the party and costs incurred by the Borough.	

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 2 Administration, Section 2-64 FEES** of the Revised General Ordinances of the Borough of Sayreville shall also be amended to include said fees.

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

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:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

NEW BUSINESS:

None

CONSENT AGENDA RESOLUTIONS

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

At this time Mayor O'Brien opened the meeting to Consent Agenda Resolutions.

No appearances.

Council President Kelly moved the Public Hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Seconded by Councilman Buchanan.

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

RESOLUTION #2011-283

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/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

/s/ Kenneth P. Kelly, Sr.
Councilman

/s/ Lisa Eicher,
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of December 12, 2011, in the amount of \$11,544,906.12
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011).**

RESOLUTION #2011-284
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
November 28, 2011 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the November 28, 2011 Council Meeting approving the following:

- a) Approving Bingo applications received from St. Stanislaus Kostka Church for 51 bingo dates in 2012 (#BA:465).
- b) Approving Bingo applications received from St. Stanislaus Kostka H.S.A. Church for 48 bingo dates in 2012 (#BA:466).
- c) Approving Raffle applications from St. Stanislaus Kostka church to conduct on Off-Premise 50./50 on Feb 12, may 13 & Sept. 16, 2012 (RA:1726).
- d) Approving coin toss requests at the intersection of Washington & Ernston Rd, received from Sayreville Leprechauns on Dec. 10, 2011 and Boy Scout Troop #97 on June 9, 2012.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-285

WHEREAS, an application has been made for the renewal of Plenary Retail Consumption License #1219-33-021-009, Gianna's Inc. covering the License Term 2010/2011; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. 1219-33-021-009, issued to Gianna's Inc. be and the same is hereby renewed for 2010/2011 License Term subject to the conditions contained in the Stipulation of Settlement Agreement and approved by Resolution #2009-167 dated July 13, 2009 as well as all previous conditions contained on the license and re-stated as follows:

- (a) No electronic speakers shall be located closer than fifteen (15') feet from the front of the licensed premises (i.e. building);
- (b) All electronic speakers shall be elevated off the floor;
- (c) The front door shall be equipped with a latching mechanism which will permit the door to be locked in such manner as to prevent entrance from the outside while still allowing for exiting in the event of emergency;
- (d) On all Fridays and Saturdays and on all Sundays occurring during any three-day legal holiday which ends on a Monday and on any and all days where the licensee is to hold a special promotion of any sort, the licensee shall:

- Post (at least) one security guard continuously in front of the building from 12:01 A.M. to 2:00 A.M.
- Post (at least) two security guards continuously outside of the building, at least one of which shall be posted in front of the building from 2:00 A.M. until the last patron (i.e., non-employee) has left the premises after closing;
- Ensure that all guards shall wear, while on duty, distinctive clothing which is readily noticeable and easily visible at night, such as bright orange vests; and
- Not allow any employees to park on premises;
- After closing, patrol the streets and sidewalk areas along Wilson Avenue, Harrison Place and Washington Road to the respective intersections with Garfield Place and shall remove all loose cans and bottles found in such areas.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

(Pocket License)

**RESOLUTION #2011-286
RESOLUTION OF THE COUNCIL OF THE
BOROUGH OF SAYREVILLE TO RENEW
P.R.C.L. #1219-33-021-009, GIANNA'S INC.
WITH CONDITIONS FOR THE 2010-2011 LICENSE YEAR**

WHEREAS, Gianna's Inc. ("Licensee") is the holder of Plenary Retail Consumption License # 1219-33-021-009 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for license year 2011-2012; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2011-2012 license term; and

WHEREAS, on November 4, 2011, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 10-11-7288 for a one-year period, covering the 2010/2011 license term; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2010/2011 license term and to grant or deny said application in the reasonable exercise of its discretion;

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License Number 1219-33-020-009, Gianna's, Inc. is hereby renewed for the 2010-2011 license year, subject to the conditions contained in the Stipulation of Settlement Agreement and approved by Resolution #2009-167 dated July 13, 2009 as well as all previous conditions contained on the license and re-stated as follows:

- (a) No electronic speakers shall be located closer than fifteen

(15') feet from the front of the licensed premises (i.e. building);

