

July 22, 2013  
Combined meeting

Combined Meeting of the Mayor and Borough Council held on Monday, July 22, 2013, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 7:01 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Municipal Clerk Garbowski announced that this combined meeting of the Mayor and Council, has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and filing with her office.

- **ROLL CALL:**

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

Absent: None

Others Present: Mayor Kennedy O'Brien  
Business Administrator Daniel Frankel  
Deputy Clerk Garbowski  
Borough Engineer Jay Cornell  
Borough Attorney Michael DuPont, Esq.

Motion made by Council President Buchanan to approve the following prior Minutes of the Mayor and Borough Council:

- ☒ May 7, 2013 – Receipt of Bids (Maint./Repair of Emergency Generators)
- ☒ May 13, 2013 - Combined Meeting
- ☒ May 21, 2013 – Receipt of Bids (2010 Roadway & Paving Phase IV)
- ☒ May 28, 2013 - Combined Meeting
- ☒ May 28, 2013 – Closed Session
- ☒ June 10, 2013 – Combined Meeting

Seconded by Councilwoman Eicher.

#### **OLD BUSINESS**

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

**ORDINANCE #224-13**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES  
AND EQUIPMENT IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,  
APPROPRIATING \$1,470,000 THEREFOR AND AUTHORIZING THE ISSUANCE  
OF \$1,400,000 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

(Co. Novak – Admin. & Finance Committee)

Mayor O'Brien opened the meeting to the public for questions or comments. Being no questions or comments Mayor called for a motion.

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

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

Mayor called forward Jerry Riccardi, Sayreville's JCP&L representative, and thanked him for his help with Superstorm Sandy.

Mr. Riccardi spoke on power outages and updates that have been made to JCP&L regarding power outages. Updates have also been made to their website to report outages. He reported on progress following Superstorm Sandy.

Mayor O'Brien directed Administrator Frankel to add the JCP&L link to the Sayreville website.

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Councilman Henry asked Mr. Riccardi if the South Amboy substation is fixed.

Mr. Riccardi responded progress has been made however, they are still working on it every day.

**NEW BUSINESS:**

Deputy Clerk Garbowski reported having received the **Supplemental Debt Statement** from CFO Kronowski filed as of July 22, 2013.

Councilwoman Novak made a motion to file the Supplemental Debt Statement.

Seconded by Councilman Henry.

Introduction of the following Ordinance(s):

**ORDINANCE #225-13**  
**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN,  
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,  
APPROPRIATING \$315,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$300,000 BONDS OR NOTES OF THE BOROUGH  
FOR FINANCING PART OF SUCH APPROPRIATION**

(Co. Novak – Admin. & Finance Committee – Public Hearing August 12)

Councilwoman Novak made a motion that the ordinance be approved on first reading, advertised according to law for a public hearing to be held on August 12, 2013.

Seconded by Councilman Henry.

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

**ORDINANCE #226-13**  
**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS  
TO VARIOUS PARKS IN THE BOROUGH OF SAYREVILLE,  
NEW JERSEY, APPROPRIATING \$200,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS  
OR NOTES OF THE BOROUGH FOR FINANCING  
PART OF SUCH APPROPRIATION**

(Co. Novak – Admin. & Finance Committee – Public Hearing August 12)

Councilwoman Novak made a motion that the ordinance be approved on first reading, advertised according to law for a public hearing to be held on August 12, 2013.

Seconded by Councilwoman Eicher.

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

**ORDINANCE #227-13**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER II OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF SAYREVILLE TO ADD SECTION 2-54  
“SAYREVILLE ALLIANCE FAMILY EDUCATION (SAFE) COMMITTEE”**

(Public Safety Committee, Co. Buchanan – Public Hearing August 12, 2013)

Council President Buchanan made a motion that the ordinance be approved on first reading, advertised according to law for a public hearing to be held on August 12, 2013.

Seconded by Councilwoman Eicher.

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

**CONSENT AGENDA/RESOLUTIONS**

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

No one appeared.

Mayor called for a motion to close public portion.

