

Combined Meeting of the Mayor and Borough Council held on Monday, February 27, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:32 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec 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.

1. **ROLL CALL:** Councilpersons Bella, Buchanan, Eicher (arrived at 6:37 PM), Henry, Novak, Perrette.

Absent: None

Others Present: Mayor Kennedy O'Brien
 Municipal Clerk Farbaniec
 Engineer Cornell
 Attorney DuPont
 C.F.O. /Acting Business Admin. Kronowski

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES.**

Councilwoman Novak Eicher moved the following minutes be approved on roll call vote, subject to correction if necessary:

- Re-Organization Meeting - January 1, 2012
- Regular Meeting - January 9, 2012
- Regular Meeting - January 23, 2012

Motion seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Henry, Novak, Perrette, all Ayes
 Councilwoman Eicher, Absent.

- **OLD BUSINESS**

- a. Public hearing on the following Ordinance(s):

ORDINANCE #175-12

BOND ORDINANCE PROVIDING FOR WEBER AVENUE FLOOD RELIEF PROJECT - PHASE II IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Co. Perrette, Admin. & Finance Committee – Public Hearing February 27, 2012)

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #175-12.

Those appearing were:

- Fran O'Conner, 84 Weber Avenue
 She said that last week she and the sub-committee submitted a letter to the governing body outlining the various methods they are researching in an attempt to gain funding for this project. Said they are working with the Federal, State and County Government Agencies as well as the DEP in an effort to get assistance that will ultimately mitigate the funding requirement of the borough for this project. She said they are present tonight to talk about what they need on the local level. The ordinance that is before the council tonight is an ordinance that will serve two purposes. The first half will provide the funding

for Sewer Repairs and Improvements. She stated the reasons why this needed the borough's immediate attention. She further explained the reasons second half of this ordinance is equally important. She said that this will provide the funding for further research, the permit application process and the bidding process that is so vital for their protection from future flooding. She said that there have been 235 homes identified in this flood zone and if you were to multiply each home by a family of four there are about 1,000 residents that need your help. She refreshed the councils' memory of what their street, homes and lives looked like after the flooding (she showed multiple pictures) expressed how they felt, etc. She explained that day of the flood, last March and asked the council to put themselves in the resident's shoes, as she described the day and the days and months that followed. She said that tonight they are asking for the help of the governing body.

Councilman Henry said that at the last meeting he had requested the Borough Attorney to look into the one million dollars that was bonded through the State and what the official status was.

Borough Attorney DuPont responded that he spoke with Ms. O'Conner as well as contacting the Legislative leaders and he said that Ms. O'Conner was accurate in all that she had presented with regards to the Million Dollars from the State. It appears that the Million Dollars is down in Trenton, but the question was how to get it out. He said that the Legislators have provided her with three options and one is the best option and once it is exercised it would release the money.

Mayor asked if there was anyone else who would like to address this ordinance.

- John Rucki, Hendricks Court
 Said that he understands Councilman Henry's concerns, but he felt that Section 5 of the Bond ordinance covers his questions.

No further questions, Mayor asked for a motion.

Councilman Perrette moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

ORDINANCE #175-12

**BOND ORDINANCE PROVIDING FOR WEBER AVENUE FLOOD RELIEF PROJECT -
 PHASE II IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
 APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
 \$380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING
PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$20,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$400,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the construction of a steel sheet pile wall located along Weber Avenue and various other storm drainage improvements in the area of Sayre Street and Weber Avenue, including without limitation, the replacement of pipe and other related repairs, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$380,000.

(c) The estimated cost of said purposes is \$400,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$20,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$380,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

/s/ Nicholas Perrette, Councilman

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
 Municipal Clerk

/s/ Kennedy O'Brien, Mayor

ORDINANCE #176-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD SECTION
7-30.4 TO ADD "ENFORCEMENT OF TRAFFIC
REGULATIONS ON PRIVATE PROPERTY"

(Co. Bella, Public Safety Committee - Public Hearing February 27, 2012)

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #176-12.

Those appearing were:

- Carlos Cheng, LaMer Community
 He said that comes here tonight with other residents of his community because there is a new development within LaMer which started about six months back and since then there have been more cars illegally parked such as parking near end of street, blocking pedestrian curb cuts, speeding, etc. He submitted pictures.

Mayor called Police Chief Zebrowski forward to explain how this ordinance would help.

Police Chief explained that the procedure to adopt such an ordinance has changed and as a result it complicated the process. After they received the correct information they went ahead and introduced this ordinance which is listed for adoption tonight.

No further questions, Mayor asked for a motion.

Councilman Bella moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

Councilman Perrette informed the residents that there should be laws be in the Associations By-Laws, that any of these associations not covered under the police department can hire a towing company and have the vehicles towed at the owners expense, but this also require the necessary signage.

ORDINANCE #176-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD SECTION
7-30.4 TO ADD "ENFORCEMENT OF TRAFFIC
REGULATIONS ON PRIVATE PROPERTY"

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

Section 7-30.4. This Ordinance amends Chapter 7 of the Revised General Ordinances of the Borough of Sayreville by adding Section 7-30.4 entitled, "Enforcement of Traffic Regulations on Private Property" as follows:

Section 7-30.4.
Enforcement of traffic regulations on private property.

Where a request in accordance with N.J.S.A. 39:5A-1 has been made by a property owner and approved by the Borough Engineer, all of the provisions of Subtitle 1, Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq. shall apply, together with any approved regulations specifically appropriate to the property. All properties for which such a request has been approved, with or without regulations specifically appropriate to the property, shall be set forth as listed below:

(1) *General regulations.*

- a. The owner of any property which is open to the public or to which the public is invited may request, pursuant to N.J.S.A. 39:5A-1, that the provisions of Subtitle 1, of Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq.) be made applicable to such property. Such request shall be in writing and shall be accompanied by a site plan detailing the location of all applicable traffic control devices, no stopping or standing areas, parking stalls, handicapped parking stalls, parking time limits, one-way traffic aisles, and any other regulations specifically appropriate to control of traffic on the property. Any such request shall be accompanied by a \$750.00 fee.
- b. Enforcement by the borough shall commence upon approval of the request by the borough engineer and adoption of an appropriate ordinance by the borough. The approved regulations as to any such property shall be set forth as listed below, and shall be enforced in accordance with subsection a. of this section.
- c. General
 - 1. In accordance with the provisions of Section 110, Subtitle 1, Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq.) shall be enforced by the Borough of Sayreville Police Department on the properties designated in this section, together with the specific regulations set forth as to each property.
 - 2. All vehicles shall park in designated areas and between the lines provided.
 - d. Reserved parking. All vehicles that are granted specialty parking in this subsection such as police vehicles, ambulances, teachers, etc., must be properly identified and the reserved parking spaces must be shown on the enclosed site plan.

e. Tow-away zones. Any vehicle parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit-ways, loading zones, oil fills, any grassy area, pedestrian walkways or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

f. Penalty. Unless another penalty is expressly provided by statute, every person convicted of a violation of this section or any supplement thereto shall be liable to a penalty as prescribed by section 7-39 of the General Ordinances of the Borough of Sayreville.