- (b) All electronic speakers shall be elevated off the floor;
- (c) The front door shall be equipped with a latching mechanism which will permit the door to be locked in such manner as to prevent entrance from the outside while still allowing for exiting in the event of emergency;
- (d) On all Fridays and Saturdays and on all Sundays occurring during any three-day legal holiday which ends on a Monday and on any and all days where the licensee is to hold a special promotion of any sort, the licensee shall:
 - Post (at least) one security guard continuously in front of the building from 12:01 A.M. to 2:00 A.M.
 - Post (at least) two security guards continuously outside of the building, at least one of which shall be posted in front of the building from 2:00 A.M. until the last patron (i.e., non-employee) has left the premises after closing;
 - Ensure that all guards shall wear, while on duty, distinctive clothing which is readily noticeable and easily visible at night, such as bright orange vests; and
 - Not allow any employees to park on premises;
 - After closing, patrol the streets and sidewalk areas along Wilson Avenue, Harrison Place and Washington Road to the respective intersections with Garfield Place and shall remove all loose cans and bottles found in such areas.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-287

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract (#77003) a Police Officer Scheduling System (POSS) from Visual Computer Systems, Inc. (VCS) of Freehold, NJ through Dell Marketing, LP at a fee not to exceed \$29,376.06 for a one-time licensing fee plus \$4,896.01 for training costs.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-288

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized and directed to execute Agreement between the Borough of Sayreville and the County of Middlesex for Sayreville’s participation in the TASER program whereby the Middlesex County prosecutor’s Officer shall provide to the Borough of Sayreville One (1) Taser International Model X2 through use of PCLETA funds.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

Formatted: Font: +Headings, Bold
Formatted: Font: +Headings, Bold

RESOLUTION #2011-289

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$50,697.02, which item is now available as a revenue from the State of New Jersey-Solid Waste Administration Recycling Tonnage Grant in the amount of \$50,697.02; and

SECTION 2.

BE IT FURTHER RESOLVED that the sum of \$50,697.02 be and the same is hereby appropriated under the caption of:

“Recycling Tonnage Grant”

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey-Solid Waste Administration, in the amount of \$50,697.02.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

Formatted: Font: +Headings, Bold
Formatted: Font: +Headings, Bold

RESOLUTION #2011-290

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$7,827.84 which item is now available as a revenue from the New Jersey Division of Criminal Justice Body Armor Grant in the amount of \$7,827.84; and

SECTION 2.

BE IT FURTHER RESOVED that the sum of \$7,827.84 be and the same is hereby appropriated under the caption of:

“Body Armor Grant”

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Criminal Justice in the amount of \$7,827.84.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-291

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$2,250.00 which item is now available as a revenue from the New Jersey Division of Highway Safety – Over the Limit Under Arrest Grant in the amount of \$2,250.00; and

SECTION 2.

BE IT FURTHER RESOVED that the sum of \$2,250.00 be and the same is hereby appropriated under the caption of:

“Over the Limit Under Arrest Grant”

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Highway Safety, in the amount of \$2,250.00.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-292

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$3,400.00, which item is now available as a revenue from the New Jersey Division of Highway Safety Click It or Ticket Program in the amount of \$3,400.00; and

SECTION 2.

BE IT FURTHER RESOVED that the sum of \$3,400.00 be and the same is hereby appropriated under the caption of:

"Click It or Ticket Program"

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Highway Safety, in the amount of \$3,400.00.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-293

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$5,000.00, which item is now available as a revenue from the Middlesex County Prosecutor’s Office-Law Enforcement Response to Community Concerns Grant in the amount of \$5,000.00; and

SECTION 2.

BE IT FURTHER RESOVED that the sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

“Community Concerns Grant”

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the Middlesex County Prosecutor’s Office, in the amount of \$5,000.00.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O’Brien
Municipal Clerk **Mayor**

Formatted: Font: +Headings, Bold
Formatted: Font: +Headings, Bold

RESOLUTION #2011-294

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$33,327.34, which item is now available as a revenue from the New Jersey Department of Transportation Highway Safety Grant program in the amount of \$33,327.34; and

SECTION 2.

BE IT FURTHER RESOVED that the sum of \$33,327.34 be and the same is hereby appropriated under the caption of:

“N.J.D.O.T. Highway Safety Program”

SECTION 3.

