

Mayor Kennedy O'Brien opened the Agenda Meeting at 8:14PM followed by a salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, January 11, 2016 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, Novak, Rittenhouse

Absent: None

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

Others Absent: None

- **OLD BUSINESS:**

a) -The following Ordinance was introduced at the Council meeting will be listed for Public Hearing and Adoption on January 25, 2016.

ORDINANCE #317-16

**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV,
"WATER & SEWER", SECTION 16.1 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE, 1986, AS
SUPPLEMENTED AND AMENDED**

(Water & Sewer Committee – Public Hearing Jan. 25, 2016)

- **NEW BUSINESS:**

a) Authorization to amend the Revised General Ordinance Chapter II, Section 2-33, Recycling Commission, Section 2-33.6 Clothing Bins.

- Amending Section

A (3) - Amount imposed for each bin, to come in compliance with State Statute.

- Adding Section (6) and Amending paragraph F

A (6) – Limiting the total number of bins to 30, 25 of which will be for the Boroughs exclusive purpose

and

F- Five (5) others to be awarded through yearly lottery.

- No objections, ordinance to be introduced on January 25, 2016.

ORDINANCE #318-16

**AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER II OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 2-33.6 A CLOTHING DONATION BINS**

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

Councilwoman Novak moved the following minutes be Received & Filed:

- 1) Board of Education Regular Meeting Minutes of Dec. 1, 2015
- 2) Board of Education Special Meeting Minutes of Dec. 8, 2015

- Seconded by Councilman Buchanan.

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

- 1) **Dwight D. Eisenhower Elementary School PTO** to conduct an On Premise Draw/Tricky Tray and an On Premise 50/50 on Feb. 5, 2016 (RA:1994 & 1995)
- 2) **Sayreville Senior Citizen Tuesday Club** to conduct an On Premise 50/50 Seven various dates in 2016 from June – Dec. (RA:1996)

- Approved.

c) Committee Reports:

- 1) Councilwoman Novak said that on January 1, 2016 she made a motion to Table the appointments to the Recycling Commission as well as the Environmental Commission and at this time would like to make a motion removing it from the Table.

- Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote all Ayes.

Councilwoman Novak said at the time when she tabled the appointments she did not have enough time to make an informed decision. She said that we have a Recycling Commission, Green Team and an Environmental Commission that seem to overlap each other and the Green Team and Recycling Commission seem to have the same purpose. She is requesting that they remove the Recycling Commission but leave the Environmental and that no appointments be made to the Recycling Commission.

Mayor O'Brien pointed out that the Environmental Commission comes under Councilman Rittenhouse's Committee.

• **PLANNING & ZONING - Councilman Grillo**

a) **Minutes & Departmental Reports:**

Councilman Grillo moved the following reports/minutes be received & filed:

- 1) Planning Board minutes of Dec. 2, 2015

- Seconded by Councilman Buchanan.

b) Notice to Adjacent Property /Surrounding Municipalities received from the Twp of So. Brunswick on an amendment to their Code to prohibit the Treatment, Discharge, Disposal Application to Roadway or Railway or Storage of Wastewater, Wastewater Solids, Sludge, Drill Cuttings or Other Byproducts from Natural Gas Exploration or Production Using Hydraulic Fracking.

- Receive & File

c) Letter received from Steven Grillo resigning from his position on SERA, effective immediately.

- Receive & File.

d) Request for the release of Bonds received from Kaplan Co for the following:

- 1) K Land No. 5, LLC - Towne Lake Access Road Bond
- 2) Camelot at Towne Lake – Phase I & II

- Refer to the Borough Engineer

e) Recommendation received from Planning Board that a study be performed to determine if the Ernston Road Area recommended by the Sayreville Housing Authority area meets the criteria as an area in need of redevelopment as contained under State Law.

- Refer to Borough Attorney to prepare a Resolution asking the Planning Board to initiate a study.

f) Committee Reports: 1) progress.

- **PUBLIC SAFETY – Councilman Lembo**

- a) **Minutes & Departmental Reports:**

Councilman Lembo moved the following minutes be received and filed:

- 1) Board of Health minutes of Dec. 3, 2015

Motion seconded by Council President Buchanan.

- b) **Firemen's applications** received from:

- 1) Terence Brandon as a Regular Member of Morgan Hose & Chemical Co. No. 1

- 2) Kevin Wiater as a Regular Member of President Park Fire Co. No. 1

- Both were accepted at a meeting of their prospective fire companies.

