

Council President Buchanan Mayor O'Brien opened the Agenda Meeting at 7:47 PM followed by a salute to the flag.

❖ **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Session Meeting being held on Monday, December 18, 2017 has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

• **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez

Absent: Mayor Kennedy O'Brien and Councilwoman Novak

Others Present: Wayne A. Kronowski, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Edward Washburne, Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: Daniel E. Frankel, Business Administrator
Michael DuPont, Esq., Borough Attorney

• **OLD BUSINESS:**

-If the following Ordinance(s) were introduced at the Council meeting they will be listed for Public Hearing and Adoption _____.

• **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

• **ADMINISTRATIVE & FINANCE – Councilwoman Kilpatrick**

(on behalf of Co. Novak)

A) **Minutes & Departmental Reports:**

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

- 1) Board of Education minutes of October 17, 2017
- 2) Municipal Clerk's report for the month of November, 2017.
- 3) CFO's Investment Activity report for the month of November, 2017.
- 4) Office on Aging Supervisor's report for the month of November, 2017.
- 5) CFO's report as to the Award of Notes.

- Motion was seconded by Council President Buchanan.

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

- 1) **Animal Rescue Force** to conduct an Off-Premise 50/50 on May 26, 2018 (RA:2154).
- 2) **Sayreville Senior Citizen Tuesday Club Inc.** to conduct an On-Premise 50/50 on 12 various dates in 2018 (RA:2155).
- 3) **Wiskers Rescue, Inc.** to conduct an Off premise 50/50 on March 18, 2018 (RA:2156).
- 4) **Sayreville Middle School PTO** to conduct an On-Premise 50/50; an On* Premise Draw (Tricky Tray) and a Bingo on January 26, 2017 (RA:2157, RA:2158, BA:520).
- 5) **Sayreville Auxiliary Police Association, Inc.** to conduct an On-Premise Draw (Tricky Tray); an On-Premise Draw and a Bingo on Feb. 9, 2018 (RA:2159, RA:2160, BA:521).

- Approved.

C) Report from the Open Space Committee recommending the Borough take the necessary steps in order to acquire (via donation) a 1.6 acre lot from Martha Hartle near the Cheesequake Creek known as Block 450, Lot 9.

- Donation Accepted – Forward to Borough Attorney to begin process.

D) Committee Reports: 1) Progress.

• **PLANNING & ZONING – Councilman Lembo**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Middlesex County Planning Board minutes of November 14, 2017.
- 2) Planning Board minutes of October 18, 2017.
- 2) Construction Officials report, Zoning and Code Enforcement and reports, all for the month of November, 2017.
- 3) Fire Prevention report for the month of November, 2017.

- Motion was seconded by Council President Buchanan.

B) Received the following Notices:

- 1) Notice on Semi-Annual groundwater monitoring and sampling in accordance with NJDEP of property known as Store #3437 Speedway, LLC (former Hess Station), 974 Route 9, Block 439.04, Lot 6.03.
- 2) From the Borough of South River - Notice of Public Hearing on Ord. 2017-33, scheduled for December 11, 2017, Amending Chapter 350-Zoning.
- 3) From the Twp. of Edison, Notice of Public Hearing scheduled for December 20, 2017 Amending Chapter XXXVII (37) General Business Districts.

- Receive & File

C) Committee Reports: 1) Progress.

• **PUBLIC SAFETY – Councilman Grillo**

A) **Minutes & Departmental Reports:**

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

- 1) Board of Health minutes of October 5, 2017.
- 2) Board of Health Registrar and County Inspectors report for the month of November, 2017.
- 3) Court Administrator's report for the months of October and November, 2017.

- Motion was seconded by Council President Buchanan.

B) Committee Reports:

- 1) Discussion on COAH Oversight Committee Ordinance - Councilman Grillo explained the Ordinance. He read the Purpose contained in the Ordinance. He requested it be introduced on January 8, 2018. Council President said that he would like to ask the Borough Attorney if there would be any kind of conflicts; Councilwoman Kilpatrick liked the involvement from the Boards and Commissions. She also mentioned that under the COAH Statute we would have to employ someone. She suggested waiting on introducing this ordinance until after we find out what we need to do with the COAH employee, and the appointing of the Planner. She requested this be referred by to the Borough Attorney for his suggestions on incorporating these matters.

Councilman Grillo requested that the ordinance be listed for introduction then tweaked.

Ms. Farbaniec recommended the Ordinance be reviewed and changes made before introduction.

Council President recommended everyone read over the ordinance and send questions or comments to the Borough Attorney.

- Councilman Grillo also reported on the Morgan Neighborhood Comprehensive Plan meeting with Rutgers University held on December 12, 2017. He said that two of the biggest recommendations that come from the study was 1) The potential re-zoning of Rt. 35, Morgan, which would encourage mixed use commercial and residential development and

2) the Creation of an Area in Need of Redevelopment.

He implored his colleagues that serve on the Planning Board and SERA to encourage those discussions in their perspective bodies. He said that electronic copies had been sent to everyone last week. He also filed an electronic copy with the Clerk.

Councilwoman Kilpatrick said that at their last SERA meeting they had that discussion and had made a motion to have that area looked at and see if that area met the criteria as an Area in Need of Redevelopment. She also commented on what the Rutgers Students pointed out; new zoning element called An Area in Need of Rehabilitation.

She further commented on this area being changed to an Area in need of redevelopment about 10 years ago and the resident were not happy then. But this is something that they will be looking at again.

2) Progress

- **PUBLIC WORKS – Councilwoman Kilpatrick**

- A) Minutes & Departmental Reports:**

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

- 1) Public Works Supervisors' reports for Bldg. & Grounds, Parks, Recycling, Roads & Sanitation and Garage Services all for the month of November, 2017.

- 2) Rent Leveling Board minutes of November 14, 2017.

- Seconded by Council President Buchanan.

- B) Committee Reports – Councilwoman Kilpatrick:**

- 1) Thanked the DPW for the hard work on the two recent snow events.

- 2) Progress

- **RECREATION – Councilman Melendez**

- A) Minutes & Departmental Reports:**

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

- 1) Recreation Director's report for the month of November, 2017.

- Seconded by Council President Buchanan.

- B) Committee Reports – Councilman Melendez:**

- 1) Thanked the Recreation Advisory Board for their work on the Holiday Parade and the Sayreville AA for their Toy Drive last Sunday as they raised over \$10,000. That they were able to give back to the approx. 500 children.

- 2) Wished everyone a Merry Christmas and Happy Holiday Season.

- **WATER & SEWER/ENVIRONMENTAL – Council President Buchanan**

- A) Minutes & Departmental Reports:**

Councilman Buchanan move the following minutes or reports be received and filed:

- 1) Water & Sewer Director's report for the month of October, 2017.

- Seconded by Councilwoman Kilpatrick.

- B) Committee Reports – Council President Buchanan:**

- 1) Reported on a letter received from Lt. Peter Skarzynski on his retirement effective December 31, 2017.

- 2) Asked the Clerk what course of action needs to be taken when a resolution comes back from the Mayor as Unsigned. She explained that the resolution was voted on and passed by the majority of the Council, so no further action needs to be taken on a Resolution that is returned unsigned by the Mayor.

- 3) Thanked his colleagues for giving him the opportunity to serve a Council President again this year followed by comments on the past year and upcoming year.

- **MAYOR – Kennedy O'Brien**

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

- Admin. & Finance

- 1) Authorization to extend Contract 2015-9, Uniform Rental and Cleaning for one final two (2) year term with no increase in contract price.

- Resolution.

- Planning & Zoning

- Public Safety

- 1) Authorization to promote Dana Scheider to Records Support Technician 3 Title, effective January 1, 2018.

- Resolution.

- 2) Request for authorization to send out Conditional Letter of Employment to six police officer Candidates from the Police Cert. List. One is currently PTC Qualified and five to attend Cape May Academy on Jan. 22, 2018 and scheduling the interview with the Mayor and Council for January 8, 2018 at 6PM.

- Approved – Schedule Interviews.

- Public Works

- 1) Discussion on Ordinance regulating sports equipment and apparatus in public roadways and rights of way in the Borough of Sayreville from December 1st through March 31st

- Police Chief to review and report back to Council with recommendation.

- Recreation

- Water & Sewer

➤ **C.F.O. - Wayne Kronowski**

- 1) Resolution authorizing the 10 year extension of the Red Oak PILOT agreement.

- Resolution / Term and Dollar Amount.

- 2) Transfer Resolution.

- 3) Temporary Tax Collector (Closed Session)

➤ **BOROUGH ENGINEER - Jay Cornell**

- 1) Main Street By-Pass Site Characterization Report (Report Attached).

- Action taken during Council Session.

- 2) Public Safety Complex Parking Lot Improvements – Receipt of Bids (Verbal Report).

Possible Resolution – January 8, 2017.

➤ **BOROUGH ATTORNEY – Ed Washburne**

Restated that we are waiting for an Order from the Court as a result of a Hearing that occurred last Tuesday. Without that order nothing can happen and no decisions can be made.

• **PUBLIC PORTION**

Council President Buchanan opened the meeting to the public for questions or comments on any item.

Those appearing were:

- Ruth Ann Mahoney, 2 Gerard Place, Parlin

Questioned the COAH Oversight Committee Ordinance.

Response by Councilman Grillo as to the Zoning and Planning Boards and their attorney's remarks on their attending the previous meetings that were trying to schedule.

He went on to explain on what this ordinance would cover with regards to including every board and commission, assigning someone to be part of the oversight committee. Every group would have the ability to have someone sit in on these meetings.

- Mike D'Addio, Chairman of SERA

Stated that SERA already had advice from their Attorney and the Planning Board that they should not be part of this committee, so he doubts if they would be able to participate.

He did not feel that someone like the Cultural Arts or Library or recycling commission would have any valuable input on affordable housing. He went on to comment about hiring an employee for this committee. Councilman Grillo and Councilwoman Kilpatrick stated that the additional employee does not come from this ordinance, it is legislatively speaking under the COAH Statutes that have come into effect over the last several years. Councilman Grillo responded regarding the Ordinance and a discussion followed.

- Steve Melaneski, 28 Scarlet Drive

-Commented that this committee would bring transparency and applauds the plan.

There were no further appearances, Councilwoman Kilpatrick moved the Public Portion be closed. Motion was seconded by Councilman Grillo.

Roll Call: Voice Vote, all Ayes.

Council President Buchanan gave his perspective on the Ordinance

- **EXECUTIVE SESSION – Personnel**

Council President Buchanan announced that the Council would be going into Closed Executive Session.

Borough Attorney Washburne 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 5-10 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/ Councilwoman Victoria Kilpatrick

APPROVED:

/s/ Daniel Buchanan
Council President

Council President Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Motion seconded by Councilwoman Kilpatrick.

Roll Call- Voice Vote, all Ayes

Time: 8:23 PM

Reconvene

Councilman Grillo made a **motion to reconvene**. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. - Time 8:31 PM

- **ADJOURNMENT**

Councilwoman Kilpatrick made a motion to adjourn. Motion was seconded by Councilman Grillo.

Roll Call – Voice Vote, all ayes. Carried.

Time 8:32 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date approved