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Department of Transportation, in the amount of \$33,327.34.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

Formatted: Font: +Headings, Bold
Formatted: Font: +Headings, Bold

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-295

WHEREAS, the Borough Clerk is in receipt of applications for renewal of licenses for the year 2012 covering the following:

- Barber & Beauty Shops
- junkyards
- Private Horse Stable Operator
- Taxi Cab Owner/Operator
- Temporary Trailer

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council that applications for license renewals for the year 2012 for the aforementioned be and the same are hereby approved, subject to the completion of the proper paperwork.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

Formatted: Font: +Headings, Bold
Formatted: Font: +Headings, Bold

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-296

RESOLUTION 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:

<u>ORD. NO.</u>	<u>DESCRIPTION</u>	<u>FUNDED</u>
General Capital Fund		
2005-898	Various Improvements	\$ 85,696.76
2007-013	Vehicles and Equipment	11,292.29
2007-027	Recreation Complex – Phase II	68,992.35

Water Capital Fund

2007-023	Morgan Water Improvements	\$ 86,725.32
2009-098	Ridgeway/Oak St. Water Line	10,794.08

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

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

**RESOLUTION #2011-297
RESOLUTION APPROVING CERTAIN TAX COMPLIANCE
PROCEDURES AND OTHER RELATED ACTIONS**

WHEREAS, the Borough Council of the Borough of Sayreville, in the County of Middlesex, New Jersey (the "Borough"), has previously issued and expects to continue to issue tax-exempt obligations for the purposes of financing the costs of various capital improvements in the Borough; and

WHEREAS, it is necessary in connection with the issuance of such tax-exempt obligations to implement certain compliance procedures required by the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY that:

Section 1. The Chief Financial Officer of the Borough is hereby appointed as the Tax Compliance Officer with respect to all outstanding tax-exempt obligations previously issued by the Borough and all future tax-exempt obligations to be issued by the Borough in order for the Borough to comply with the requirements of the Code and regulations promulgated thereunder.

Section 2. The Post Issuance Compliance Guide, which is on file in the office of the Tax Compliance Officer, is hereby approved by the Borough and the Borough hereby authorizes the Tax Compliance Officer to update such Guide, in consultation with Bond Counsel, as is required from time to time in order to comply with the requirements of the Code and the regulations promulgated thereunder.

Section 3. This resolution shall take effect immediately.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-298

WHEREAS, K. Hovnanian Companies has posted various driveway paving bonds with the Borough of Sayreville; and

WHEREAS, the Borough Engineer's office has recently performed site inspections and has indicated that the required driveway and other related work has been completed and has recommended that the following bonds be released:

3 Bielak Pl.	366	2	\$ 500.00
4 Bielak Pl.	366	8	400.00
4 Bielak Pl.	366	8	500.00
4 Bielak P.	366	8	600.00
3 Fabiszewski Way	366.02	2	100.00
5 Fabiszewski Way	366.02	3	500.00
7 Fabiszewski Way	366.02	4	500.00
12 Fabiszewski Way	366.03	4	500.00
23 Fabiszewski Way	366	56	600.00
27 Fabiszewski Way	366	54	400.00
27 Fabiszewski Way	366	54	600.00
35 Fabiszewski Way	366	18	500.00
39 Fabiszewski Way	366	48	1,000.00
40 Fabiszewski Way	366	44	600.00
42 Fabiszewski Way	366	45	600.00
139 Jackson Ave.	366.05	9	500.00
145 Jackson Ave.	366.05	6	500.00
145 Jackson Ave.	366.05	6	600.00
146 Jackson Ave.	366	11	500.00
149 Jackson Ave.	366.05	4	500.00
150 Jackson Ave.	366	18	500.00
150 Jackson Ave.	366	18	600.00
151 Jackson Ave.	366.05	3	500.00
152 Jackson Ave.	366	19	500.00
152 Jackson Ave.	366	19	600.00
153 Jackson Ave.	366.05	2	500.00
155 Jackson Ave.	366.05	1	500.00
4 Kozekowski Ave.	330.02	3	500.00
11 Kozekowski Ave.	366.03	8	500.00
5 Kravechenok St.	366.04	9	500.00
12 Maciorowski Pl.	366	27	500.00
14 Maciorowski Pl.	366	28	1,000.00
18 Maciorowski Pl.	366	30	500.00
20 Maciorowski Pl.	366	31	500.00
22 Maciorowski Pl.	366	32	500.00
22 Maciorowski Pl.	366	32	1,000.00
24 Maciorowski Pl.	366	33	500.00
26 Maciorowski Pl.	366	34	500.00
28 Maciorowski Pl.	366	35	500.00
30 Maciorowski Pl.	366	36	500.00
4 Roginski Ct.	366	17	500.00
4 Roginski Ct.	366	17	600.00
5 Roginski Ct.	366	14	500.00
6 Roginski Ct.	366	16	500.00
6 Roginski Ct.	366	16	600.00
Total Refund			\$24,400.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to release the above-captioned bonds in the total amount of \$24,400.00 upon the submission of a properly approved borough voucher.