- Approved

- c) Letters of resignation from Sayreville Engine Co. No. 1 was received from Curtis Clark and Eric Yulo, effective Dec. 31, 2015.

- Receive & File

- d) **APPLICATIONS FOR WRECKER LICENSE RENEWALS**

Received 7 Light Duty Wrecker Applications plus

2 Heavy Duty Wrecker Applications for renewal for 2016.

(Pending inspection and insurance approvals)

- Approved

- Clerk to prepare Resolution.

- e) **Request for Coin Toss** received from the following for the intersection of Washington & Ernston Roads from 10am-2pm

- 1) March 12 & 13, 2016 Riverdogs Blue 8U Travel baseball team

- 2) March 26, 2016 - Sayreville Riverdogs Blue 11U baseball team

- 3) April 23, 2016 Sayreville Boy Scout Troop 97

- 4) August 14, 2016 - Morgan Parlin Panthers

- Approved (all pending County approvals).

- f) Notice of retirement received from Det. Douglas J. Sprague, effective Nov. 28, 2016.

- Receive & File

- g) Applications and fees for Annual Motel Licenses for approval by the Mayor and Council for the year 2016 were received from:

- Knights Inn-Parkway

-Gallery Motel, Inc.

-Approved/Clerk to prepare resolution.

- h) Committee Reports- 1) Progress.

- **PUBLIC WORKS – Councilwoman Kilpatrick**

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

- b) Committee Reports:

- 1) Progress.

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

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

- b) Committee Reports:

- 1) Progress.

- **RECREATION – Council President Buchanan**

- a) **Minutes & Departmental Reports:**

Move the following minutes or reports be received and filed: (None)

- b) Received letter of resignation from Joseph Schlaline as a member of the Recreation Advisory Board, effective immediately.

- Receive & File

c) Committee Reports – Council President Buchanan:

1) Made a motion to appoint Councilman Grillo and Councilwoman Kilpatrick to SERA as Council representatives.

Mayor asked for a discussion first

Councilwoman Kilpatrick stated that her term had not expired yet. Councilman Rittenhouse said that it has. The discussion was held last year when he was removed from SERA and felt his term was not up yet as he was still serving as Councilman.

Motion was seconded by Councilwoman Novak.

Mayor asked for a discussion hoping that they could at least talk about a bipartisan appointment. There was no discussion.

Roll Call: Ayes: Buchanan, Grillo, Kilpatrick, Novak.

Nay: Lembo, Rittenhouse

Councilman Rittenhouse then called for a Point of Order. That according to the By Laws and how SERA was set up, sitting members are not allowed to vote.

Borough Attorney DuPont stated that he did not know what he was reading from. Councilman Rittenhouse said he was reading from the By Laws and how it was set up and organized. He read – that the people on the council who were going to be on SERA may not vote for themselves.

Mr. DuPont said that he did not have the by laws. He asked Mr. D'Addio (SERA Chairman) if he had any recollection as to the information Councilman Rittenhouse is speaking.

Mr. DuPont said to Councilman Rittenhouse that he is reading from SERA By Laws and not the council rules.

Councilman Buchanan said that we had a motion, second and a vote. Appointing two Councilmembers on SERA. There was a 4/2 Vote, it is done.

Mayor recommended that it be tabled until we get a viable answer to the question at hand.

Mr. DuPont said that there was already a vote. The appointments have been made. He said that he could have Mr. Rittenhouse provide him with what he is referencing.

Councilman Rittenhouse commented to the Borough Attorney to look up the State Law and how it is supposed to be.

Further discussion prevailed.

Mayor O'Brien suggested Councilman Rittenhouse refer to other legal council.

Councilwoman Novak suggested two separate motions one for each council appointment to SERA. That could solve the problem. She did not feel there was any conflict but thought this would solve the issued being discusses.

Council President Buchanan said that the By Laws Councilman Rittenhouse is referring to regulated SERA not the council.

The Attorney said that Councilwoman Novak's suggestion is one way of taking care of the issue Councilman Rittenhouse has.

Council President stated that he would like to move forward.

Council President Buchanan said that last year he had discussed voting methods of the Council and had recommended Rules of Order for the council be changed so that the person moving the Ordinance or Resolution be the first called in Roll call, followed by the Alphabetical method.

Discussion from Councilman Rittenhouse regarding Roberts Rules.

Councilwoman asked Council President if that was a Motion.

Council President Buchanan stated that yes he would make that motion. Seconded by Councilwoman Novak.

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

Council President Buchanan said that at the last meeting he made a motion to take the Cultural Arts Appointments from the Table. After further review and reconsideration he said that he would like to remove the motion from the table and like to see the appointments made as this committee.

Motion was seconded by Councilman Novak.

Roll Call: Voice Vote, all Ayes.

Council President Buchanan made a motion to remove from the table his motion regarding the Commission on Aging appointments and the Recreation Advisory Board and the appointments be made.

Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Council President indicated that he will be sitting with the Attorney and Recreation Director to discuss the board and the its makeup and the number to be appointed, looking to expand the board to an undetermined number of people. Mayor stated that it was flexible.

Council President Buchanan then reported on library classes being offered as well as recreation sponsored programs.

Council President Buchanan then said that the things that he did at the January 1st meeting were done to be transparent and open with the committees. He said that he wanted to look into the Cultural Arts Counsel because he felt that Recreation is more than just that, but it also include the arts and that these two organizations may need to be combined down the road. This is to make things better and not to give someone a raise. He said that by tabling the appointments it held the Mayor's appointment clock. He also commented about words the Mayor had with a former councilperson after the last meeting.

- **MAYOR – Kennedy O'Brien**

Mayor O'Brien made the following appointments:

Board of Adjustment

Thomas Kurczynski - 4 Yr. Member

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

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

Nays: None.

Rosetta Fisher - 4 Yr. Member (replacing Maria Catallo)

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Lembo, Rittenhouse - 2 Aye Votes

Nays: Councilpersons Buchanan, Grillo, Kilpatrick, Novak - 4 Nay Votes

Board of Health

Christian Hibinski - 3 Yr. Member (replacing Frank Bella)

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Lembo, Rittenhouse - 2 Aye Votes

Nays: Councilpersons Buchanan, Grillo, Kilpatrick, Novak - 4 Nay Votes

- Councilman made comments to Council President Buchanan.

Kevin Dalina - 3 Yr. Member (replacing Frank Bella)

Motion made by Councilwoman Novak. Seconded by Councilman Grillo

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Novak - 4 Ayes Votes
Nays: Councilpersons Lembo, Rittenhouse - 2 Nay Votes

Environmental Commission

Ernest Read - 3 Yr. Member

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Lee Mullican - 3 Yr. Member replacing Beverly Rappleeya

Motion made by Councilman Lembo. Seconded by Councilman Rittenhouse.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Shirley Read - 3 Yr. Alt I replacing Lee Mullican

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Commission on Aging

Donna Kuchta - 3 Yr Member

Florence Samuel - 3 Yr Member

Rosina Schmidt - 3 Yr Member

Pat Dunn - 3 Yr Member

Motion made by Councilman Lembo. Seconded by Councilman Rittenhouse.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Cultural Arts Council

Shirley Meirose - 1 Yr Member

Madeline Suchowiecki - 1 Yr Member

Hope Wolk - 1 Yr Member

Dorothy Magee - 1 Yr Member

Edna Pilch - 1 Yr Member

Jean Kodada - 1 Yr Member

Mike Tumbleson - 1 Yr Member

Heather Tumbelson - 1 Yr Member

Motion made by Councilman Buchanan. Seconded by Councilwoman Novak.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Recreation Advisory Board

Larayne Panayi - 3 Yr Member

Jen O'Neill - 3 Yr Member

Helen Bruno-Raccui - 3 Yr Member

Robert Havens - 3 Yr Member

Elyse Barone - 3 Yr Member

Martin Biancamano - 3 Yr Member

Donna Zaleski - 3 Yr Member

Deborah Cooke - 3 Yr Member

Motion made by Councilman Rittenhouse. Seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Recreation Advisory Board Council Liaison – Councilman Buchanan

Open Space Committee

Lauren Bayer - Boro Citizen unexp. term exp. 2016

Motion made by Councilman Buchanan. Seconded by Councilwoman Novak.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse.
Nays: None.

Recycling Commission – Hold off may combine with Green Team

Clerk stated that the Ordinance would have to be amended.

Technology Board

Fred Block - 3 Yr. Term
David Melendez - 2 Yr. Term

Ricci Melendez to review Resumes.

Mayor asked the Clerk to send application for reappointment to Tom Tight for reappointment to the Liaison to Boy Scouts Org.

Comments:

Mayor stated that back in the late 1990's he was a councilman and they formed the Sayreville Economic and Redevelopment Agency and the Mayor at the time sat on it. In the year 2000 when he was elected Mayor he sat on SERA. Then through legislature the formation changed disallowing the Mayor to be part of SERA.

