

Mayor O'Brien opened the Council Meeting at 7:00 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Municipal Clerk Morelos announced that this January 8, 2018 Council Meeting 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, Novak

Absent: None

Others Present: Mayor Kennedy O'Brien
Daniel E. Frankel, Business Administrator
Wayne A. Kronowski, C.F.O./Treasurer
Jessica Morelos, Deputy Municipal Clerk
Michael DuPont, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: None

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL:**

Council President Kilpatrick moved the following Council Minutes be approved, subject to correction if necessary:

- ☒ December 18, 2017 - Council & Agenda Sessions
- ☒ January 1, 2018 - Agenda Session & Executive Session

Seconded by Councilman Buchanan.

Roll Call – Ayes: Councilpersons Kilpatrick, Buchanan, Grillo, Lembo abstained from 1/1/18, Melendez, Novak.

Nays: None

- **PRESENTATION - None**

- **OLD BUSINESS:**

Commission on Aging

Member - 3 Year Term Maria Rittenhouse

Councilwoman Novak asked that we hold off until the next meeting because in the past there was a list at Office on Aging of people interested and waiting for a spot. She would like to speak with them and make sure nobody is waiting for spot first.

Mayor had no objection.

- **NEW BUSINESS:**

a) Clerk read the introduction of the following ordinances:

ORDINANCE #387-18

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIX OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
CHAPTER XIX – SWIMMING POOLS**

(Co. Grillo - Sponsor – Public Hearing Jan. 22, 2018)

Councilman Grillo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Buchanan.

Roll Call:

Ayes: Councilpersons Grillo, Buchanan, Kilpatrick, Lembo,
Melendez, Novak.

Nays: None

ORDINANCE #388-18
**AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION",
TO ADD SUBSECTION 2-68, "COAH OVERSIGHT COMMITTEE"
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**
(Co. Grillo - Sponsor - Public Hearing Jan. 22, 2018)

Councilman Grillo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Lembo.

Roll Call:

Ayes: Councilpersons Grillo, Buchanan, Kilpatrick, Lembo,
Melendez, Novak.

Nays: None

ORDINANCE #389-18
**AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCE
OF THE BOROUGH OF SAYREVILLE TO PROVIDE FOR THE COLLECTION OF DEVELOPMENT
FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED
BY THE NEW JERSEY FAIR HOUSING ACT**
(Planning & Zoning Committee - Public Hearing Jan. 22, 2018)

Councilman Lembo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Lembo.

Roll Call:

Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick,
Melendez, Novak.

Nays: None

ORDINANCE #390-18
**AN ORDINANCE REPEALING CHAPTER 34, ENTITLED "AFFIRMATIVE MARKETING
ORDINANCE," OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**
(Planning & Zoning Committee - Public Hearing Jan. 22, 2018)

Councilman Lembo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Lembo.

Roll Call:

Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick,
Melendez, Novak.

Nays: None

ORDINANCE #391-18
**AN ORDINANCE AMENDING CHAPTER 35 OF THE REVISED GENERAL
ORDINANCE OF THE BOROUGH OF SAYREVILLE TO ADDRESS THE
REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORABILITY
CONTROLS (UHAC) REGARDING COMPLIANCE WITH
THE BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS**
(Planning & Zoning Committee - Public Hearing Jan. 22, 2018)

Councilman Lembo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Lembo.

Roll Call:

Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick,
Melendez, Novak.

Nays: None

Councilwoman Novak asked for an explanation prior to her vote because it was not in her package.

Borough Attorney DuPont responded that Ordinance #391-18 is basically the obligation of the Borough to comply with affordable housing and is simply for introduction. He stated Mr. Surenian recommended that these ordinances be introduced.

ORDINANCE 392-18

**AN ORDINANCE SUPPLEMENTING AND AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT
INCLUSIONARY MULTI-FAMILY DWELLINGS WITHIN THE
PLANNED RESIDENTIAL DEVELOPMENT DISTRICT OPTION**

(Planning & Zoning Committee – Public Hearing Jan. 22, 2018)

Councilman Lembo moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on January 22, 2018. Motion was seconded by Councilman Lembo.

Roll Call:

Ayes: Councilpersons Lembo, Buchanan with comment that he is voting on this just to get to public hearing, Grillo, Kilpatrick with same comments as Co. Buchanan, Melendez, Novak with comment that she is voting yes to get to public hearing.

Nays: None

Mayor stated there was an appointment he needed to make:

- **COAH Attorney** – 1 Year Term Jeffrey Surenian

Motion made by Councilwoman Novak. Seconded by Council President Kilpatrick.

Roll Call – Ayes: Councilmembers Novak, Buchanan, Grillo, Kilpatrick, Melendez, Novak.

Nays: None

- **CONSENT AGENDA/RESOLUTIONS**

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

There were no appearances. **Council President Kilpatrick moved the public hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.**

Roll Call: Councilpersons Kilpatrick, Buchanan, Grillo, Lembo, Melendez, all Ayes.

RESOLUTION #2018-21

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;

JANUARY 8, 2018
REGULAR MEETING

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
Kennedy O'Brien, Mayor

/s/Daniel Buchanan
Councilman Daniel Buchanan

/s/Pasquale Lembo
Councilman Pasquale Lembo

/s/Steven Grillo
Councilman Steven Grillo

/s/Ricci Melendez
Councilman Ricci Melendez

/s/Victoria Kilpatrick
Councilwoman Victoria Kilpatrick

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

Bill list of January 8, 2018 in the amount of \$1,663,352.96 in a separate Bill List File for 2018 (See Appendix Bill List 2018-A for this date).

RESOLUTION #2018-22

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

NAME OF APPOINTEE:	Dana Scheider
POSITION:	Records Support Technician 3
DEPARTMENT:	Police Department
EFFECTIVE:	January 16, 2018

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.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Jessica Morelos
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2018-23

WHEREAS, on December 30, 2015 the Borough of Sayreville received bids for "Uniform Rental and Cleaning" and on January 25, 2016 contract was awarded to American Wear, Inc., 261 N. 18th Street, East Orange, NJ 07017; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to extend the contract for a one (1) - two year period (final year) at no additional increase in price contained therein; and

WHEREAS, American Wear, Inc., has indicated their interest in extending their terms of the aforesaid contract for two (2) additional years;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Uniform Rental and Cleaning” is hereby renewed for one (1) – two (2) year period at no additional increase in price.

/s/ Victoria Kilpatrick
Councilwoman
(Public Works Committee)

ATTEST:

APPROVED:

/s/ Jessica Morelos
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2018-24

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AUTHORIZING THE EXTENSION OF A
SUPPLEMENTAL FINANCIAL AGREEMENT WITH
RED OAK URBAN RENEWAL CORPORATION**

WHEREAS, the Borough of Sayreville, Middlesex County, New Jersey entered into a Financial Agreement with Red Oak Urban Renewal Corp. on December 3, 1999 for the construction of an energy co-generation facility within an area within Sayreville, New Jersey which by Resolution dated April 21, 1999 (Resolution 1999-201) was declared blighted by the Governing Body of the Borough of Sayreville; and

WHEREAS, Red Oak Urban Renewal Corp., formally known as AES Red Oak Urban Renewal Corporation, now wishes to extend it’s agreement with the Borough of Sayreville; and

WHEREAS, after careful consideration, the Governing Body of the Borough of Sayreville has approved this request; and

BE IT AND IT IS HEREBY RESOLVED that the Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute an Extension of the Supplemental Financial Agreement with Red Oak Urban Renewal Corporation.

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

ATTEST:

APPROVED:

/s/ Jessica Morelos
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2018-25

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2017 Appropriation Reserves 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>		
Legal Services (1155-130-2-6220)	\$	\$ 20,000
Financial Administration (1130-110-1-1002)	20,000	
	_____	_____
	<u>\$ 20,000</u>	<u>\$ 20,000</u>

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Jessica Morelos
Deputy Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2018-26

WHEREAS, on December 5, 2017 the Mayor and Council of the Borough of Sayreville received bids for the "Public Safety Complex Parking Lot Improvements"; and

WHEREAS, Certification as to Availability of Funds is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 8th day of January, 2018 that:

1. Contract for the "Public Safety Complex Parking Lot Improvements" be awarded to S & G Paving, Inc., 224C Forsgate Drive, Jamesburg, NJ 08831 on their bid price of \$857,652.50 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Victoria Kilpatrick
 Councilwoman
 (Public Works Committee)

ATTEST:

APPROVED:

/s/ Jessica Morelos
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Mayor

READ IN FULL

RESOLUTION #2018-27

BE IT RESOLVED that the following persons are hereby appointed to the following:

NAME OF APPOINTEE:	Richard Klein Keith Gotta Mark Deguzman Vincente Buffalino Scott Griffin Cheyenne Grant
POSITION:	Police Officer
DEPARTMENT:	Police Department
EFFECTIVE:	January 16, 2018

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.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

ATTEST:

/s/ Jessica Morelos
Deputy Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

At this time Mayor O'Brien opened the meeting to the public for questions or comments on Resolution 2018-27.

There were no appearances.

Councilman Buchanan moved the Public Hearing be closed and the Resolution adopted on Roll Call Vote. Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak. All Ayes. Carried.

• **PUBLIC PORTION**

- Thomas Biesiada, 17 Greenhill Avenue

He stated that Optimum stuck it to us again and they eliminated the Starz I and Starz II channels. He stated they will not refund any money for the loss channels. He suggested a non-monopoly here in Sayreville.

Mayor responded that he thinks it's time to allow other companies to use the same right of way.

Borough Attorney DuPont stated he will contact Optimum about the issues.

Councilman Lembo stated that Optimum started charging for the router.

Mr. Biesieda stated that Sayreville was on Russian television. He stated they were filming about heroin in Sayreville and it can be bought on every street corner in Sayreville.

Mr. Biesieda recommends that the Council speak to the members on the Zoning Board to say no to this rehab center. He stated for the safety and the residents in the area.

He also questioned the intervenors, appraisal for National Lead site and the Judge's decision.

Borough Attorney DuPont stated that they have until January 22nd in which to discuss these ordinances and a court appearance on January 23rd.

He questioned when a planner will be appointed.

Mayor responded the first meeting in February.

Mr. Biesieda thanked Business Administrator Frankel and Borough Engineer Cornell for getting his front steps fixed.

There were no other questions or comments. Mayor O'Brien called for a Motion. **Councilwoman Novak made a motion to close the Public Portion. Seconded by Councilman Buchanan.**

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION - Litigation**

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

Borough 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 15 minutes to discuss the following matters:

Litigation - Tax Appeal Settlement

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/ Mary J. Novak

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays: None.

Time: 7:20 PM

Reconvene

Council President Kilpatrick made a **motion to reconvene**. Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. - Time 7:57 PM

• **ADJOURNMENT**

No further business. Council President Kilpatrick moved to adjourn the Council Session. Motion was seconded by Councilwoman Novak.

Roll Call – Voice Vote, all ayes. Carried.

Time 7:57 P.M.

Jessica Morelos
Deputy Municipal Clerk

Date Approved