/s/ William J. Henry, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-299

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Improvements to William Street (Old Bridge Area) for a fee not to exceed \$45,000.00.

/s/ Dan Buchanan, Councilman
(Public works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

RESOLUTION #2011-300

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2011 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 (1105-108-1-1002)	\$ 35,000	\$
Municipal Clerk (1120-101-1-1002) (1120-101-2-17010)	5,000	39,000
Annual Audit (1135-111-2-2010)	10,000	
Tax Collector (1145-125-1-1110)		10,500
Construction Code (1195-330-1-1001) (1195-330-2-3120) (1195-330-2-9010) (1195-330-2-11080)	5,000 3,000 2,000	16,000
Uniform Fire Safety (1265-306-1-1102)	4,000	
Municipal Prosecutor (1275-309-1-1002)		500
Parks Maintenance (1375-705-2-10210)	5,000	
Commuter Parking (1414-414-2-1)	10,000	
Office on Aging (1428-720-1-1001)		14,000
Electricity (1430-930-2-18150)	20,000	
Telephone (1440-940-2-18150) (1440-940-2-18311)		5,000 5,000
Diesel Fuel (1460-415-2-9170)		32,000

Public Employees Retirement System (1471-4010-2-1)	25,000	
Consolidated Police & Fire Ret. System (1474-4030-2-1)	16,000	
Municipal Court – Magistrate (1490-140-1-1101)		1,000
Municipal Court (1490-142-1-1002)		9,000
	<u>\$136,000</u>	<u>\$136,000</u>

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-301

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

NAME OF APPOINTEE: Joseph Szabo
POSITION: Laborer
DEPARTMENT: Department of Public Works
EFFECTIVE: January 3, 2012

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel

BE IT FURTHER RESOLVED that this appointment is subject to his obtaining his CDL License from the Motor Vehicle Commission.

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

ATTEST: BOROUGH OF SAYREVILLE

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION(S) READ IN FULL:

RESOLUTION #2011-302
FOR ADOPTING CHANGES TO AN EXISTING DEFERRED
COMPENSATION PLAN PURSUANT TO THE FINAL INTERNAL REVENUE CODE
SECTION 415 REGULATIONS, PENSION PROTECTION ACT OF 2006, THE HEROES
EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 AND
THE WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008

WHEREAS, the Borough of Sayreville (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective December 4, 1996, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company (“VALIC”) as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code (“Code”) Section 415 regulations, Pension Protection Act of 2006 (“PPA”), the Heroes Earnings Assistance and Relief Tax Act of 2008 (the “HEART Act”) and the Worker, Retiree and Employer Recovery Act of 2008 (“WRERA”) amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457 (b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year;

WHEREAS, the Employer desires its Plan to conform with the changes in the Code; and

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan.

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the division of Local Government Services.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

Formatted: Font: +Headings, Bold

Formatted: Font: +Headings, Bold

At this time Mayor O’Brien opened the meeting to the Public for questions or comments on this Resolution.

No one appeared. Mayor called for a motion.

Council President Kelly moved the public portion be closed and the Resolution be adopted on Roll Call Vote.