He made further comments on the Councils change in the Rule of Order tonight, felt there was an ongoing matter to strip the Mayor of his powers. First it was SERA, then he as Mayor setting meetings he felt was taken away. Now the Technology Board removed his power to appoint the persons and making it that of the Council. He felt the Borough Attorney should have advised him as Mayor. He instructed the Borough Attorney that he is to advise him of any change to any ordinance. That he is to keep him well advised and informed on all legal matters particularly if there is a change. He asked him publically as to who directed him to make those changes in that ordinance removing him as Mayor to make the appointment, removing his appointing powers. Mayor said the Borough Clerk sent him the notes stating this was only going to be a name change to the committee.

The Borough Attorney responded that there were a number of revisions made to the ordinance which were circulated. There were no instructions to remove his name and will call him on a daily basis. Mayor insisted that the attorney tell him who instructed him to remove his appointment powers in this ordinance and to do so by the next meeting.

Mayor also addressed comments made by Council President Buchanan regarding his comments to past Councilmember McGill. Councilman Grillo also commented.

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

- Admin. & Finance

1) Authorization to execute an Agreement (renewal) with North American Insurance Management Corp. to serve as Risk Management Consultants for the Borough of Sayreville for the year 2016.

- Resolution.

- Planning & Zoning

- Public Safety

1) Authorizing the execution of an Agreement (renewal) with the Associated Humane Societies, Inc. and the Borough of Sayreville for Animal Control Services for one (1) Year period beginning on March 1, 2016 and ending on February 28, 2017.

- Resolution.

- Public Works

1) Authorization to award contract for Uniform Rental and Cleaning to the sole bidder American Wear of East Orange, NJ on their bid of \$39,213.64., with Option 1 for reflective striping.

- Resolution.

2) Authorization to appoint Matthew Misiewicz to the title of Laborer, Per Diem in the Dept. of Public Works.

- Resolution

- Recreation

- Water & Sewer

○ **C.F.O. - Wayne Kronowski**

1) Transfer Resolution

2) Budget Update

3) **Ordinance** to increase Appropriation CAP from 2.5% to 3.5%.

○ **BOROUGH ENGINEER - Jay Cornell**

1) Fort Grumpy Storage Facility – Receipt of Bids (Verbal Report)

- Resolution.

2) Bordentown Avenue Water Treatment Plant – Solar Energy Savings Program – Receipt of Bids (Verbal Report)

- Resolution.

● **BOROUGH ATTORNEY - Michael DuPont**

5. **EXECUTIVE SESSION**

(Motion to enter into closed session) – Time: _____

- Reconvene Time: _____

● **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting up to the public for any and all questions. Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street, Sayreville

Commented about the meeting schedules not being on the web and no agenda. Had requested in the past the borough have the ability to access all past meetings on the web for viewing.

Response by the Business Administrator.

- Bill Henry, Orchard Street, Sayreville

Asked for clarity on the Pilot Program and the percent talked about here tonight.

Response by Councilwoman Novak and CFO Kronowski.

Mr. Henry then asked if the Solar Panel Project would entail the cutting of trees.

Mr. Cornell stated no that the panels will be located on the lagoon.

- Ted Petersen, Crestview Apartments

Commented about subpoenas delivered to the Borough Attorney's office.

Borough Attorney stated the subpoenas were not delivered in accordance with the rule of the court and they all have since been returned to him.

Mr. Petersen stated that as advised the subpoenas were served properly.

He said that subpoenas were also served to the Clerk's office.

Commented on an OPRA request and response he recently received from Mrs. Wagner feeling that she did not comply with the request.

Mr. Petersen asked that the council look into restricting the amount the landlords can charge for pet housing and other fees.

There being no further questions or comments, Councilman Buchanan made a motion to close the public portion. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

Before adjourning, Councilman Buchanan asked the Borough Attorney if the pet housing issue and fees was something the borough could look into.

The Borough Attorney recommended the borough get the Rent Leveling Board to get an opinion at their next meeting and refer it back to the governing body for consideration.

Councilwoman Novak said that tonight she witnessed that 90% of the people the Mayor nominated for appointment tonight were made and every time they did not they received comments from the Mayor. She went on to say that as far as the ordinance goes he is a Mayor in where they have a weak Mayor form of government. The attorney works for everyone and copies were distributed to everyone, on everything and felt it was clear on what was going to be left in the ordinance and what was not. Some board appointments are only council appointments.

No further business.

Mayor called for a motion to adjourn.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:28 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved