

Agenda meeting of the Mayor and Council held on Monday, March 14, 2011, in the Borough Hall, 167 Main Street, Sayreville.

CALL TO ORDER

Agenda meeting of the Mayor and Borough Council held on Monday, March 14, 2011, was called to order by Mayor O'Brien at 7:12 P.M. followed by a salute to the flag.

STATEMENT OF NOTICE OF PUBLICATION

Clerk Farbaniec announced that this **Agenda Meeting** of the Mayor and Council, being held on March 14, 2011 (for March 28, 2011 Action), 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 the Municipal Clerk.

ROLL CALL:

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

Absent: None

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

Others Absent: None

OLD BUSINESS

- **Mayor asked if there were any questions or comments on the following ordinance coming up for Public Hearing on March 28, 2011.**

ORDINANCE No. 157-11

**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VI,
SECTION 6-4.1 "ALCOHOLIC BEVERAGE CONTROL-FEES"
AND CHAPTER II, SECTION 2-64 ADMINISTRATION –FEES
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE**

(Co. Perrette – Public Hearing March 28, 2011)

COMMUNICATIONS & COMMITTEE REPORTS

- ADMINISTRATION & FINANCE – Co. Perrette

#1 APPLICATION TO AMEND RAFFLE LICENSE

Received from St. Stanislaus Kostka Church removing Katherine Jurkiewicz as member in charge and replacing with Mary Dabroski.

- Receive & File

#2 APPLICATION FOR BINGO/RAFFLE LICENSES

Received from:

- a) The Camp Dill Foundation to conduct On-Premise 50/50's on 19 various dates from May 6, 2011 – Oct. 28, 2011 (#1692).
- b) Harry S. Truman School PTO, Inc. to conduct the following games on April 26th, from 5PM-11PM:
 - On-Premise 50/50 (#1693)
 - On-Premise Draw (Tricky Tray)
- c) Our Lady of Victories HSA to conduct a Bingo on April 29th from 7PM-11PM (#BA:465).

- a, b, c) Approved

#3 APPLICATION FOR PERMIT FOR SOCIAL AFFAIR

Received from Firefighters Law Enforcement Brotherhood Motorcycle Club of NJ for a fundraiser to be held at Burkes Park on May 11th from 12 Noon – 5 PM

- Approved

#4 APPLICATION FOR BEAUTY SALON

Received from Simone Flythe and Mitchell Burges to operate a Beauty Salon located 3195 Washington Rd. t/a Rita's Dominican Doobie Salon.

- Resolution.

#5 SAYREVILLE BOARD OF EDUCATION

Request permission to make their 2011-2012 Budget Presentation to the Mayor and Council on Monday, March 28, 2011.

- Approved.

#6 TAX ASSESSMENT APPEALS

2011 Direct Tax Appeal and Complaint was received covering the properties listed below:

<u>Plaintiff</u>	<u>Address</u>	<u>Block/Lot</u>
Gerdau Ameristeel US, Inc.	Off Main Street	246/1.07
Gerdau Ameristeel Sayreville	Rear of Main St.	246/1.05
George Margolin	8 Wiczorkowski Ave.	451.01/5
National Amusements, Inc.	8020 Rt. 9 & 35	273/1
Virginia Santora	16 Sixth St.	224/104-105

(Appeal and Amendment to appeal)	
Prologis 200-250 Kennedy, LLC	330.04/1.02
Prologis 300-350 Kennedy, LLC	330.04/1.03
Prologis 309 Kennedy, LLC	330.03/1.18
881 Sayreville TIC, LLC	246/2.11
The Younan Family, LP	412.02/23

- Refer to Tax Counsel

#7

- PLANNING & ZONING – Co. Henry

REPORT OF CHAIR. –

Councilman Henry reported that there was a recommendation from the Planning Board to change of zoning of the Club Bene property (Rt. 35 redevelopment Area) from Age Restricted to Market Value. He said the vote was in favor (6-2). He further stated that the two “No” voters said they wanted the change in writing from the developer. The Planning Board then obtained the change in writing from the developer after the meeting, indicating the change from Age Restricted to Market Value.

Mayor explained that the sub-committee would make their recommendation to the Planning Board and the Planning Board would send a letter to the Governing Body.

Clerk explained that a letter was received and placed before everyone tonight.

Discussion followed regarding what took place at the Planning Board Meeting and what their recommendation was.

Attorney and Clerk explained the council would need introduce and adopt an Ordinance amending the zoning ordinance.

Mayor asked for a motion. He then asked the attorney to phrase the motion.

Attorney DuPont said the motion would be to change the zone in accordance with the Planning Board’s correspondence of March 14, 2011 for the purpose of changing the Redevelopment Plan on Rt. 35 property to include the agreement set forth in a letter from American Properties, dated March 3, 2011. So moved by Councilman Henry, seconded by Councilman Buchanan.

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

Attorney to prepare Ordinance for introduction at the March 28, 2011 meeting.

- PUBLIC SAFETY – Co. Bella

#8 MORGAN HOSE & CHEMICAL CO. NO. 1

Application for (new) **Regular Membership** received from:

a) Patrick J. Vasquez, 180 Norton Street.

(Accepted by Fire Co. on March, 2011)

- Approved.

#8a) MELROSE HOSE CO.

Request to travel to a parade on in Keyport, NJ on March 20, 2011 – Approved this evening.

REPORT OF CHAIR.

- Councilman Bella announced that the Board of Health will be conducting a Free Rabies Clinic for dogs and cats on Saturday, May 7th. Dogs will be vaccinated from 9AM-12 Noon and cats will be vaccinated from 1PM-3PM. Clinic will take place in the Road Dept. Garage, behind Borough Hall.
- Councilman Bella said that he received copies of letters issued by the Sayreville Emergency Squad to a few of its members regarding CPR Commendations and CPR pins awarded by awarded to Sayreville Emergency Squad members Stanley Pilch, Kevin Ott, Maxwell Siebert, Vinnie Buffalino, Jarrett Jirak, William Toth and Vishal Dalal.

Kevin Ott explained the incidents on each of the three dates.

Mayor called for the clerk to issue Certificates of commendation to be prepared and scheduled for presentation at the next meeting.

Applause by all in attendance.

- PUBLIC WORKS – Co. Buchanan

#9 SAYREVILLE EMERGENCY SQUAD, INC.

Request to hang banners to announce their Annual EMS Day banners on the following

telephone poles locations:

- Washington Rd & Bissett St. and Washington Rd & Parkway overpass.

NOTE: Council approval required prior to requesting permission from Verizon and JCP&L

- Approved

REPORT OF CHAIR. –

- Councilman Buchanan recognized Tom Prusakowski, Vehicle Maintenance Supervisor; Robert Konen, Road Supervisor; George Gawron, Sanitation Supervisor and Bernie Bailey, Dept. of Public Works Director of for transforming old trucks into snow fighting equipment. He said that there will be an article in the Suburban newspaper.

- Councilman Buchanan said that repairs are needed to be made to the antiquated public works garage. The question is, do we fix something that is inadequate or do we move ahead and build something that is going to be better for the town and stop spending money on repairs.

Mayor said that this is a financial question.

Councilman Perrette said he and Wayne Kronowski, our CFO will be putting together a chart showing capital expenditures and which ones will be paid off and other new ones going on. He said that you pay a lower rate in the beginning so that is something to watch.

Mayor asked if investing in the old building was a bad investment.

Mr. Kronowski responded that if it takes another 10 years to put the building up you could say that the money would be well spent.

Councilman Perrette stated that there is a safety concern at the building now.

Business Admin. responded to the Mayor, explaining that this was gone over at the budget meeting. The building is in deplorable condition, especially the roof. If we are building a building in three years we need a thin band aid but if we are building a building in 10+ years we need a thicker band aid. He said if the engineer could prepare the specifications, we could decide on what to do and when.

Mayor asked Councilman Bella if he had a problem placing this item on for the next agenda.

Councilman Bella said that he would not.

Mayor asked that he follow-up with Councilman Buchanan and the Engineer over the next few weeks.

Councilman Buchanan said to keep in mind that the building is old and will need new garage doors, gas tanks and a lot of other repairs. If we have a garbage truck in one bay we need to send other repairs out to other public places. He would like to see the smaller band-aid and a push for new facility but lowering the cost of building one.

- RECREATION – Co. Eicher

#10 – Councilwoman Eicher reported progress.

REPORT OF CHAIR.

#11

- WATER & SEWER – Co. Kelly

REPORT OF CHAIR.

- Councilman Kelly reported progress and thanked the men and women of the Water and Sewer Dept. for the dedicated work and providing services for our community.

#12

- MAYOR O'BRIEN

#13

- BUSINESS ADMINISTRATOR'S AGENDA/REPORT

Administration & Finance: none

Public Works:

- a. Authorization to apply for the Recycling Tonnage Grant as a result of our 2010 recycling efforts.
- Resolution.
- b. Authorization to enter into a contract with Goose Control Technology for the provision of services for the 2011 season at a total cost of \$12,250 as per the recommendation of the Director of Public Works.
- Resolution.

Councilwoman Eicher requested this resolution be put on hold until the next meeting as she would like to find an alternate method in order to save money.

Mr. Bertrand asked the Dept. of Public works Director Mr. Bailey to come forward and report on all the alternate methods the borough has tried.

Mr. Bailey reported on the many methods the borough had tried but to no avail. This was the only one that is working. And we know this just by the decreased number of geese over the years. He also explained that the company is chosen through the informal quote process and that three quotes have been obtained and the four primary parks they provide service at. He then asked that this not be delayed because it is a time sensitive issue, we need to get to the eggs soon.

Further comments by Mayor O'Brien regarding the methods the borough has tried. He also expressed his greatest concern, the goose droppings the children come in contact with.

Councilman Bella requested a report on the cost over the past five years.

- c. Authorization to contract with USA Architects to prepare bid specifications for the monthly inspection, annual tests, maintenance and repair for all elevators in municipally owned buildings. The fee to develop the specifications will not exceed \$3,500.
- Resolution.

Recreation:

- a. Authorization for the Coast Guard Auxiliary to host an open house on May 21, 2011 at the Borough Hall Annex Building. The open house will feature a free vessel safety check in the parking lot adjacent to the Annex building.
- Approved.

Water & Sewer: none

Public Safety: none

Planning & Zoning:

- a. Review and discussion of a proposed resolution in support of full funding of the Federal Community Development Block Grant (CDBG) Program in response to proposed programmatic cuts currently being considered in Washington, D.C. Currently, the Borough receives approximately \$250,000 annually through this entitlement program.
- Resolution.

Personnel:

- a. Police Department
 - 1. Replacement of a Sergeant through promotion due to retirement (Exec. Session)
- Resolution.

#14

- C.F.O. WAYNE A. KRONOWSKI

- 1. (Possible) Transfer Resolution.
- 2. Bill Resolution.

3. Resolution authorizing the borough to apply for funding under the Safe and Secure Communities program (Grant #P-5245-11).

#15

- **BOROUGH ATTORNEY AGENDA/REPORT**

#16

- **BOROUGH ENGINEER AGENDA/REPORT**

1. Ernston Road / Bordentown Avenue Intersection Improvements – Agreement with Middlesex County (Report).

- Resolution - Authorizing the Mayor and Clerk execute an agreement with the County of Middlesex, whereby the County will maintain the operation of the signal at the intersection of Ernston Road and Bordentown Avenue and the borough will pay the electric bill.

Auth M & Clerk. – Maintenance Obligation adopt a reso and sign an agreement whereby the county maintains the operation of the signal but the borough pays the electric bill.

FOR YOUR INFORMATION

- **ADMIN. & FINANCE**
- **PLANNING & ZONING**

#1 NOTICE TO ADJACENT PROPERTY OWNERS

Applicant: K-Land, No. 59, LLC (Towne Lake West) Appearing before the Planning Board on March 16, 2011.

Seeking: Modification or elimination of condition #18 of the September 1, 2004 Planning Board Resolution to allow a maximum of 5 bedrooms instead of 4.

- **PUBLIC WORKS**
- **ENVIRONMENTAL**
- **PUBLIC SAFETY**

#2 SHRI DWARKADHIS TEMPLE

Notice of the following events:

March 19, 2011 - Bonfire

March 20 or 26, 2011 - Bonfire Rain dates

#3 BOROUGH OF METUCHEN

Resolution received from the Twp. of Metuchen adopting the Middlesex County Multi-Jurisdictional Hazards Mitigation Plan.

- **RECREATION**

#4

MINUTES		Rec. & File
Board of Education	-	February 15, 2011
Board of Health	-	February 3, 2011
Commission on Aging	-	February 18, 2011
Main Street By-Pass Committee	-	January 27, 2011
Middlesex County Planning Board	-	February 8, 2011
Planning Board	-	February 2, 2011
Rent Leveling Board	-	March 8, 2011

NEW BUSINESS

- **Introduction of the following Ordinance(s) - None**

PUBLIC PORTION

PUBLIC PORTION

Mayor O'Brien opened the meeting to the Public for any and all questions or comments.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street
 - Expressed her dismay on the talk about the building a new Public Works facility.
 - Wanted all items in that department should be frozen.
 - Questioned the use of shared services.
 - Questioned the use of a specification writers for certain projects.

Response by Business Admin. Bertrand & Mayor O'Brien.

- Ed Strek, 58 Nickel Avenue
 - Comments about the geese.
 - Commended the Department of Public Works employees.
 - Asked Councilman Bella about the truck traffic on Main Street.
Councilman Bella said he spoke with the Police Chief and he indicated that they are trying to enforce not allowing truck traffic to go down Main Street but to divert it to MacArthur Avenue.
 - Stated the pros and cons on the Red Light cameras. He felt they would generate overtime.
- Theresa Strek, 140 McCutcheon Avenue
 - Commented about a voucher submitted for \$5.00 for reimbursement.
 - Questioned why the borough pays for the books at the library if they are an autonomous body.

Response made by Mr. Bertrand, Business Admin.
- Commented on selective enforcement in Sayreville.

No further public comment.

Before closing Councilman Bella asked for a budget with a 2 cent increase. Showing what services, etc. would to be cut if we were to only have a 2 cent increase as opposed to the 5 cent increase.

Councilman Perrette said the budget that we introduced tonight is just preliminary. It is lower than last year and we will continue to work on it. He asked that we keep our fiduciary responsibility where it should be and not just to satisfy someone's number.

Councilman Perrette said that we still need to appoint a Special Counsel-Conflicts.

No further questions or comments.

Council President Kelly moved to close the Public Portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION ITEMS -

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 10 minutes to discuss the following matters:

Personnel

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/ Councilman Kenneth P. Kelly, Sr.

APPROVED:

/s/ Kennedy O'Brien
Mayor

Councilman Kelly moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

Time 8:26 P.M.

RECONVENE

Councilman Buchanan moved to reconvene the meeting. Seconded by Councilman Bella.

Roll Call: Voice Vote, all Ayes.

Time: 8:32 P.M.

ADJOURNMENT

No further business.

Councilman Buchanan made a motion to adjourn. Motion seconded by Councilman Bella.

Roll Call: Voice vote, all Ayes.

Time: 8:32 PM

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

4/11/11
Date Approved