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

COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) **Minutes:** (none)b) **Received the following application(s) for Bingo/Raffle Licenses:**

- Bingo applications from Our Lady of Victories HSA to conduct a Bingo on February 3 and April 13, 2011 (#BA:467 & BA:468).
- Application from Morgan Parlin Panthers Football Club to conduct an Off-Premise 50/50 on October 10, 2012 at Buddies Tavern (RA:1727).
- Application from court Appointed Special Advocates (CASA) of New Jersey, to conduct an on Premise 50/50 Raffle on Jan. 19, 2012 at the Sayreville Middle School. (RA:1728)
- Amendment to Raffle License #RL:1723 issued to Dwight D. Eisenhower School PTO to change date of Raffle from Dec. 2, 2011 to March 7, 2012.
- **Approved.** (Memorialization resolution for next regular meeting).

c) Received **Special Ruling** from the State of New Jersey and the Tax Clearance Certificate from the Division of Taxation authorizing the renewal of PRCL #1219-33-020-003, Deerfield Inn, Inc. (Pocket License) for the 2011/2012 & 2012/2013.

- **Resolution.**

d) Received **Special Ruling** from the State of New Jersey and the Tax Clearance Certificate from the Division of Taxation authorizing the renewal of PRCL #1219- 33-031-005, Shiv Akshar, LLC. (Pocket License) for the 2011/2012 and 2012/2013.

- **Resolution.**

e) Request received from Surrender Singh, New York to amend Peddler's Ordinance P-2 Site Specific to allow for a new Site Specific License be issued in order for him to locate a food truck at 999 Route 9.

- **Referred to the Borough Attorney.**f) **Reports:**

Councilman Perrette moved the Municipal Clerk's Report for the month of November, 2011 be received & filed. Seconded by Councilman Buchanan.

- **PLANNING & ZONING** – Councilman Henry

a) **Minutes-**

- Councilman Henry moved the following minutes be received and filed:
- o Sayreville Planning Board - November 2, 2011.
- Seconded by Councilman Buchanan.

b) **Notice of Hearing(s) appearing before the Board of Adjustment**

On December 14, 2011 for an application for a use variance and amended minor site plan approval for permission to modify and expand the existing telecommunications facility by replacing three antennas and place related equipment at the base of lattice tower, located at 2 Gowin St, Blk 333.01, Lot

7

- **Receive & File**c) **Reports:**

- Councilman Henry moved the following reports be received and filed:
- o Construction Official's Report for the month of November, 2011.
 - o Fire Prevention Report for the month of November, 2011.

Seconded by Councilman Buchanan.

Councilman Henry also reported that the Planning Board at their last meeting approved a fast food restaurant on Rt. 9 & 35 next to Black Betty's Bar.

Progress.

- **PUBLIC SAFETY** – Councilman Bella

- a) **Minutes**

Councilman Bella moved the following minutes and reports be received and filed:

- o - Board of Health - November 3, 2011

- b) **Reports:** (none)

- Board of Health Report for the month November, 2011.
 - Registrar's Report for the month of November, 2011.

Seconded by Councilman Buchanan.

Progress.

- **PUBLIC WORKS** – Councilman Buchanan

- a) **Minutes** (None)

- b) **Reports:**

Councilman Buchanan moved the following reports be received and filed:

- Parks Department for the month of October, 2011.
 - Garages Services for the month of October, 2011.
 - Sanitation Department for the months of October & November, 2011
- Seconded by Councilman Kelly.

Councilman Buchanan also thanked the Girl Scouts and the Dept. of Public Works for the annual tree lighting at the Woodside Mall. He also thanked the Sayreville Bombers Football team on their 2011 State Championship and would like to have them come to a meeting in the beginning of the year and present them with a token of gratitude.

He also wished everyone a very safe and healthy Holiday Season. He thanked everyone in Public Works for all their hard work throughout the year.

Progress.

- **RECREATION** – Councilwoman Eicher

- a) **Minutes** (None)

Councilwoman Eicher also congratulated the Sayreville Bombers Football team for their back to back wins. She also congratulated the Recreation Advisory Board on another successful Holiday Parade and thanked all the departments who participated or helped in some way towards its success as well as the Toys for Tots Program.

- **WATER & SEWER** – Councilman Kelly

- a) **Minutes** (None)

- b) **Reports:**

Councilman Kelly moved the following report be received and filed.

- Water & Sewer Director's Report for the month of November, 2011.

Seconded by Councilman Henry.

Council President congratulated the Sayreville Bombers on their second straight State Championship. He wished everyone in the borough a happy and healthy Christmas and New Year.

Council President made a motion to have a sign made and erected for the 9-11 Memorial, properly identifying that area.

Motion seconded by Councilman Buchanan.