Council President Buchanan made a motion to close public portion and the consent agenda resolutions be approved upon roll call vote.

Seconded by Councilman Henry.

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

**RESOLUTION #2013-191**

**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/ Daniel Buchanan  
Councilman Daniel Buchanan

/s/ David McGill  
Councilman David McGill

/s/ Lisa Eicher  
Councilwoman Lisa Eicher

/s/ Ricci Melendez  
Councilman Ricci Melendez

/s/ William J. Henry  
Councilman William J. Henry

/s/ Mary J. Novak  
Councilwoman Mary J. Novak

**RESOLUTION #2013-192**

**BE IT RESOLVED**, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Replacement of the Roof at the Sayreville Emergency Services Building and that he be paid for said services at a fee not to exceed \$22,500.00.

**BE IT FURTHER RESOLVED** that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

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

**ATTEST:** \_\_\_\_\_

**BOROUGH OF SAYREVILLE** \_\_\_\_\_

/s/ Rebecca Garbowski  
Rebecca Garbowski  
Deputy Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

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**RESOLUTION #2013-193**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear in Closeout Contract Change Order No. 1:

- Project: Improvements to Gondek Drive
- Contractor: MECO, Inc.  
PO Box 536  
Clarksburg, NJ 08510
- Net Decrease: \$58,688.80
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the recommendation and approval of said Borough Engineer referred to above and in said Closeout Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Rebecca Garbowski  
Rebecca Garbowski  
Deputy Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien  
Mayor

**RESOLUTION #2013-194**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Improvements to Gondek Drive
- Contractor: MECO, Inc.  
PO Box 536  
Clarksburg, NJ 08510
- Balance Due: \$5,376.53

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.
2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.
3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.
4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$40,323.99 and the approval of same as to form and sufficiency by the Borough Attorney.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Rebecca Garbowski  
Rebecca Garbowski  
Deputy Municipal Clerk

/s/ Kennedy O'Brien  
Kennedy O'Brien,  
Mayor

**RESOLUTION #2014-195**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear in Closeout Contract Change Order No. 1:

- Project: Improvements to Hart Street
- Contractor: Z. Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Net Increase: \$62,500.00
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the recommendation and approval of said Borough Engineer referred to above and in said Closeout Change Order be and the same is hereby accepted and approved:

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2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Rebecca Garbowski                      /s/ Kennedy O'Brien  
Rebecca Garbowski                      Kennedy O'Brien,  
Deputy Municipal Clerk                      Mayor

**RESOLUTION # 2013-196**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE  
OF A SPECIAL EVENT PERMIT**

**WHEREAS**, Detective Louis Becker and the Sayreville Police Department have requested permission from the Mayor and Council of the Borough of Sayreville to conduct a "National Night Out 2013" event at Kennedy Park on August 6, 2013 from 5:00 PM-9:00 PM; and

**WHEREAS**, it is the belief of Det. Becker and the Police Department that this event is a great way to reach the community and help promote police-community partnerships, crime prevention and neighborhood camaraderie; and

**WHEREAS**, the Mayor and Borough Council agree that the event proposed will heighten crime and drug prevention awareness, generate support and participation in local programs and strengthen neighborhood spirit.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Det. Louis Becker and the Sayreville Police Department are hereby authorized to conduct a "National Night Out" event in Kennedy Park on August 6, 2013 from 5:00 P.M. to 9:00 P.M. subject to the organization completing the appropriate facility's use form, providing a Certificate of Insurance naming the Borough of Sayreville as Additionally Insured and that must notify the Sayreville Emergency Squad at least one week prior to the event.

**BE IT FURTHER RESOLVED** that sponsors agree to pay for all expenses incurred for this event and that they be billed accordingly.

/s/ Lisa Eicher  
Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE:**

/s/ Rebecca Garbowski                      /s/ Kennedy O'Brien  
Rebecca Garbowski                      Kennedy O'Brien,  
Deputy Municipal Clerk                      Mayor



Councilwoman Novak requested a resolution to approve **application(s) for Bingo/Raffle Licenses:**

- i) American Legion Lenape Post 211 to conduct an Off Premise 50/50 on August 12, 2013 (RA:1813) and an On Premise 50/50 on Sept. 29, 2013 (RA:1814)

No objections.