(2) Signs, pavement markings, installation and maintenance.

a. The owners of the premises referred to in this section shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the Manual On Uniform Traffic Control Devices (current edition). The cost for the procurement and installation of signs and pavement markings shall be the responsibility of the owner of said property. The owner shall subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Sayreville, The owner shall be responsible for the repair and restoration or replacement of same.

b. Penalty. Unless another penalty is expressly provided by statute, every person convicted of a violation of this subsection or any supplement thereto shall be liable to a penalty as prescribed by section 7-39 of the General Ordinances of the Borough of Sayreville.

(3) Properties.

a. **La Mer III A and La Mer III B Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer III A & B Condominiums in accordance with Section 7-30A of the General Ordinances of the Borough of Sayreville.

b. **La Mer II A Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II A Condominiums in accordance with Section 7-30B of the General Ordinances of the Borough of Sayreville.

c. **La Mer II B Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II B Condominiums in accordance with Section 7-30C of the General Ordinances of the Borough of Sayreville.

d. **La Mer II C Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II C Condominiums in accordance with Section 7-30D of the General Ordinances of the Borough of Sayreville.

e. **Colony Club.** The Borough of Sayreville shall enforce specific regulations for the private property of Colony Club in accordance with Section 7-30E of the General Ordinances of the Borough of Sayreville.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter VII**, entitled **Traffic**, of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

ORDINANCE #177-12
**AN ORDINANCE AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO EXPAND
THE SPECIAL ECONOMIC DISTRICT**

(Main Street)

(Co. Buchanan, Planning & Zoning Committee – Public Hearing February 27, 2012)

Ordinance explained by the Borough Engineer.

At this time Mayor O'Brien opened the Meeting to the Public for questions or comments on Ordinance #177-12.

There were no appearances. Councilman Henry moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

ORDINANCE #177-12
**AN ORDINANCE AMENDING ARTICLE III OF CHAPTER XXVI,
LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO EXPAND
THE SPECIAL ECONOMIC DISTRICT**

BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey, as follows:

SECTION 1. Section 26-81.1, "Establishment of Zones," of CHAPTER XXVI, "LAND DEVELOPMENT", of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to expand the Special Economic District by inserting the text **underlined and marked in bold**, to read as follows:

26-81.1. Establishment of Zones. For the purpose of this chapter, the Borough of Sayreville is hereby divided into the following twenty-five (25) zones known as:

R-20	Single-Family Residential
R-10	Single-Family Residential
R-7	Single-Family Residential
R-7	Planned Residential
(PRD)	Development
R-5	Single-Family Residential
PD-10	Single-Family Planned
	Development
PD-7	Single-Family Planned
	Development
G-1	Garden Apartment
PRIME	Public, Recreational, Institutional
	Municipal and Educational
B-1	Neighborhood Business
B-2	General Business
B-2	General Business Planned
(PUD)	Unit Development
B-3	Highway Business
PO	Professional Office
MW	Marine Waterfront
MW	Marine Waterfront Planned
(PUD)	Unit Development
SED	Special Economic Development

<u>SED-2</u>	<u>Office/Business Use</u>
I	Industrial
RA-W	Waterfront Redevelopment Area
RA-	Jernee Mill Road
JMR	Re-development Area
OS-C	Open Space – Conservation
OS-R	Open Space – Recreation
O-S	Office/Service Overlay
LI-BS	Light Industrial/Business Service Overlay

SECTION 2. Section 26-81.2, “Zoning Map”, of CHAPTER XXVI, “LAND DEVELOPMENT”, of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to describe the properties to be included in the new Office/Business Use District by inserting the text **underlined and marked in bold.** to read as follows:

26-81.2 Zoning Map. The location and boundaries of the above zones are hereby established on the zoning map dated November 1999, which is attached hereto and made a part of this chapter, excepting that the Zoning Map is hereby amended to reflect that the following lots and blocks are located within the new OS-C Zone: Block 10.03, Lot 4; Block 14, Lot 2, Block 15, Lot 1, Block 16, Lot 1; Block 17, Lots 1 and 2; Block 18, Lots 1,2,3,4,5,6,7 and 8; Block 19, Lot 1; Block 20, Lot 1; Block 21, Lots 1, 2,3,4,5,6 and 7; Block 22, Lot 1; Block 24, Lot 1 and Block 26, Lot 1; and that the following lot and block is located within the new OS-R Zone; Block 14, Lot 1.04; and that the following lots and blocks are located within the new O-S Overlay Zone: Block 124, Lots 14, 15, 15.01, 16, 17.01, 17.03, 18, and 19; Block 129, Lots 183, 184, 185, 268, 269, 270, and 271; Block 130, Lots 264, 265, 266 and 267; Block 136, Lots 28.04, 28.06, 28.07, 28.08, 28.09, 38, 39, 40, 44, 45, 46, 47, 48, 49, 50, 51, 52, 58, and 59; and that the following lots are located within the new LI-BS Overlay Zone: Block 29, Lots 1.01, 2, 3, 3.01, 4, 4.01, 4.02, 4.03, 4.04, 4.06, 4.07, 4.08, 4.10, 4.11, 4.13 and 4.14 **and that the following lots are located within the new SED-2 Office/Business Use Zone: Block 249 Lot 1 and Block 250 Lot 1**

SECTION 3. Section 26-84, “SUPPLEMENTARY ZONING REGULATIONS,” of CHAPTER XXVI, “LAND DEVELOPMENT”, of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to add a new Section 26-84.8 following the existing Section 16-84.7, to read as follows:

26-84.8 Regulations for SED-2 Office/Business Use
26-84.8 Regulations for Special Economic Development -2 District (SED-2)

a. *Purpose.* This zone change would affect Lot 1 in Block 249 (94.0 acres) and Lot 1 in Block 250 (8.5 acres). The property in question is along Main Street approximately 1,847 feet west of Crossman Road South.

b. *Permitted Uses.*

1. Professional Offices & Related Uses.
 - (a) Corporate offices & executive centers
 - (b) Data processing facilities
 - (c) Computer centers
 - (d) Medical offices and clinical laboratories
 - (e) Banks, “back office” facilities & other fiduciary Institutions
 - (f) Office-type research centers
 - (g) Municipal utilities and services
2. Restaurants, excluding fast food takeout facilities and drive-up service windows.
3. Sports and health facilities as listed below, provided they are incorporated into other buildings or are built in the general architectural style of the district. Inflatable “bubble” or corrugated frame buildings for sports facilities are prohibited.

- ◆ Baseball practice facilities
- ◆ Tennis
- ◆ Racquetball facilities
- ◆ Health spas and gymnasiums

4. Business Service Uses
 - (a) Antique furniture restoration including furniture repair, refinishing and re-upholstering facilities performed within the confines of a building.
 - (b) Collection services
 - (c) Employment agencies
 - (d) Security Systems Services
 - (e) Medical equipment rental and leasing
 - (f) Supplemental education/training facilities

5. Research laboratories, subject to performance standards.

6. Fully enclosed wholesale, distribution and storage establishments with limited retail sales subject to performance standards.

c. *Conditional Uses.*

1. Wireless communication facilities and towers.
2. Funeral homes.

d. *Prohibited Uses.*

1. Truck terminals

e. *Buffer or Open Space Requirements*

It shall be the responsibility of the developer to establish a buffer area of at least 200 feet in width along the western and southern boundary lines of Lot 1 in Block 249. Alternatively, a set aside totaling at least 20% of the lot area may be dedicated to the Borough for park and open space uses including pedestrian and bicycle trails in a location that serves as a buffer and accommodates a connection to residential properties on Main Street with Kennedy Park, directly to the south.

f. Height, Area, and Yard Requirements.

Height, area, and yard requirements shall be as specified below:

1. All uses would be in 1 - 2 story structures designed in a planned development layout with aesthetic design features to make the zone visually appealing and consistent.

2. Minimum Area Requirements:

Lot Area: 30 acres
 Lot Width: 500 ft.
 Lot Depth: 400 ft.

3. Minimum Area Requirements (Corner Lots):

Lot Area: 30 acres
 Lot Width: 500 ft.
 Lot Depth: 400 ft.

4. Minimum Setback Requirements:

Front Yard: 100 ft.
 One Side Yard/Total: 50/150 ft.
 Rear Yard: 100 ft.

5. Maximum Height (ft/stories): 35 ft/2.5

6. Maximum Lot Coverage:

Buildings: 50%
 Buildings and Pavement: 75%

g. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements shall be those specified in Section 26-88.1 of the Revised General Ordinances of the Borough of Sayreville.

h. Signs.

Signs shall be subject to the sign regulations under Sign Schedule II for the SED Zone.

i. Buffers.

Buffers shall comply with the buffer requirements of Section 26.96.6 of the Revised General Ordinances of the Borough of Sayreville.

SECTION 4. SEVERABILITY CLAUSE.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 5. REPEALER.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

/s/ William J. Henry, Councilman
(Planning & Zoning Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

• **NEW BUSINESS:**

a. Municipal Clerk Farbaniec reported having received the **Supplemental Debt Statement** from CFO Kronowski, effective February 27, 2012.

Councilman Perrette moved the Supplemental Debt Statement be received and Filed. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

b. Introduction of the following Ordinance(s):

Clerk read the following Introductions:

ORDINANCE # 178-12

**REFUNDING BOND ORDINANCE OF THE BOROUGH
OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING
FOR THE REFUNDING OF VARIOUS SERIES OF THE BOROUGH'S
OUTSTANDING GENERAL OBLIGATION BONDS, APPROPRIATING NOT TO
EXCEED \$13,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$13,500,000 REFUNDING BONDS OF THE BOROUGH FOR
FINANCING THE COST THEREOF**

Ordinance was reviewed by C.F.O. Wayne Kronowski. He also explained that the Public Hearing has to be held after the application goes before the Local Finance Board, so it will be held on March 26, 2012.

Mayor asked if the Council had any questions on this ordinance. There were no questions or comments.

Councilman Perrette moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing to be held on March 26, 2012.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

ORDINANCE # 179-12

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII,
SECTION 7-42.6 OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADOPT A NO LEFT TURN**

(adding paragraph e)

(Co. Bella, Public Safety Committee – Public Hearing March 12, 2012)

Mayor asked the Police Chief if this was the Ordinance for No Left Turns coming out of the UES. Clerk and chief responded that it was.

Councilman Buchanan said that he knows that there is a sign right now but his concern was when the Ernston Road Improvement Project progresses and the road is closed they will be forced to make a right into an intersection that is closed.

Mayor asked the Police Chief to respond.

Chief Zebrowski said he understands the concern but the sign is there for a reason, and because cars are crossing over several lanes of traffic in order to make that left turn and the potential bottlenecking it will not make that left turn any more safe. Due to the accidents they have had in the past they need to be able to enforce the signage and also the liability that lies with the borough.

No further comments. Councilman Bella moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing to be held on March 12, 2012.

Roll Call: Councilpersons Bella, Buchanan, Henry, Novak, Perrette, all Ayes.
Councilwoman Eicher, Abstained.
Carried.

c. Discussion on Resolution to be read in full. (None)

CONSENT AGENDA/RESOLUTIONS

• ***PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY***

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

Those appearing were:

- John Rucki, 17 Hendricks Court
Questioned Resolution #2012-73, asking who from the firm would be representing the Borough as Public Defender, how he would be getting paid and if he would be the borough's pension system.

The Municipal Clerk responded that Frederick Roselli would be representing the borough as Public Defender and paid as an employee under the salary guide ordinance already in place.

Mr. Kronowski further explained that the position is a salary position just as the Municipal Judge and Prosecutor and it is subject to the Pension Law but there are no health benefits. He said the borough only receives letters of interest and resumes for these positions.

Mr. Rucki commented on his eligibility for pension.

Mr. Rucki then questioned Resolutions 2012-74, 2012-75, 2012-76 dealing with appointments asking if they are new positions or replacements.

Mr. Kronowski explained that there are not new hires, they are basically promotions, fitting their titles into what they do on a routine basis.

- Larry Gates, 66 Weber Avenue
 Questioned the amount if Resolution #2012-69 and if that would be enough of money and what that would cover.

Wayne explained that this is a continuation of work related to the Weber Avenue Flood control Project.

Mayor O'Brien explained that not to exceed figure. Councilman Perrette further explained that these monies were being drawn from the bond ordinance.

Councilwoman Eicher moved the Public Hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote.

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, all Ayes.
 Councilman Perrette voted Ayes on all except Nay on Resolutions 2012-72 and 2012-73.

RESOLUTION #2012-56

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/ Frank J. Bella
 Councilman

/s/ William J. Henry
 Councilman

/s/ Daniel Buchanan
 Councilman

/s/ Mary J. Novak
 Councilwoman

/s/ Lisa Eicher,
 Councilwoman

/s/ Nicholas J. Perrette
 Councilman

**Bill list of February 27, 2012, in the amount of \$2,372,633.52
 (Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

RESOLUTION #2012-57
**RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
FEBRUARY 13, 2012 COUNCIL MEETING**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 13, 2012 Council Meeting approving the following:

- Approving Bingo and Raffle Applications received from:
 - a) Application from **Harry S. Truman School PTO, Inc.** to conduct a Bingo Games on March 23, 2012 (BA:469).
 - b) Application from **Lakeview Development Social Club** to conduct Bingo Games effective Feb. 2012-2014.
 - c) Application from **Camp Dill Foundation** to conduct On-Premise 50/50's on 28 various dates in 2012 (RA:1733).
 - d) Application from **Music Association for the Visually Impaired Students of New Jersey** to conduct an On-Premise Draw (Tricky Tray) Raffle on May 18, 2012 (RA:1734).
 - e) Application from **Wilson School PTO, Inc.** to conduct an On-Premise Draw (Tricky Tray (RA:1735), and On Premise 50/50 (RA:1736) on March 30, 2012.
 - f) Application from **Southwood School PTA** to conduct an On-Premise Draw (Tricky Tray #RA:1737) and an On-Premise 50/50 (#RA:1738) on April 20, 2012.
 - g) Application from **Sayreville Middle School PTO** to conduct an On-premise 50/50 (RA:1739) and an On-Premise Draw (Tricky Tray #RA:1740) on March 9, 2012.
- Approving application for Special Permit for Social affair received from FFLEBHMC to be held at Burkes Park on May 6, 2012.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-58

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2010 taxes in the amount of \$3,100.23 and 2011 taxes in the amount of \$6,860.40, effective July 14, 2010 due to the Approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 67, Lot 81, 49 Nickel Avenue.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-59

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to execute an Agreement with the County of Middlesex and the Borough of Sayreville authorizing the acceptance of the 2012 Municipal Alliance Grant award in the amount of \$36,442.00.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-60

WHEREAS, N.J.S.A. 39:10A-1, et seq, permits a municipality to sell abandoned, unclaimed and junk motor vehicles by public sale to the highest bidder after advertisement in a newspaper, circulating in the municipality with one publication at least five (5) days before the date of sale; and

WHEREAS, the Borough of Sayreville proposes to sell the vehicles listed below as abandoned/junk motor vehicles to the bidder(s) submitting the highest bid;

YEAR	MAKE	SERIAL #	MIN. BID
1995	Saturn	1G8ZG8281SZ196821	\$500.00
1999	Saturn	1G8ZK5278XZ124560	\$500.00
1997	Lincoln	1LNLM81W7VY601560	\$1,000.00
1999	GMC	1GKDT13W4X2540212	\$1,000.00
1997	Cadillac	1G6KE54Y3VU253971	\$1,000.00
1993	Honda	JHMCB7555PC000720	\$1,000.00
1997	Ford	1FALP52U2VA227641	\$1,000.00
1993	Ford	1FACP57U7PA132388	\$1,000.00
2001	Infiniti	JNKCA31A51T006023	\$1,000.00
1975	Mirrorcraft	MRR27377037596	\$1,000.00
1989	Oldsmobile	1G3NL14U2KM260556	\$1,000.00
1994	Ford	1FARP15J6RW315413	\$1,000.00
1997	Ford	1FALP13P9VW135818	\$1,000.00
1994	Mazda	1YVGE22C2R5160555	\$1,000.00
1993	Ford	1FMDU34X6PUC50615	\$1,500.00
1992	Toyota	2T1AE97A7NC164836	\$1,500.00
1996	Chevrolet	1GNCS13W6T229354	\$2,000.00
2000	Hyundai	KMHJG25F3YU168594	\$2,000.00
1999	Ford	1FTYR14V1XPA31232	\$2,000.00
1999	Pontiac	1G2NE52E9XM909973	\$2,000.00
2001	Kia	KNDJA723415016210	\$3,000.00
2003	Hyundai	KMHWF35H33A790817	\$3,000.00
1996	Ford	1FALP4044TF1903411	\$3,000.00
2003	Chevrolet	1G1ND52J43M593347	\$3,000.00
2000	Ford	1FAFP4046YF176064	\$3,200.00
1999	Jeep	1J4FF68S4XL520710	\$3,200.00
1995	Infiniti	JNKAY21D7SM206341	\$3,600.00
2002	Dodge	1B4HS38NX2F108640	\$4,000.00
1997	Mercury	2MELM74W6VX718913	\$4,000.00
1999	Mercury	1ZWFT61L4X5615573	\$4,000.00
2004	Saturn	5GZCZ63484S835020	\$5,000.00
2005	Toyota	2T1BR32E55C496550	\$5,000.00
2001	Acura	19UYA42691A001864	\$5,000.00
2008	Infiniti	JNKBV61FX8M261459	\$5,000.00
2002	Chevrolet	1GNDX03E52D272955	\$5,500.00

1998	Harley Davidson	1HD1FDLWY601627	\$6,500.00
2008	BMW (Motorcycle)	WB10591A98ZW17351	\$6,500.00
2005	Car Mate	5A3C820D45L001069	\$6,500.00
2002	Ford	1FTNS24L62HA82952	\$6,500.00
2007	Saturn	5GZCZ23D17S825894	\$7,000.00

WHEREAS, these vehicles may be inspected on any business day prior to the sale by contacting the Traffic Safety Bureau of the Sayreville Police Department between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday at the Sayreville Public Safety Complex, 1000 Main Street, Sayreville, New Jersey 08872 tel. No. (732) 525-5429, said vehicles are at various locations within the Borough of Sayreville and that information is to be obtained from the Traffic Safety Bureau; and

WHEREAS, the Borough of Sayreville reserves the right to remove any vehicle prior to the sale date, or reject any and all bids or to award in part or in whole, if deemed in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville that the vehicles listed herein are to be sold as follows:

- All items will be sold on an "as is, where is" basis.
- A **separate 25% deposit** is required to be submitted by posting cash or certified check **individually** for each vehicle being bid on.
- Each **individual** bid along with the deposit shall be **enclosed separately** in a sealed envelope, addressed and submitted to the Borough Clerk's Office of the Borough of Sayreville at 167 Main Street, Sayreville, NJ 08872, no later than 11:00 A.M. on Tuesday, March 13, 2012, bearing the name of the bidder and item being bid on.
- All vehicles must be paid in full and **removed within four (4) business days from date of sale.**
- In those cases where any of the aforementioned motor vehicles have been towed and stored by a private garage, the minimum bid price shall be adjusted to reflect the amount due and owing for towing and storage.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-61

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for PETZL EXO Hands Free Personal Safety/Escapes System with In-Service Training.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-62

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for the following:

- HVAC Heating/Cooling System Upgrade
- Hook Lift Swap Loader Truck with Attachments

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-63

WHEREAS, the Mayor and Council of the Borough of Sayreville is in need of professional services for the "Senior Center Boiler Replacement Hazardous Abatement Service"; and

WHEREAS, the USA Architects Planners & Interior Designers, the Architect for this project has solicited informal price quotations and has recommended that the award be made to the lowest responsible bidder.

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for the "Senior Center Boiler Replacement Hazardous Abatement Service" be awarded to Environmental Tactics, 64 Broad Street, Matawan, NJ 07747, who presented the lowest informal price quote in the amount of \$7,943.00 plus additional work shall be billed as presented in price quote.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-64

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant maybe made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for **calendar year 2011** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Borough Council to the efforts undertaken by the Borough of Sayreville and the requirements contained in the Recycling Act and the recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the Borough of Sayreville hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and **designates Elyse Barone, Municipal Recycling Coordinator** to ensure that the application and reports are properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-65

**AUTHORIZING DISCHARGE OF MORTGAGE ON
PROPERTY OF JOHN & IRENE MYTNICK
LOCATED AT 113 NORTH EDWARD STREET, SAYREVILLE**

WHEREAS, the Borough of Sayreville (the "Borough") holds a mortgage given by John & Irene Mytnick on property located at 113 North Edward Street, Sayreville; and

WHEREAS, the said mortgage was recorded on April 29, 1999 in the County of Middlesex, State of New Jersey, in Mortgage Book 05905 on Page 0314 on Page 0294; and

WHEREAS, this mortgage was given by John & Irene Mytnick as security for a loan given by the Borough pursuant to the Sayreville Community Development Block Grant (C.D.B.G.) Program; and

WHEREAS, this Mortgage has been paid in full or otherwise satisfied and discharged of record; and

WHEREAS, the CDBG consultant has recommended that the mortgage be cancelled.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville, that the mortgage covering property located at 113 North Edward Street, Sayreville, New Jersey, recorded in the Offices of the Middlesex County Clerk's Office on April 29, 1999 in Mortgage Book 05905, Page 0294, shall be cancelled of record; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a Discharge of Mortgage canceling the mortgage and modification of mortgage, and the CDBG Coordinator is hereby directed to file the executed Discharge of Mortgage with the Middlesex County Clerk.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-66

WHEREAS, the Borough of Sayreville has joined the Middlesex Regional Educational Services Commission (MRESC) Cooperative Pricing System for the purpose of participating in their Natural Gas Aggregation program and authorization is required for the MRESC to act as the agent for the Borough of Sayreville at the time of purchase.

BE IT AND IT IS HEREBY RESOLVED that I Wayne A. Kronowski, Acting Business Administrator for the Borough of Sayreville hereby authorize the MRESC to act as the "Agent" for the Borough of Sayreville for the purpose of executing a purchase agreement for Natural Gas.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Comm.)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-67
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 South Pine Avenue

Contractor: S. Brothers, Inc.
PO Box 317
South River, NJ 08882

Balance Due: \$ 14,294.05

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 \$107,205.34 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-68

WHEREAS, on January 21, 2012 the Mayor and Council of the Borough of Sayreville received bids for "Weber Avenue Area Storm Sewer Improvements"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for the "Weber Avenue Area Storm Sewer Improvements" be awarded to Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 on their bid price of \$170,906.02 as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-69

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to continue with the preparation of project design and permit application process for the Weber Avenue Flood Relief project for a fee not to exceed \$85,000.00.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-70

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to prepare the necessary NJDEP Permit Applications for the Boehmhurst Avenue Ditch Cleaning Project for a fee not to exceed \$5,500.00.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-71

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Promotional Procedures:

NAME OF APPOINTEE: Kevin Kania
POSITION: Sewer Equipment Operator
DEPARTMENT: Water & Sewer
EFFECTIVE: February 29, 2012

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 Civil Service Commission.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-72

**RESOLUTION MEMORIALIZING THE APPOINTMENT
OF SAMUEL KLEIN & COMPANY AS MUNICIPAL AUDITOR
OF THE BOROUGH OF SAYREVILLE**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the February 13, 2012 meeting appointing the firm of Samuel Klein & Co. to serve as statutory auditors for the Borough of Sayreville, in the County of Middlesex for the calendar year of 2012; and

BE IT FURTHER RESOLVED that pursuant to the requirements under the Local Public Contract Law, the following resolution be and is hereby adopted;

WHEREAS, there exists a need for the performance of a statutory audit for the year 2012 for the Borough of Sayreville, in the County of Middlesex; and

WHEREAS, funds are or will be made available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1, et seq.) requires that the resolution authorizing the award of contracts 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. The proper borough officials are hereby authorized and directed to execute an agreement with **Samuel Klein & Co.**
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, subject N.J.S.A. 40A: 5-11, which states that "No local unit shall be required to advertise for bids for any of the work performed pursuant to 40A: 5-4 (Annual Audit Required)".
3. 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 Borough Auditor is directed to prepare a written employment contract to be executed by the Auditors and the Borough which shall include the following: The rate to be charged for the entire 2012 Annual Audit Report 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 **Samuel Klein & Co.**, 550 Broad Street, Newark, NJ 07102-4543.

/s/ Frank J. Bella, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-73

**RESOLUTION MEMORIALIZING THE APPOINTMENT
OF FREDERICK ROSELLI, ESQ, AS PUBLIC DEFENDER 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 February 13, 2012 meeting appointing the Frederick Roselli, ESQ. from the firm of Roselli & Roselli as Public Defender for the Borough of Sayreville, County of Middlesex, State of New Jersey for the calendar year of 2012;

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 there under fixing the compensation to be paid municipal employees for a term expiring on December 31, 2012.

/s/ Frank J. Bella, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-74

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

NAME OF APPOINTEE: Yvonne Burdynski
POSITION: Senior Account Clerk
DEPARTMENT: Finance
EFFECTIVE: February 28, 2012

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 Civil Service Commission.

/s/ Councilman Nicholas J. Perrette
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-75

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

NAME OF APPOINTEE: Katherine Elichko
POSITION: Cashier
DEPARTMENT: Collection of Taxes
EFFECTIVE: February 28, 2012

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 Civil Service Commission.

/s/ Councilman Nicholas J. Perrette
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-76

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

NAME OF APPOINTEE: Jeanne Monte
POSITION: Keyboarding Clerk 1
DEPARTMENT: Office on Aging
EFFECTIVE: February 28, 2012

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 Civil Service Commission.

/s/ Councilwoman Mary J. Novak
(Office on Aging, Liaison)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-77

WHEREAS, on February 11, 2010 the Mayor and Council of the Borough of Sayreville, received bids for "Heil Replacement Parts or Equivalent"; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for One (1) two (2) year term with no additional increase in price contained therein; and

WHEREAS, THC Enterprises, Inc., t/a Mid-Atlantic Waste Systems, Chester, PA 10913, has indicated their interest in extending their terms of the aforesaid contract for one (1) - two (2) year term;

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of February, 2012, that:

1. Contract for "Heil Replacement Parts or Equivalent" be extended for one (1) two (2) year term to THC Enterprises, Inc., t/a Mid-Atlantic Waste Systems, Chester, PA 10913, on their bid price of 4% Discount of Heil Parts List(#2009-2010) submitted, as appears on copy of bid documents attached.

/s/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

COMMUNICATIONS/COMMITTEE REPORTS

• **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Councilman Perrette moved the following minutes be received and filed:

- o Board of Education February 7, 2012
Seconded by Councilwoman Novak.

b) **Received the following application(s) for Bingo/Raffle Licenses:**

- Application from **Sayreville Leprechauns** to conduct an Off-Premise Calendar Raffle on 13 dates from May 7-July 30, 2012, 2012 (RA:1741).
- Application from **St. Stanislaus Kostka HNS** to conduct an On-Premise 50/50 on April 20, 2012 (RA:1742)

c) **Application for Special Permit for Social Affair** received from St. Stanislaus Kostka HNS to serve beer and wine at a dinner (fundraiser) to be held on their property on April 20, 2012 from 5 P.M-8 P.M.

- **b & c Approved-Resolution Memorializing Council Action on March 12, 2012.**

d) **Application for a Beauty Salon** received from Isabella Leonardis, t/a Isabella's Hair Salon, LLC to operate a beauty salon located at 881 Main Street.
- **Resolution.**

e) **TAX ASSESSMENT APPEAL(S)**

Received a 2012 Tax Appeal from 1965 Route 35 Associates, LLC, covering Block 453, Lot 6, 1965 Route 35.

- **Referred to Tax Counsel.**

f) Received **Special Ruling from the St. Division of ABC to permit the renewal of PRCL #1219-33-043-005, Shri Hans, LLC (Pocket License) for the 2010/2011 and 2011/2012 License Term.**

- **Resolution**

g) **Committee Reports:**

Councilman Perrette moved the following reports be received and filed:

- Municipal Clerk's Report for the month of January, 2012.
- Tax Collector's 2011 Year-End Report.

Seconded by Councilwoman Eicher.

Councilman Perrette told the Governing body that the Cable TV Advisory Board is looking to put together different programming on SAY 15 TV such as a hosted program that would allow musicians, film makers, comedians, artists and local athletes to present their creative work before a larger audience with a large cost. He went on to read a paragraph from a letter submitted by William Gotta explaining the final produce they were looking for. He also stated that there was a sample of the programming on DVD for them to review. He indicated that more information would follow. He said that they are also looking at taking away the complaint information on the web site that come before the Cable TV Adv. Bd. because they do not have a representative from Cablevision working on the complaints on their behalf. The municipal clerk also asked that their phone number be taken off the back of the bill as a complaint hotline.

• **PLANNING & ZONING** – Councilman Henry

a) **Minutes-**

Councilman Perrette moved the following minutes be received and filed:

- Sayreville Board of Adjustment – January 25, 2012
(Re-Org & Regular)
- Sayreville Planning Board February 1, 2012
- Middlesex County Planning Board – January 10, 2012

Seconded by Councilman Buchanan.

b) Received from the Sayreville Planning Board:

- 1) Resolution recommending the adoption of the proposed Ordinance #177-12
- 2) Resolution Amending Re-Examination Report
- 3) Resolution Adopting Master Plan Amendment

- Receive & File.

c) Received Notice to Adjacent Property Owner from:

- 1) NJDEP Flood Hazard Area Individual Permit Application submitted to the State of NJ DEP by
 - a) Arisa Realty Co. for property located at Main St. (aka Bordentown Rd), Block 150, Lot 36.01, E. Brunswick. This application is being submitted because some of the work is proposed in a flood hazard area or a Riparian Zone (Comments must be submitted within 15 calendar days)
 - b) FedEx Ground-Access Road Improvement in the Twp of Woodbridge, Block 114, Lot 2. This application is being submitted because some of the work is proposed in a flood hazard area or a Riparian Zone (Comments must be submitted within 15 calendar days).

- **a & b Receive & File**

2) Applications the Planning Board on March 7, 2012:

- a) E. I. DuPont De Nemours & Co. –
For a minor site plan approval to install a solar panel array and associated equipment on property known as Block 27.01, Lot 1.01; Block 35, Lot 1.01; Block 37, Lot 1; Block 38, Lot 1; Block 39, Lot 1; Block 41, Lot 1.04; Block 42, Lots 1.04, 1.05 & 2.02.
- b) Forwarding Services, Inc. – For minor site plan approval and bulk variance approval for the construction of a detached garage & sign upon Block 413, Lot 1, 937 Rt. 9 North.

- **a & b Receive & File**

c) Committee Reports:

- Councilman Henry moved the following report be received and filed:
- Construction Official's report for the month of January, 2012.
 - Zoning/Code Enforcement Officer's 2011 Year End report.
- Seconded by Councilwoman Eicher.

Councilman Henry said he received a letter from Chris Konopka wanting to have a bait truck located by the river at Buchanan Park.

Mayor said that they stopped issuing those types of permits years ago, except for the few that have been grandfathered in. Mayor referred the matter to the Recreation Director to see if it could generate revenue such as a concession and then bring it back to the governing body.

Progress.

- **PUBLIC SAFETY** – Councilman Bella

a) Minutes: (none)

- b) Application for Regular Membership to Melrose Hose Co. No. 1**
received from: John Kelly Matthew, Paul Chzaszcz, Robert Applegate.

c) Notice of resignations from:

- I) Melrose Hose Co. No. 1 received from:
James Aleski, Andrew Hegedus, Rob Sekerak.
- II) President Park Fire Co. No. 1 received from Bryan Young.

- **a,b&c) Receive & File.**

d) Committee Reports:

- Board of Health will be conducting their annual Free Rabies Clinic for dogs & cats on Sat. May 5, 9AM-12 noon for dogs and 1PM-3PM for cats.

Councilman Bella moved the following reports be received and filed:

- Fire Prevention 2011 Year End report.
- Municipal Court Administrator's Report for the month of January, 2012.
- Board of Health, County & Registrar's reports for December 2011, Year-End 2011 and January 2012.
- Police Chief's report for the month of January, 2012.

Seconded by Henry.

- **PUBLIC WORKS** – Councilwoman Novak

- a) **Minutes:**

- b) Request for authorization to execute **Solid Waste Agreements with LaMer V, LLC.** - **Resolution**

- c) Request from Sayreville Veterans Alliance for the VFW Post 4699 to host the **Memorial Day services and Parade on Monday, May 28, 2012.**
- **Approved.**

- d) Request for authorization for St. Stanislaus Kostka Parish to **hang banners announcing their Annual Parish Carnival** at the following locations: Main St & MacArthur Ave; Washington Road & Bissett St.; Washington Rd near parkway overpass; Jernee Mill Rd between Starland Ballroom and Tech Center.
- **Approved.**

(HELD OVER ITEM)

- e) Request from the **Shade Tree Commission to reinstate the salary** of their Secretary for reasons stated in their letter.

Councilwoman Novak made a motion to reinstate the salary and place on consent agenda items at next meeting. Motion seconded by Councilman Perrette. All Ayes.

- **Resolution.**

- f) Notice of Public hearing on an Amendment to the County's Solid Waste Management Plan will be held on March 7, 2012 at 6:00 PM County Admin. Bldg, New Brunswick, NJ.
- **No comments/Receive & File.**

g) Committee Reports:

- Councilwoman Novak made a motion to receive and file the following reports:

- Parks for the month of December, 2011;
- Road Department for the months of December, 2011 & January, 2012;
- Recycling Coordinator for the month of January, 2012;
- Garage Services for the month of January, 2012;
- Sanitation Department for the month of January, 2012;
- Commission on Aging for the month of December, 2012.

Seconded by Councilman Buchanan.

Councilwoman Novak reported that the Road Dept. has been working very hard of repairing pot holes. She asked the public to give the department or herself a call to report any potholes and they will send someone out as soon as they could.

- **WATER & SEWER** – Councilman Buchanan
 - a) **Minutes** (None)

b) Committee Reports:

Councilman Buchanan made a motion to receive and file the following reports:
-Water & Sewer Director's Report for Year-end 2011 and January, 2012.
Seconded by Councilman Henry.

Councilman Buchanan then reported on the Water & Sewer Sub-committee meeting. He said that they discussed relocating the employees from the MacArthur Avenue plant and consolidating them with the Bordentown Avenue location. He asked the engineer forward the reports to the council for the next meeting for discussion.

Progress.

- **RECREATION** – Councilwoman Eicher
 - a) **Minutes:- (none)**

b) Committee Report –

Councilwoman Eicher made a motion to receive and file the following reports:
- Recreation Department report for the month of January, 2012.
Seconded by Councilman Buchanan.

Reports: Councilwoman Eicher then reported on various programs and events being sponsored by the Recreation Dept.

Appointments:

Councilwoman Eicher made a motions to appoint the following:

- Charlene Kenny to the Board of Health. Motion seconded by Councilman Henry. All Ayes.
- Don Newton to the Open Space Committee...

Mayor said that he thought it was the intention of the governing body to follow the ordinance that the three willing environmental committee members would be appointed to that committee.

Councilwoman Eicher said that they received correspondence from the borough attorney...

Mayor responded that from what he recalled from the letter he agreed with Mr. Drwal's appointment and left the other two for the..

Councilwoman Eicher asked the attorney.

Attorney DuPont said that in response to the question regarding the appointment of Ms. Surratt, Siarkiewicz and Yetsko; there was no advise and consent of the council on that appointment so that motion failed but Mr. Drwal's appointment had council consent and is valid.

Mayor asked that he give his opinion on the fact that the ordinance states that three of the members be that of the environmental commission if they wish to serve.

Discussion followed.

Motion was then seconded by Councilman Henry.

Roll Call: Ayes - Councilpersons Bella, Buchanan, Eicher, Henry, Novak.
Nays – Councilperson Perrette.

Councilwoman Eicher also appointed Terry Yetsko to the Open Space Committee as an Environmental Commission Member. Motion seconded by Councilman Buchanan.

Roll Call: Ayes – Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette.

Councilwoman Eicher appointed Don Newton to the Community Development Block Grant Committee. Motion was seconded by Councilman Henry.

Roll Call: Ayes – Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette.

Councilwoman Eicher appointed Bill Egbert to the Housing Authority. Motion was seconded by Councilman Buchanan.

Roll Call: Ayes – Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette.

Councilwoman Eicher appointed Councilman Henry and Councilman Bella to the Sayreville Economic and Redevelopment. Motion was seconded by Councilman Buchanan.

Roll Call: Ayes – Councilpersons Bella, Buchanan, Eicher, Henry, Novak.
Nay - Councilman Perrette.

- **MAYOR** – Kennedy O'Brien

a) Appointments -

b) Other Business

Mayor commented that he had hoped for Bi-partisanship regarding the Open Space Committee.

He also informed the residents about the South Amboy St. Patrick's Day Parade being held on March 10th.

BUSINESS SESSION AGENDA – February 27 2012

1. **NEW BUSINESS –**

2. **BUSINESS ADMINISTRATOR –**

I) **Animal Control and Shelter Services -**

Action required on contract for **Animal Control**.

Contract for animal control services from Jan. 1, 2012 to Dec. 31, 2014 and may be renewed for a one year period beginning Jan. 1, 2015 providing that both parties adopt resolutions authorizing same. Agreement may be cancelled by either party upon sixty (60) day written notice.

Animal Shelter contract was signed in 2011 has provision for automatic renewal for two one year periods beginning on Jan. 1st unless either party gives sixty (60) days notice of its intention to terminate.

Mayor asked Mr. Kronowski to get a report from the Board of Health for the next meeting.

Mr. Kronowski asked if he had council's consent to put this on the next agenda.

No objections.

- II) Narrowband the existing public safety radio system to meet FCC compliance. Funding is available from a previously adopted bond ordinance for technology and communication improvements. Resolution required to award under State Contract #53770.

Mayor asked Police Chief Zebrowski to come forward and respond to any questions the council may have.

Chief Zebrowski reported on the FCC mandate and said they found a vendor and equipment that would allow us to hold on to the system we currently have a little longer and this would offer Sayreville substantial savings up front and this would allow us to meet the mandate. In the future the system would need to be replaced but this will save us money and buy us some time while meeting the mandate.

III) Police Department Accreditation.

Police Chief explained the Accreditation system and what it means to the Sayreville Police Department and Sayreville.

3. C.F.O.- Wayne Kronowski

I) Transfer Resolution

II Bill List Resolution

III) Budget Preparation Update

Dates for Budget Workshop – Scheduled for March 5, 2012 at 6:30 pm.
 Introduction March 12th meeting.

IV) Ordinance to increase “COLA CAP” from 2.5% to 3.5%.
 - No objections.

V) Resolution declining local review of the Budget.

-

VI) Sewer Rate Calculation

– Water and Sewer Committee discussed possible 3% increase.
 Ordinance required to amend rates.

Mr. Kronowski explained that if sewer rates do not increase the deficit will go through the taxpayers.

Discussion followed on what would make it easier on the residents, increasing the sewer rates to the users or having it applied to the taxpayers and how much would be needed.

Councilman Perrette said that he would forward full report to Councilman Buchanan for review and for further discussion at the next meeting.

VII) Solar Energy discussion.

- Engineer Cornell gave a detailed report indicating that last year the council authorized the receipt of bids for the borough utilizing solar energy to reduce the electric bills. Seven sites were included in the proposal; the Public Safety Complex, Sr. Citizens Complex, Municipal complex, the Bordentown Avenue Water Treatment Plant, Melrose Pump Station, Morgan Pump Station and Crossway Creek Pump Station. He said that three proposals were received and since one bidder dropped out. The second bidder bid on two of the seven sites. 9.9 cents per kilowatt for the Public Safety complex and the Bordentown Avenue Water Treatment sites. He explained the bid structure. One price for the bidder addressing the costs associated with the tree removal ordinance and the other if he did not. 9.9 cents if he had to comply and 9.7 cents if he did not have to comply. He further reviewed the spread sheets that were provided by the attorney who prepared the specifications that indicated the savings per year.

The engineer recommended that the borough not go through with the Public Safety Complex as the savings was not great enough for the borough to consider. The second they may want to consider was the Water Treatment Plant. The savings was \$60,000 per year. Asked if they want to consider savings in the \$50-\$60,000. Dollar mark. He will try to bid project to see if we can get a better number or wait and see if the market changes.

Mayor asked Councilman Perrette along with two other council members, perhaps Co. Novak to be on the committee review and make a recommendation to the governing body.

Engineer stated he would see if he could get another extension until the end of March.

Councilman Perrette said the he would like to poll the council to see if they would like to include tree price or not.

Mayor asked how many trees would have to be removed.

The engineer indicates approx. 3,500 trees and a pretty significant area. The engineer would provide this information and maps to the committee.

Mayor was not happy with these facts.

4. **ENGINEER -Jay Cornell**

I) Improvements to William Street – Status of Project
- Need Resolution authorizing the Mayor, Clerk and Engineer to sign the applications in order to apply for the necessary permits.
No objections / Resolution.

II) Public Works Building & Roof Repairs – Receipt of Bids (Verbal Report -
Need authorization for resolution awarding bid.
No objections / Resolution.

5. **BOROUGH ATTORNEY - Michael DuPont**

6. **PUBLIC PORTION**

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

Those appearing were:

- Stanley Drwal, Bissett Street
- Disagree with cutting the trees and the solar energy project as he saw them abandoned in other Countries.
- Barbara Kilcomons, 22 Schmitt Street
- Commended the council for approving the Bond Ordinance for Weber Avenue residents.
- Questioned the amount of money in the tree bank fund and if those funds could be used in different areas.

Mr. Kronowski respond that there was just under \$500,000. and that the use would have to be tree related not just any expense.

- Mrs. Kilcomons said that trees were cut on Main Street by the Sr. Center and left the trees debris behind.

Mayor said that he would have Code Enforcement look into it.

- Increase of sewer rates. Why we are the Host Community and why are our rates constantly being increased. What is our rates compared to other communities that are not host communities.

Response by CFO Kronowski that we annually receive a Host Community Pilot Benefits from the MCUA in the amount over One-Million Dollars.

No further questions or comments. Council President Eicher made a motion to close the public portion. Seconded by Councilman Bella.

Roll Call: Voice Vote, all Ayes.

• **EXECUTIVE SESSION ITEMS**

Mayor O'Brien announced that the Council will be going into Closed Session and do not expect any action to be taken when we reconvene.

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 5 minutes to discuss the following matters:

Litigation-Tax Appeals

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/ Councilwoman Lisa Eicher

APPROVED:

/s/ Kennedy O'Brien
Mayor

Councilman Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman Bella.

Roll Call: Voice vote, all Ayes. Carried.

Time: 8:24 PM

• **RECONVENE**

Councilwoman Eicher moved to reconvene the meeting. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

Time: 8:33 P.M.

ADJOURNMENT

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:33 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved