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

Council President said that in his past three years as councilman he was the chairman of the Public Works committee for two years and Water and Sewer for One year he said that he learned a lot in those three years and would like to thank the men and women who work every day for the borough in those departments they are dedicated employees who do an excellent job.

MAYOR – Kennedy O'Brien

Mayor also congratulated the Sayreville Bombers and their coaching staff.

Mayor O'Brien said that they received a copy of a letter from the Environmental Commission to Mr. Pat Walsh thanking him for his service to the commission but due to health issues both personally and family has missed a lot of meetings and can no longer serve. Mayor said that he did not anyone to misconstrue how the letter was intended. He thanked Patrick for his commitment to Sayreville.

BUSINESS SESSION AGENDA – December 12, 2011

1. **NEW BUSINESS –**

2. **BUSINESS ADMINISTRATOR – Jeff Bertrand**

Before he began he advised everyone that there would be a phone conversion taking place on December 19th for all Municipal complex buildings and offices and December 21st for the Public Safety complex.

Administration & Finance:

- a. Review and discussion of employee prescription plan rates for calendar year 2012. Recommendation to renew for additional one year period with Prescription Corporation of America (PCA) at a rate of 6.40% increase over 2011 rates. The total net change to the Borough is \$70,956. This final component in employee benefits results in a net change in costs for the entire 2012 budget of only 2.11% for all programs combined.
- b. Review and discussion on the responses to the Solar Power Purchase Agreement RFP.
- c. Authorization for the Borough Clerk to advertise a Request for Qualifications/Proposals for Case Management Services associated with the federally funded Home Owner Occupied Rehabilitation Program as the current agreement is set to expire.

- Resolution

Public Works:

- a. Authorization to purchase an automated sanitation truck from Cambria Automotive Company for the amount of \$146,172 as a result of a public bid.
- Resolution
- b. Authorization to contract with Burlew Mechanical, LLC for the provision of HVAC maintenance and repairs as a result of a public bid. The anticipated total value of this contract based on prior experience is \$23,000.
- Resolution

- c. Authorization to contract with American Wear Inc. for the provision of Uniform Rental and Cleaning for the employees of the Departments of Public Works and Water & Sewer as stipulated in the collective bargaining agreements.
- Resolution.

Recreation: none

Water & Sewer:

- a. Authorization to contract with two companies, Water Works Supply and Capital Supply for Miscellaneous Water Department Supplies/Equipment as result of a public bid. The bid document delineated each item which enabled the Borough to compare prices on an individualized basis.
- Resolution.
- b. Authorization for the Borough Clerk to advertise for public bid for procurement of Water Meters and Related Equipment.
- Resolution.

Public Safety:

- a. Report on the conversion of the borough-wide radio system to the FCC mandated narrow band from our existing format.

Planning & Zoning: none

Personnel:

- a. Authorization for the Chief of Police to attend the NJ State Association of Chiefs of Police Command and Leadership Program. The total cost to the Borough is \$1,000 and is available in the Police Department Training Budget.
- Approved.

Mayor stated with it being the end of the year he wanted to take a minute to thank our borough professionals. Our C.F.O. our Borough Clerk and our Business Administrator. They are true professionals and they always have the best interest of the borough at heart. He said thanks to them and their staff for a job well done.

3. **C.F.O.- Wayne Kronowski**
 - 1) Bill Resolution for January 9, 2012.
 - 2) Transfer Resolution.
4. **ENGINEER -Jay Cornell**
 - I) White Castle Restaurant Site Plan – Bond Release
- Resolution.
 - II) Main Street Homeowners Association Site Plan – Bond Release
- Resolution.

Mayor also thanked the Borough Engineer and the Borough Attorney.

5. **BOROUGH ATTORNEY - Michael DuPont**

Borough Attorney Mr. DuPont expressed his humble appreciation for his support. He said that it is an honor to sit up at the dais representing the Borough of Sayreville and all of its residents. He also wished everyone a very Merry Christmas and a Happy Holliday Season and Happy Hanukkah

6. **PRESENTATION OF PLAQUE TO COUNCIL PRESIDENT
KENNETH P. KELLY, SR.**

Comments made by each councilmember And the Mayor to Council President Kelly, thanking him for his service and wishing him well in the future as well as his continued service to our Veterans.

Mayor O'Brien introduced Council President Kenneth P. Kelly, Sr.

Council President Kelly stated that 56 years ago his family moved to Sayreville from New York City. He was enrolled in Our Lady of Victories School in the 3rd grade. He said that he became interested in Main Street and the Borough Hall. At that time both the police station and library were housed here. Times were simpler. A small town feeling was felt by all. As a young boy he never felt that some 56 years later that he would have given 34 years of service to our community. 31 years as a police officer in the Sayreville Police Department and 3 years as a Councilman. He said that he is also honored to have served our Country as a member of the United States of Air Force, 1967-1971. This included a tour of duty in Vietnam where he was assigned to the 22nd Casualty Staging Flight, preparing our combat wounded veterans for air medical evacuation. He said that even with the benefit of hind-site he would not have changed any of these 34 years. He said that he is honored to have served and thank our Heavenly Father for giving him the ability to help others and to be compassionate and caring. He said that he is grateful for the quality of life that he has been given and through prayer to make the right decisions in his life and to better help those most in need. He said that he would especially like to thank his wife of 40 years Diane and his children Ken and Erin for their support in the many endeavors had has undertaken in service to the borough. He asked that his wife and children stand. (applause by all). Councilman Kelly said that there is an old saying that behind every successful man is a woman. He said that he would like to say that **standing next to** every successful man is a woman. He thanked his wife for enriching his life more that she knows. He said that he will still remain active in the Veterans community, but tonight marks the end of 38 years of public service. For the citizens of Sayreville, thank you for the trust and support you have given me throughout the years. He then thanked the professionals, Borough Attorney Mike DuPont, Borough Engineer Jay Cornell, Borough Clerk Terry Farbaniec and her staff, C.F.O. Wayne Kronowski and the Business Administrator Jeff Bertrand and in closing he thanked Mayor O'Brien for his friendship and support of the many projects he has taken over the years, he also thanked his fellow council-members and wished them best wishes for all their future deliberations. May God Bless All and May God Bless the United States of America and those now guarding the gates of freedom. Thank you.

At this time Mayor O'Brien presented Council President with the plaque signed by the governing body.

- ❖ **COUNCIL PRESIDENT KENNETH P. KELLY, SR. FOR HIS
DISTINGUISHED SERVICE AS A MEMBER OF THE BOROUGH
COUNCIL 2009 THRU 2011 AND AS COUNCIL PRESIDENT FOR
2011.**

PUBLIC PORTION

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

Those appearing were:

- Larry Gates, 66 Weber Avenue

Questioned the status for the alarms for the pumps.

Mr. Bertrand responded that the pumps are working and advised the residents of a sink hole that they are working on in the area now. He reported that the mark-out is in place for the control box for the alarm and now need Verizon to install it which should be should be any day.

Mr Gates said that the sewer line backing up in the street more often than it should.

He then spoke about a lighting issue causing safety concerns at the Starland Ballroom.

Mayor stated that he would have police traffic safety look into the matter.

He wished Council President Kelly well.

- Ed Strek, 58 Weber Avenue

-He thanked Council President Ken Kelly on behalf of the American Legion Post 211 Honro Guard for all he has done for the Borough of Sayreville, Veterans of Sayreville and Veterans throughout the Country, especially those who served in Vietnam. Everything he was part of was done professionally.

- Frank Mazzeroni, 40 William Street
- Asked for clarification on Resolution #2011-299.

Mr. Cornell explained that this resolution authorizes his office to design the William Street Road Improvements.

- He then asked what the turn-around time would be for the specs and if they would have a chance to review them.

The Engineer said that he would have more information for them at their meeting in January.

- Paula Siarkiewicz, 7 Stiegel Place
She advised everyone that on January 3, 2012 the Environmental Commission will be conducting a meeting to discuss the Middletown remediation soil that the DEP is asking O'Neil properties to accept for the Point project. She said that anyone interested in attending this meeting is more than welcome to attend.

She also congratulated Ken Kelly on a job well done and for his years of service.

No further questions or comments. Council President made a motion to close the public portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION - None

ADJOURNMENT

No further business.

Mayor O'Brien wished everyone a Very Merry Christmas and a Happy and Safe New Year.

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

Roll Call: Voice Vote, all Ayes.

Time: 7:33 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved