

Mayor Kennedy O'Brien opened the Council Meeting at 7:02 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this January 9, 2017 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: Kennedy O'Brien, Mayor  
Daniel E. Frankel, Business Administrator  
Wayne A. Kronowski, C.F.O./Treasurer  
Theresa A. Farbaniec, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney  
Jay Cornell, P.E., Borough Engineer

Others Absent: None

- **EXECUTIVE SESSION - I**  
**- PERSONNEL POLICE OFFICER INTERVIEWS**

**- 10 minutes / Tax Litigation & Personnel**

Mr. 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 10 minutes to discuss the following matters:

**Personnel - Police Officer Interviews**

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/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Voice Vote, All ayes.  
Carried. Time: 7:04 PM

- **RECONVENE – 7:24 PM**

Council President Buchanan made a motion to reconvene. Motion seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

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

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

- ☒ January 1, 2017 - Agenda and Re-Organization Sessions
- ☒ January 9, 2017 - Regular, Agenda & Executive Sessions

Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **PROCLAMATION & PRESENTATION (None)**

- **OLD BUSINESS**

a) Clerk Farbaniec read the heading for the following ordinance for Public Hearing:

**ORDINANCE #350-17**  
**CALENDAR YEAR 2017**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET**  
**APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Sayreville in the County of Middlesex finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$1,508,351.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Sayreville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 1,508,351.00, and that the CY 2017 municipal budget for the Borough of Sayreville be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

At this time Mayor O'Brien opened the meeting up to the public for questions or comments on Ordinance #350-17.

There were none made. Councilwoman Novak moved the Public Portion be closed and the Ordinance adopted on second and final reading and published according to law. Motion was seconded by Council President Buchanan.

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

b) Appointments:

Mayor O'Brien made the following appointments:

Borough Attorney - 1 Yr. Term - McKenna, DuPont, Higgins & Stone

Motion made by Councilwoman Novak. Seconded by Councilman Buchanan.  
Roll Call: Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nay: None

Environmental Commission - 3 Yr. Term - Rosetta Fisher

Motion made by Councilman Lembo. Seconded by Councilman Grillo

Roll Call: Ayes: Councilpersons Lembo, Grillo / 2

Nays: Councilpersons Buchanan, Kilpatrick, Melendez, Novak / 4

Environmental Commission – 3Yr. Alt. Term - Maria Rittenhouse

Motion made by Councilman Lembo. Seconded by Councilman Grillo

Roll Call: Ayes: Councilpersons Lembo, Grillo / 2

Nays: Councilpersons Buchanan, Kilpatrick, Melendez, Novak / 4

Shade Tree Commission - 5 Yr. Term - Heather Pawski

Motion made by Councilwoman Novak. Seconded by Councilman Buchanan.

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

Nay: None

Mayor stated that there was a letter of resignation received from Dave McGill from SERA and would like to appoint Kevin Dalina to his unexpired term.

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

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

Nay: None

- **NEW BUSINESS:**

a) Introduction of the following Ordinance(s): None

- **CONSENT AGENDA/RESOLUTIONS**

At this time the Mayor opened the meeting for questions or comments on Consent Agenda Resolutions. There were no appearances. Mayor O'Brien called for a motion.

Councilman Buchanan moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Roll Call on Consent Agenda Resolutions:

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

Nays: None

**RESOLUTION #2017-33**

**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/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 23 2017 in the amount of \$2,561,068.64  
in a separate Bill List File for 2016 (See Appendix Bill List 2017-A for this date).**

**RESOLUTION #2017-034**

**BE IT AND IT IS HEREBY RESOLVED** that the following transfers between 2016 Appropriation Reserves be and the same are hereby authorized to be made in the following manner to wit:

	<b><u>FROM</u></b>	<b><u>TO</u></b>	
<b><u>CURRENT FUND</u></b>			
Board of Adjustment (1185-160-1-1110) (1185-160-2-3123)	\$ 300	\$ 300	
	<u>\$ 300</u>	<u>\$ 300</u>	

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Theresa A. Farbaniec, RMC  
Municipal Clerk

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

**RESOLUTION #2015-35**

**WHEREAS**, the following named persons have applied for the renewal of an auto wrecker's license under the existing ordinances covering the following locations for the year 2017:

<b><u>APPLICANT</u></b>	<b><u>LOCATION</u></b>
Joseph V. Juliano Julian's Garage	919 Route #9 South Amboy, NJ 08879
Donald M. Rzepka Al's Auto Body	2070 Hwy. #35 South Amboy, NJ 08879
Wayne Wagner-Wagcar, Inc. Walter's Auto Body	502 Raritan Street Sayreville, NJ 08872
Steve Vrabel Economy Auto, Inc.	Victory Bridge Plaza South Amboy, NJ 08879
Thomas DePasquale Wayne's Auto Body	South Pine Ave. & 10 <sup>th</sup> St. South Amboy, NJ 08879

**WHEREAS**, the Governing Body has considered the applications and the same appear to be in conformity with the terms of the ordinances; and

**WHEREAS**, it further appears that there are no present violations pending against said applicants;

**NOW, THEREFORE, BE IT RESOLVED:**

- 1) That the said applications are hereby approved and granted for the year 2017.
  
- 2) That upon receipt of the proper insurance coverage and satisfactory wrecker inspection reports, the Borough Clerk is hereby authorized and directed to issue said licenses.

/s/ Steven Grillo  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-036**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized and directed to refund property taxes for 2014 & 2015 in the amount of \$15,658.74, effective January 1, 2014 due to the Approval by the Tax Assessor of a 100% Disabled Veteran's Tax Exemption covering Block 447.11, Lot 14, 32 Driftwood Drive.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-037**

**WHEREAS**, on March 14, 2016 the Borough of Sayreville awarded a contract for the collection and disposal of e-waste recycling services to ECOvanta, LLC; and

**WHEREAS**, said agreement, which initial term expired on December 31, 2016; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract agreement for a one (1) additional year term and that the 2016 pricing be extended through 2017; and

**WHEREAS**, ECOvanta, LLC, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

**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 Collection and Disposal of Electronic Waste Recyclables is hereby renewed for one additional year period at no additional increase in price.

/s/ Victoria Kilpatrick, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-038**

**WHEREAS**, after advertising for the receipt of bids on two occasions, “no bids” have been received by the Borough of Sayreville for the Repairs to Komatsu Loader; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(3), the Borough may negotiate and award a contract for the Repairs to the Komatsu Loader without any further competitive bidding, having received “no bids” on two separate occasions; and

**WHEREAS**, the Borough has negotiated with Durable Undercarriage Co., Inc., to perform the contract specifications for the Repairs to the Komatsu Loader for a total price not to exceed \$56,744.68;

**WHEREAS**, the Borough’s Chief Finance Officer has certified that funds are available.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the Borough accepts the negotiated proposal of Durable Undercarriage Co., Inc., in the amount of \$56,744.68 for the Repairs to the Komatsu Loader; and

**BE IT FURTHER RESOLVED** by the Mayor and Borough Clerk are hereby authorized to execute an agreement, in a form acceptable to the Borough Attorney with Durable Undercarriage Co., Inc.

/s/ Victoria Kilpatrick, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2017-039**

**Approval to submit a Grant Application and execute a Grant Agreement  
with the New Jersey Department of Transportation for the  
Bordentown Avenue Pedestrian Improvement Project**

**WHEREAS**, the Borough Engineer has recommended the submission of an application for a grant related to a project within the Borough of Sayreville which would fall into the category of project covered by the Fiscal Year 2017 Municipal Aid Program promulgated by the NJDOT Transportation Trust Fund; and

**WHEREAS**, the Borough Council believes that it is in the best interests of its residents to submit applications for possible grant funds from the Transportation Trust Fund for project recommended by the Borough Engineer.

**NOW THEREFORE, BE IT RESOLVED** that the Council of the borough of Sayreville, County of Middlesex, State of New Jersey, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Council are hereby authorized to submit an electronic grant application identified as SST-2017-Sayreville Borough-00047 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and condition of the grant agreement and approved the execution of the grant agreement.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-040**

**Approval to submit a Grant Application and execute a Grant Agreement  
with the New Jersey Department of Transportation for the  
Main Street Extension Road Improvement Project**

**WHEREAS**, the Borough Engineer has recommended the submission of an application for a grant related to a project within the Borough of Sayreville which would fall into the category of project covered by the Fiscal Year 2017 Municipal Aid Program promulgated by the NJDOT Transportation Trust Fund; and

**WHEREAS**, the Borough Council believes that it is in the best interests of its residents to submit applications for possible grant funds from the Transportation Trust Fund for project recommended by the Borough Engineer.

**NOW THEREFORE, BE IT RESOLVED** that the Council of the borough of Sayreville, County of Middlesex, State of New Jersey, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Council are hereby authorized to submit an electronic grant application identified as MA-2017-Sayreville Borough-0043 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and condition of the grant agreement and approved the execution of the grant agreement.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-041**

**WHEREAS**, Highview Homes LLC has posted a Letter of Credit covering Morgan's Bluff which was received April, 2015; and

10% Letter of Credit  
\$2,212,586.78

**WHEREAS**, the Letter of Credit covering was reduced in March, 2016 as follows; and

10% Letter of Credit  
\$1,193,712.72

**WHEREAS**, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required work has been completed and has recommended that the Performance Bonds and Cash Bonds be released, subject to the posting of a two (2) year 15% maintenance bonds in the amount listed below:

15% Maintenance Bond  
\$331,888.02

**NOW, THEREFORE, BE IT RESOLVED** that the proper Borough Officials are hereby

authorized and directed to release said bonds in the amount so stated.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-042**  
**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: Site Improvements for the Former Bordentown Avenue Water Treatment Plant
- Contractor: Kalogridis Contracting, LLC  
22 Mare Haven Court  
North Brunswick, NJ 08902
- Balance Due \$7,495.73

**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;

**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 \$56,217.98 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Daniel Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-043**

**WHEREAS**, B&C Enterprises, LLC. owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2012, 2013, 2014, 2015 and 2016 affecting Block 277, Lots 12 & 8.02, Commonly known as 7061 Highway 35 & 9; and

**WHEREAS**, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

**WHEREAS**, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for B&C Enterprise, LLC duly recommend the following:

- Appeal of 2012 be reduced to 935,000
- Appeal of 2013 be reduced to 995,000 (Freeze Act N/A)
- Appeal of 2014 will be withdrawn
- Appeal of 2015 will be withdrawn
- Appeal of 2016 will be withdrawn
- As part of settlement, 2017 will be set at 935,000

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

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2017-044**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY  
OF MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE  
APPOINTMENT OF LARRY SACHS, ESQ.  
AS SPECIAL COUNCIL – COAH MATTERS FOR THE  
BOROUGH OF SAYREVILLE**

**BE IT AND IT IS HEREBY RESOLVED THAT** this Resolution hereby memorializes action taken by the Governing Body at the January 9, 2017 Regular Meeting appointing Larry Sachs, Esq. as Special Council – COAH Matters for the Borough of Sayreville, County of Middlesex, State of New Jersey for the calendar year of 2017;

**WHEREAS**, the Mayor and Council of the Borough of Sayreville are knowledgeable that the Borough may require the services of a Special Counsel to advise the Mayor and Council on various matters pertaining to the Borough; and

**WHEREAS**, the Laws of New Jersey provide for such services; and

**WHEREAS**, funds are available for this purpose;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1, et seq.) requires that the resolution authorizing the appointment of a Special Counsel as required by the Borough for “professional services” without competitive bidding must be publicly advertised.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex as follows:

1. Larry Sachs, Esq. is hereby appointed as **Special Counsel-COAH Matters** pertaining to the Borough for the term of one year, commencing on January 10, 2017 and terminating on December 31, 2017.

2. That the services to be rendered by said Larry Sachs, Esq. shall be in compliance with the Laws of the State of New Jersey.

3. This appointment is made without competitive bidding as a “professional service” under provisions of the Local Public Contracts Law because the services to be performed are to be performed by a recognized profession licensed and regulated by law.

4. A copy of this resolution, certified to be a true copy by the Borough Clerk shall be published as required by law within ten days from the date of adoption.

**BE IT FURTHER RESOLVED** that the *Special Counsel* is directed to prepare a written employment contract to be executed by the *Special Counsel* and the Borough which shall include the Hourly Rate to be charged for the work assigned which shall not exceed the amount submitted in their response to the Request for Proposal along with what the fee covers and a provision that a “not to exceed” amount be set for each project assigned pursuant to the terms of the contract to be executed by both parties; and

**BE IT FURTHER RESOLVED** that the Borough Clerk be and she is hereby authorized to forward a true copy of this resolution to Larry Sachs, Esq.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTIONS TO BE READ IN FULL:**

**RESOLUTION #2017-045**

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

<b>NAME OF APPOINTEE:</b>	Kyle J. Krzyzanowski
<b>POSITION:</b>	Police Officer
<b>DEPARTMENT:</b>	Police
<b>EFFECTIVE:</b>	January 24, 2017, pending successful completion of all pre-employment requirements

**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/ Steven Grillo, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**READ IN FULL**

**RESOLUTION #2017-046**

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

<b>NAME OF APPOINTEE:</b>	Michael R. Plumacker
<b>POSITION:</b>	Police Officer
<b>DEPARTMENT:</b>	Police
<b>EFFECTIVE:</b>	January 24, 2017, pending successful completion of all pre-employment requirements

**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/ Steven Grillo, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

At this time Mayor O'Brien opened the meeting up to the public for questions or comments on these two Resolutions.

There were no appearances.

Council President Buchanan moved the public portion be closed and the two resolutions be adopted on Roll Call Vote. Seconded by Councilwoman Novak.

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

Mayor stated that the Mayor and Council also received a letter from Barry Eck rendering his letter of retirement from the Sayreville Police Dept. as well as resigning as the Emergency Management Coordinator, effective February 1, 2017. He read the letter into record. Following that Mayor O'Brien complimented Barry Eck for his outstanding work and dedication throughout the years. Mayor O'Brien then appointed Police Chief John Zebrowski as his replacement in the Emergency Management Coordinator's position, effective simultaneously with Barry Eck's retirement. He did say that this is a Mayoral appointment but asked for a motion to memorialize it. So moved by Council President Buchanan and seconded by Councilman Lembo.

Roll Call, Voice Vote, all Ayes.

Councilwoman Novak questioned if we would have to re-appoint John Zebrowski in March, because Barry Eck's term would expire in March. Borough Attorney said that he would have to be re-appointed in March if that is when the un-expired term would expire.

- **EXECUTIVE SESSION - None**

- **PUBLIC PORTION**

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

There were no appearances.

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

Roll Call: Voice Vote, all Ayes. Carried.

- **ADJOURNMENT**

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

Roll Call: Voice Vote, all Ayes. Carried.

Time: 7:37 P.M.

SIGNED:

\_\_\_\_\_  
Theresa A. Farbaniec, RMC  
Municipal Clerk

\_\_\_\_\_  
Date Approved