

AGENDA OF THE MAYOR & BOROUGH COUNCIL

REGULAR MEETING –

**MONDAY, JANUARY 24, 2011
6:30 P.M.**

1. CALL TO ORDER

- ❖ Short Prayer
- ❖ Salute to Flag

2. STATEMENT OF NOTICE OF PUBLICATION

This Regular Meeting of the Mayor and Borough Council being held tonight, January 24, 2011 has been advertised and posted in accordance with the Open Public meetings Act, Chapter 232, PL 1975.

3. ROLL CALL – Councilpersons Bella __, Buchanan __, Eicher __, Henry __, Kelly __, Perrette __.

ABSENT: _____, _____, _____.

OTHERS PRESENT: Mayor __, Atty __, Eng. __, CFO __, BA __, Mun. Clerk __.

4. OLD BUSINESS

a) ZONING ORDINANCE REVIEW COMMITTEE

Council to create a temporary committee to review all the zoning ordinances and regulations to make Sayreville more business friendly. Consisting of five (5) members. Two (2) members of the business community. One (1) each from the Land Use Boards; SERA, Planning and Zoning along with the Engineer and Construction Official, to serve as professionals advising the board. Request that the committee complete work for presentation to the Council by mid June and action by the end of June.

**Resolution #2011-42 listed for approval under Consent Agenda Resolutions.

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __, Kelly __, Perrette __.

b) SAYREVILLE PLANNING BOARD-

Discussion regarding the Planning Board’s recommendation to the Mayor and Council concerning the Club Bene Property

- Dr. John Misiewicz, Chairman, Sayreville Planning Board
- Joseph A. Ambrosio, Director, SERA (or his designee)

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __, Kelly __, Perrette __.

5. NEW BUSINESS

6. ACTION ITEMS:

6 a) Minutes of the Mayor and Council for approval as to form, subject to correction, if necessary.

- **Regular Meeting - December 13, 2010**
- **Executive Session - December 13, 2010**

(Only those Council Members who were in office in December can vote on these minutes)

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,

Kelly __, Perrette __.

6b) Communications & Report of Committee

- Communications to be received on Roll Call Vote.

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

- **Reports of Committee**

Admin. & Finance Committee	Public works Committee
Planning & Zoning Committee	Recreation Committee
Public Safety Committee	Water & Sewer/Environmental

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

6c) Consent Agenda Resolutions

- Public Hearing/Close/Adopt (Motion & Roll Call)

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

6 d) Resolutions to be read in full.

- Public Hearing/Close/Adopt (Motion & Roll Call)

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

6 e) Public Hearing on Ordinances – None

6 f) Introduction of Ordinance(s):

ORDINANCE # 155-11

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY, DESIGNATED AS BLOCK 457, LOTS 46 AND 47, AT PRIVATE SALE TO THE HIGHEST BIDDER FROM AMONG THE OWNERS OF REAL PROPERTY CONTIGUOUS TO EITHER LOT, OR, IN THE ALTERNATE, OFFERING THE PROPERTIES FOR PUBLIC SALE TO THE HIGHEST BIDDER.

Co. Perrette, Admin. & Finance Committee - Public Hearing February 14, 2011

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

ORDINANCE #156-11

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 8-14 OF THE REVISED GENERAL ORDINANCES OF THE

**BOROUGH OF SAYREVILLE TO REVISE THE FEES FOR
WRECKER SERVICES AND STORAGE FEES**

Co. Bella, Public Safety Committee - Public Hearing February 14, 2011

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

7. PUBLIC PORTION

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

8. EXECUTIVE SESSION ITEMS (If necessary)

Motion __, 2nd __ - Time ____.

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

- **RECONVENE** - Time ____.

Motion __, 2nd __ - Time ____.

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

9. ADJOURNMENT - Time ____

Motion __, 2nd __ -

Roll Call: Councilpersons Bella __, Buchanan __, Eicher __, Henry __,
Kelly __, Perrette __.

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- **Reports of Committee**

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- Public Hearing/Close/Adopt (Motion & Roll Call)

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(Co. Bella, Public Safety Committee - Public Hearing February 14, 2011)

7. PUBLIC PORTION (Motion to Close)

8. EXECUTIVE SESSION ITEMS (If necessary)

- **Motion to enter into closed session.**
- **Motion to reconvene the meeting.**

9. ADJOURNMENT

6a) CONSENT AGENDA COMMUNICATIONS

- ADMINISTRATION & FINANCE – Co. Perrette

#1 APPLICATION(S) FOR BINGO/RAFFLE LICENSES

Received from:

- a) Sayreville War Memorial High School – Choral Parents Association to conduct an On-Premise 50/50 (RA:1685) and an On-Premise Draw/Tricky Tray (RA:1684) to be held on February 11, 2011. - a) Approved.

#2 APPLICATIONS FOR WRECKER LICENSE RENEWALS

Received 9 Light Duty Wrecker Applications plus

2 Heavy Duty Wrecker Applications for renewal for 2011

(Pending approved insurance certificates)

- Resolution.

#3 APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR

Received from Our Lady of Victories, HSA to hold a

Wine Tasting Fundraiser at Monsignor Dalton Hall,

Main Street, Sayreville on March 5, 2011 from 7PM-10PM.

- a) Approved.

#4 DONNA M. BRODZINSKI, TAX COLLECTOR

Requesting authorization to cancel taxes for over payments

on various properties in the Borough.

- Resolution.

#5 DONNA M. BRODZINSKI, TAX COLLECTOR

a) Requesting authorization to refund a portion of 2008, 2009 and 2010 taxes due to approval of a 100% Disabled Veteran Tax Deduction by the Tax Assessor, effective October 29, 2008, covering the owner of Blk. 444.07, Lot 9, 18 Joyce Place.

- a) - Resolution.

AND

b) Requesting authorization to refund a portion of 2009 and 2010 taxes due to approval of a 100% Disabled Veteran Tax Deduction by the Tax Assessor, effective June 2, 2009, covering the owner of Blk. 451, Lot 43, 68 Prusakowski Blvd.

-b) - Resolution.

REPORT OF CHAIR.

#6

- PLANNING & ZONING – Co. Henry

REPORT OF CHAIR.

- PUBLIC SAFETY – Co. Bella

#7 REQUEST FOR COIN TOSS

Received from:

- a) Boy Scout Troop #97 to solicit funds at the intersection of Washington Road and Ernston Road AND MacArthur Ave. and Jernee Mill Road. - a) Approved.
(County Approval Received).

REPORT OF CHAIR.

#8

- PUBLIC WORKS – Co. Buchanan

REPORT OF CHAIR.

#9

- RECREATION – Co. Eicher

REPORT OF CHAIR.

#10

- WATER & SEWER – Co. Kelly

REPORT OF CHAIR.

#11

- MAYOR O'BRIEN

Appointments:

#12

- BUSINESS ADMINISTRATOR'S AGENDA/REPORT

Administration & Finance:

- a. Authorization to purchase personal protective equipment (turn-out gear) for the Fire Department from Skylands Area Fire Equipment and Training from Butler, NJ. This purchase would be made through State contract number #76359 and shall not exceed \$75,000 which is the amount of the corresponding bond issue that was completed in November 2010 for this purpose.
- Resolution.
- b. Continued discussion on a proposed ordinance modification to permit the sale of vacant Borough property located on Dolan Avenue in the Morgan Section specifically known as Block 457 Lots 46 & 47. The proposal was initiated last year by a neighboring resident's request for purchase of the subject property.
- Ordinance to be introduced 1.24.11.
- c. Update on the Borough's participation with the Community Work Experience Program and the NJ Work First Program to provide on-site work experience opportunities.
- d. Authorization for Borough Clerk to re-advertise for Proposals for professional services in the area of Borough Attorney, Special Counsel (Tax Matters and Conflict), Municipal Auditor.
- Resolution adopted on Jan. 10, 2011.
- e. Authorization for Borough Clerk to re-advertise for the receipt of bids for Credit Card Services.
- Resolution.

January 24, 2011
Council Meeting Agenda
Page 3

Public Works:

- a. Authorization to renew the agreement with Middlesex County for participation in the CFC (chloroflourocarbons) recovery program which includes a 50% reimbursement from the County for costs associated with the program. The term of this proposed agreement shall be January 1, 2011 to December 31, 2013.
- Resolution.
- b. Authorization for the Borough Clerk to advertise for bids for landscaping services for municipal property as managed by the Department of Public Works.
- Resolution.

Recreation: none

Water & Sewer:

- a. Authorization to grant permission for BMT Bordentown, LLC to connect to Old Bridge Municipal Utilities Authority for Sanitary Sewer Service covering Block 30, Lot 3, 3105 Bordentown Avenue.
- Resolution.

Public Safety:

- a. Authorization to enter into contract with Global Connect for the provision of an Emergency Notification System for a three year period commencing with the approval of the contract. The maximum annual cost of the service is \$8,551.10.
- Resolution.
- b. Discussion on proposed modifications to the Wrecker Ordinance (#8-14) of the General Borough Ordinances as proposed by Police Chief Burns.
- Ordinance.
- c. Authorization to execute a Memorandum of Agreement with the Middlesex County Prosecutor's Office for the implementation of the "Securing the Cities Initiative" utilizing equipment and guidance provided through the U.S. Department of Homeland Security's Domestic Nuclear Detection Office.
- Resolution.
- d. Resolution acknowledging the Borough's participation in the Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan.
- Resolution.

Planning & Zoning: none

Personnel:

- a. Telephone System Coordinator: Appointment of Jessica Morelos (Clerk's Office) to this stipend position as a result of a resignation by Ms. Eileen Towlen (Finance Office) after serving 12 years in this additional capacity.
- Resolution.
- b. Department of Public Works – Office of the Director

Notice of Retirement of Ms. Roseanne Lovell, Clerk Typist effective February 1, 2011 after 24 years of service to the Borough.

#13

- C.F.O. WAYNE A. KRONOWSKI

1. Bill Resolution – Needs approval at Agenda Mtg. 1/10/11 and 1/24/11.
2. Transfer Resolution

#14

- BOROUGH ATTORNEY AGENDA/REPORT

#15

- BOROUGH ENGINEER AGENDA/REPORT

1. 2007 Roadway paving and Reconstruction project – Closeout of Contract
(Report Attached)
- Resolution.

FOR YOUR INFORMATION

- **ADMIN. & FINANCE**

#1 **WAYNE A. KRONOWSKI, C.F.O**

Received copy of the Certificate of Award for sale of
Bond Anticipation Notes dated 12/9/10

- Receive & File.

- **PLANNING & ZONING**

#2 **NOTICE TO ADJACENT PROPERTY OWNER**

Hearing held before the Planning Board on January 5, 2011

-Heritage At Towne lake, LLC on Settlement of litigation between Heritage at Towne Lake, LLC and the Sayreville Planning Board involving Block 136.15, Lot 76 and Block 136.16, Lot 77, known as Sayreville Boulevard South. Settlement arising out of Sayreville Planning Board's Resolution dated March 17, 2010 involving 184 residential units.

Hearing scheduled before the Zoning Board of Adjustment scheduled for Jan. 26, 2011

Application made by:

a) Attorney for New York SMSA LP, dba Verizon Wireless.

Application for development approvals to permit the collection of a wireless communication facility at 1094 Bordentown Avenue.

- Receive & File.

#3 **SAYREVILLE PLANNING BOARD**

Resolution(s) Memorialized on January 5, 2011.

a) Messina & Bachetti, Washington Road, Block 52, Lots 3, 4, & 106 – Minor Subdivision.

- Receive & File.

- **PUBLIC WORKS**

#4 **STATE OF NEWJERSEY – DEPT. OF TRANSPORTATION**

Received Memorandum of Record from the State of New Jersey outlining their recommendation in the matter of Middlesex County & the Borough of Sayreville requesting modification to the Public Highway-Rail At-Grade Crossing of Consolidated Rail Corp's Gillespie Running Track & Bordentown Ave/Jerne Mill Road on a Petition filed by CME Associates.

- Receive & File.

- **ENVIRONMENTAL**

#5 **STATE OF NEW JERSEY, DEPT. OF ENVIRONMENTAL PROTECTION**

Notification seeking Public Comment of their intent to approve a significant modification to an approved Air Pollution Control Operating permit for Gerdau Amersteel, Sayreville located at N. Crossman Road. Comments for this draft permit must be received by Jan. 27, 2011 and forwarded to address contained in letter.

- **PUBLIC SAFETY**

- **RECREATION**

MINUTES **Rec. & File**

Board of Education	-	November 16, 2010 and December 7, 2010
Middlesex County Planning Board	-	November 9, 20110

CONSENT AGENDA RESOLUTIONS 1/24/11:

- Resolution #2011-14/2011-21, Memorializing Action Taken by Council on January 1, 2011*
- 2011-14 Resolution Memorializing the Professional Services Appointment of CME Associates as Borough Engineer for the year 2011.
- 2011-15 Resolution Memorializing the Professional Services Appointment of Apruzzese, McDermott, Mastro & Murphy as Labor Counsel for the year 2011.
- 2011-16 Resolution Memorializing the Professional Services Appointment of McCarter & English, LP, as Bond Counsel for the year 2011.
- 2011-17 Resolution Memorializing the Appointment of Robert A. Blanda, Esq. as Municipal Prosecutor for the year 2011.
- 2011-18 Resolution Memorializing the Appointment of Paul DeSarno, Esq. as Public Defender for the year 2011.
- 2011-19 Resolution Memorializing the Appointment of James F. Weber, Esq. as Presiding Judge for the year 2011.
- 2011-20 Resolution Memorializing the appointment of Jeff Bertrand, Public Agency Compliance Officer for the year 2011.
- 2011-21 Authorizing the proper borough officials to enter into a settlement agreement with ProLogis 200-250 Kennedy, LLC regarding their Tax Appeal.
- 2011-22 Authorizing the proper borough officials to enter into a settlement agreement with ProLogis 300-350 Kennedy, LLC regarding their Tax Appeal.
- 2011-23 Authorizing the proper borough officials to enter into a settlement agreement with ProLogis 409 Kennedy, LLC regarding their Tax Appeal.
- 2011-24 Authorizing the proper borough officials to enter into a settlement agreement with ProLogis 309 Kennedy, LLC regarding their Tax Appeal.
- 2011-25 Authorizing the proper borough officials to enter into a settlement agreement with First Connecticut Holding Group regarding their Tax Appeal.
- 2011-26 Approving Wrecker License Renewals for the year 2011, subject to the approval of insurance certificates and wrecker inspections.
- 2011-27 Authorizing the cancellation of certain tax overpayments.
- 2011-28 Resolution authorizing proper Borough officials to refund portion of 2008, 2009, and 2010 taxes covering Block 444.07, Lot 9, 18 Joyce Place, due to approval of a 100% Disabled Veteran's Tax Deduction effective October 29, 2008.
- 2011-29 Resolution authorizing proper Borough officials to refund portion of 2009 and 2010 taxes covering Block 451, Lot 43, 68 Prusakowski Blvd., due to approval of a 100% Disabled Veteran's Tax Deduction effective June 2, 2009.
- 2011-30 Authorizing the purchase of 32 sets of "turnout gear" from Skylands Area Fire Equipment & Training under State Contract #76359, not to exceed \$75,000.00.

January 24, 2011
Council Meeting Agenda
Page 7

- 2011-31 Authorizing the execution of a new 3-year agreement with Middlesex County Division of Solid Waste Management to continue the reimbursement for 50% of the cost incurred for the proper removal of CFCs and other compounds found in refrigerators and air conditioners.
- 2011-32 Authorizing the Borough Clerk to advertise for the receipt of bids for Landscaping/Maintenance of various borough properties.
- 2011-33 Authorizing BMT Bordentown LLC, connect into Old Bridge Township Municipal Utilities authority sanitary Sewer system covering Block 30, Lot 3, 3109 Bordentown Avenue.
- 2011-34 Authorizing the execution of a contract with Global Connect to provide an “Emergency Notification System” for a three year period.
- 2011-35 Authorizing the execution of a Memorandum of Understanding with the Middlesex County Prosecutor’s Office and the Borough of Sayreville Police Department for Securing the Cities Initiative program.
- 2011-36 Acknowledging the Borough of Sayreville’s participation in the Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan.
- 2011-37 Appointing Jessica Morelos to the stipend position of Telephone System Coordinator.
- 2011-38 Transfer Resolution
- 2011-39 Accepting the work, closing out the contract and issuing final payment in the amount of \$24,281.40 to Lucas Brothers, Inc. for the 2007 Roadway paving and Reconstruction Project – Phase III, subject to the posting of a one (1) year 15% Maintenance Bond in the \$182,110.48.
- 2011-40 Authorizing the Borough Clerk re-advertise for the receipt of bids for Credit Card Services.
- 2011-41 Bill Resolution.
- 2011-42 Creating an informal advisory committee to review the Borough’s current zoning ordinances, and to recommend amendments intended to facilitate commercial development within the Borough of Sayreville.
- 2011-43 Authorization to release bonds for Sections 1 to 6 within the Towne Lake Major Subdivision, subject to the posting of Supplemental Bonds and Maintenance Bonds.