• **PLANNING & ZONING – Councilman McGill**

Councilman McGill moved the following Minutes and or reports be received & filed:

- 1) Construction Official's report for the month of June, 2013.
- 2) Planning Board Minutes of June 5, 2013

Seconded by Council President Buchanan.

Councilman McGill requested that the following Public Notices & Notices to the Borough of Sayreville as an Adjacent Property Owner be received & filed: For an application before the Zoning Board of Adjustment on July 24, 2013 submitted for Preliminary and Final Site Plan approval with Conditional Use Variance with Waiver for the construction of three monopoles within a I Zone on Block 174, Lot 1, River Road.

No objections.

Councilman McGill requested that the Ordinance received from the Twp. of Old Bridge Amending and Adopting a New Official Zoning Map for the Twp. of Old Bridge be received & filed.

No objections.

Councilman McGill requested that the following Planning Board Resolution, which was Memorialized on July 17, 2013, be received & filed:

SERA's application to subdivide Block 257, Lots 3.04 & 3.05 now known as part of Lot 10, Block 256.01 located at Main St & Chevalier Ave. in order for SERA to purchase a portion of the property located in the Waterfront Redevelopment Area.

No objections.

**PUBLIC WORKS – Councilman Henry**

Councilman Henry moved the following Minutes and or reports be received & filed:

- 1) Parks Dept. Supervisor report for the month of June, 2013
- 2) Recycling Coordinator report for the month of June, 2013
- 3) Road Supervisor report for the month of June, 2013
- 4) Sanitation Supervisor report for the month of June, 2013

Seconded by Council President Buchanan.

Councilman Henry stated he visited various parks in Sayreville and asked that Council consider the refurbishment of Bailey Park. The parks were previously evaluated and plans for refurbishment were prepared by the Engineer. The committee will search for any grants that may be available for such projects.

**RECREATION – Councilwoman Eicher**

Councilwoman Eicher moved the following Minutes and or reports be received & filed:

- 1) Recreation Director report for the month of June, 2013.



Seconded by Councilwoman Novak.

Councilwoman Eicher requested a resolution approving an Application for **Special Event Permit** received from **IKON at Route 35**, Corp. to conduct an event on their lower level parking lot entitled "Zoo Fest Wildlife Wednesday" on August 14, 2013 from 12:00 Noon - 2am. (Subject to Police approval)

No objections.

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

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

- 1) Water & Sewer Director report for the month of June, 2013.

Seconded by Councilman Buchanan.

Councilman Melendez stated the Mayor and Business Administrator did a good job on the last Flood Meeting.

- **PUBLIC SAFETY – Council President Buchanan**

Council President Buchanan Moved the following Minutes be Received & Filed:

- 1) Court Administrator report for the month of June, 2013
- 2) Board of Health report for the month of June, 2013
- 3) Police Chief's report for the month of June, 2013

Seconded by Councilwoman Novak.

**Requested approval for a Fireman's Application and Letter of Acceptance** received from President Park Fire Co., No. 1 for Anthony Guarnera as a regular member.

No objections.

Council President requested Borough Attorney DuPont review the current contract held for installation of additional lighting at Kennedy Park. The contractor has been unresponsive and has not completed the work required.

Council President stated he received a request for travel from the Sayreville Fire Department to attend the Fireman's Convention on July 26<sup>th</sup>, in Baltimore (Utility 5 or Chief's Car). They will be looking at numerous new vehicles to get an idea of specification for a new vehicle. Although it was submitted past the deadline he asked for approval.

No objections.

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

Administrator Frankel requested authorization to introduce an Ordinance for an increase in the top salary range covering the Sr. Instructor-Recreation title (Part Time/Temporary Employees) in the Recreation Department (from \$16.71 to \$20.00 per hour).

Councilwoman Eicher added she spoke with Recreation Director Ust and there has not been an increase for this title in the past 10 years.

Councilwoman Novak stated it will not adversely affect the budget.

No objections.

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Upon acceptance of AFSCME Memorandum of Agreement by rank and file on July 25, Administrator Frankel requested an ordinance covering same will be introduced on Aug. 12, 2013.

No objections.

He announced Sayreville has been awarded a grant in the amount of \$47,927.20 through the Highway Safety Fund Grant Program-Fiscal Yr. 2013. Grant may be used for procurement of enforcement equipment such as police vehicles, radar, communication, IT software & equipment, salaries, etc.

Requested authorization for CME to prepare Elevation Certificates for the homes affected by Super Storm Sandy at a cost of \$375. each.

No objections. (reso to be prepared)

- **C.F.O.- Wayne Kronowski (Absent – Announced by Administrator Frankel)**

1. Bill List Resolution

- **ENGINEER -Jay Cornell**

1. Improvements to Gondek Dr. –Closeout of Contract and Change Order (Report Attached) – Resolution to be prepared.
2. Improvements to Hart St. – Replacement of Water Service (Report Attached)
3. NJ Transportation Trust Fund – 2014 Municipal Aid program (Report Attached). – Resolution to be prepared.
4. War Memorial Park – Veterans Field Track Replacement – Receipt of Bids (Verbal Report).

Councilwoman Eicher asked the Engineer for an update on the Ernston Road Project timeline for completion.

Engineer Cornell responded they will be installing the water line pipe and are planning to have the project complete by Labor Day.

## **PUBLIC PORTION**

Mayor opened the public portion for any questions or comments.

Stanley Drwal, 121 Bissett St.

Asked if there was any truth to the rumor of a drive by shooting and armed robbery.

The Mayor stated both incidents did occur.

Mr. Drwal requested incidents such as these be reported to the public. Mayor stated he does not have any details as it is under investigation.

Mr. Drwal stated his concerns on a Public Works building being constructed behind the nature preserve. It was previously discussed, when he was councilman, that it would be on the Main St. Extension.

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Council President Buchanan stated it was discussed as a possibility and they did obtain costs for different locations from Engineer Cornell. He also stated he would not be in favor of that location.

Bill Lellick, 123 Hilltop Ave.

Stated the Senior building should be exclusively for seniors. Other organizations have come to use recently and there were children running around rampant as there was no supervision.

Mayor stated supervision of children can be added to the rules for facility use.

Mr. Lellick added there are still ongoing traffic problems on his street.

Administrator Frankel stated the Chief of Police has been notified and they are investigating the issues.

Tony Obal, Charles St., Old Bridge

Mr. Obal asked what the options are if they are turned down for the buyout. Stated he heard the towns of Brick and Toms River paid for their buyout.

Mayor responded that would not be an option for Sayreville as we do not have the funds. He directed the Business Administrator to contact the administrators in Brick and Toms River to get more information on their buyouts.

Bill Hamilton, Rep. for Elsie Casterayo (?), a resident of Surrey Ln.

Mr. Hamilton stated the condition of Surrey Lane is deteriorating. There are numerous issues regarding cracks, potholes, etc. The adjacent Sherwood Rd. is currently being re-done.. Requested Surrey Lane re-assessed and prioritized for repair. Mr. Hamilton submitted a petition by residents supporting this request.

Engineer Cornell stated the roads they are currently working on were in need of repair more than Surrey Lane. He suggested Public Works take a look at the road for potholes, which can be patched.

Mayor O'Brien directed Councilman Henry to have Public Works evaluate the street and do any repairs they can.

Mr. Hamilton noted the previous street repair list was done in 2006.

Mayor directed the Engineer to re-evaluate the street repair list as soon as possible.

Mayor O'Brian asked if there were any further questions or comments.

No one appeared.

Council President Buchanan made a motion to close the Public Portion. Seconded by Councilwoman Novak.

All ayes.

No further business.

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

All ayes.

Time: 7:37

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Rebecca Garbowski  
Deputy Municipal Clerk

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Date approved

