

Mayor Kennedy O'Brien opened the Agenda Meeting at 9:20PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, March 23, 2015 had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Kilpatrick, McGill,
Melendez, Novak, Rittenhouse

Absent: None

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

Others Absent: None

- **EXECUTIVE SESSION –**

Mayor O'Brien announced that the Council will be going into Closed Session and when we reconvene we will finish the rest of the agenda.

Mr. DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10-15 minutes to discuss the following matters:

- Litigation
- Personnel
- Contract Negotiations

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/ Dave McGill, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.

- **RECONVENE – 9:38 PM**

Councilman Buchanan moved to reconvene the meeting. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

OLD BUSINESS

- a. Public Hearing on the following Ordinance(s) - None

3. NEW BUSINESS:

- a. Introduction of the following Ordinance(s):
- b. Ordinances for Discussion

**AN ORDINANCE PROHIBITING ELECTED OFFICIALS REPRESENTING
SAYREVILLE FROM REPRESENTING DEVELOPERS APPEARING
BEFORE THE GOVERNING BODY OR ANY OF THE BOROUGH'S
BOARDS AGENCIES OR INSTRUMENTALITIES**

Borough Attorney DuPont gave his written opinion. Stating that there is a goal of transparency here however he found a few discrepancies and would like to sit and discuss this with Councilman Rittenhouse because there is language that could be used to achieve his goals.

He said that the way the ordinance is written is improper jurisdiction of the borough and not sure what other areas they are referring to. He also outlined all the public officials it would affect. Councilman Rittenhouse agreed.

Councilman Buchanan asked if Councilman Rittenhouse obtained this copy from another town. Councilman Rittenhouse indicated that it was obtained from a private consultant at no cost to the borough. Councilman Buchanan then asked if we could reach out to other municipalities and see if they have this or something similar that we could review.

Councilwoman Novak indicated that she believed that we could not take away another persons' right to hire an attorney of his choice. The attorney indicated that this ordinance would affect other professions also.

COMMUNICATIONS & DISCUSSIONS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) Received **Bingo/Raffle Applications** from the following Organizations:

- 1) **Knights of Columbus Our Lady of Victories, Council #2061** to conduct an On Premise Draw (Tricky Tray); and an On-Premise 50/50 on May 7, 2015 (RA:1937 & 1938).
- 2) **Sayreville Auxiliary Police** to conduct an On-Premise 50/50 At the LEAD Carnival at Kennedy Park on April 8, 9, 10, 11 & 12, 2015 (RA:1939).
- 3) Harry S. Truman School PTO to amend application for Bingo License #BL:492 and On Premise Draw (Tricky Tray) RL-1906 – changing date to April 24, 2015 due to weather.

1-3) Approved

- b) Application(s) for **Social Affair Permits** received from:
 1) Sayreville PBA Local #98 to distribute beer & wine at their annual Picnic being held at Burke’s Park on Aug. 23, 2015 from 1:00 PM-6:00 PM
 - Approved

c) **2015 Tax Appeal(s) received from:**

| Plaintiff/Petitioner | Block | Lot | Address |
|-------------------------------------|--------|------|----------------------|
| Torsiello Construction & Management | 427.01 | 1 | 2045-2017 Highway 35 |
| B & C Enterprises, LLC | 277 | 12 | 7061 Highway 35 & 9 |
| Gerdau Ameristeel Sayreville, Inc. | 246 | 1.05 | Rear of Main Street |
| Gerdau Ameristeel US, Inc. | 246 | 1.07 | Off Main Street |
| Timothy Holt & Sheila Hawkins | 68 | 43 | 54 Nickel Avenue |

- Forward to Tax Counsel

d) Committee Reports

- 1) Councilwoman Novak updated everyone on the budget. Public Hearing is April 27th and still under CAP. Thanked everyone for their hard work.

PLANNING & ZONING – Councilman Buchanan

a) Committee Reports:

- 1) Councilwoman Novak stated again about drainage being an issue in the winter as the sump pumps empty into the street and is a hazard in the winter time and we need to figure out how to avoid these issues such as possibly disconnecting the sump pumps during the winter. Councilman Rittenhouse stated that the same memo has been issued every year since 2010 and nothing is done about it. Councilman Buchanan stated that he had received calls as well regarding this issue.

• **PUBLIC WORKS – Councilwoman Kilpatrick**

- a) Request to hang promotional banners received from St. Stanislaus Kostka Parish to display four promotional banners at the following locations announcing their annual carnival on June 24-27, 2015:
- Pole #JC519SE/BT279SE, Washington Rd. & Bissett St.
 - BT5SAR/BT1944 Washington Rd. & GSP Overpass
 - BT3985/BT3746SE Cheesequake Rd near Hercules entrance
 - JC111-4SE/JC118SE Jernee Mill Rd between Bordentown Ave. & Starland Ballroom.
- Approved.

- b) Letter of resignation from the Shade Tree Commission received from Kathy Makowski.
 - Receive & File.

c) Committee Reports:

- 1) Shade Tree Ordinance – Mayor asked that the ordinance be distributed for the next meeting for review.
- 2) Reported that the grates surrounding the trees lining Main Streets have been removed and are waiting for a recommended replacement from the Shade Tree Commission.
- 3) She will be speaking with the IT Director to have an e-mail address set up for the Shade Tree Commission in order for them to receive complaints instead of having to wait for a meeting to receive the complaints.
- 4) 2015 Rabies Clinic will be held on Sat. May 2nd in the Road Dept. garages.
- 5) Road reconstruction schedule for this year and wanted to confirm that funding was in place.

- Mayor asked CFO to be sure the roads that were going to be done this year in on the web.

- **RECREATION – Councilman Melendez**

a) Committee Reports:

- 1) Reported on the Radio consultant and camera design which will be coming up.

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

a) Committee Reports-

- 1) Re-emphasized about the sewer problem.
- 2) Questioned how much we are paying Weiner Lesniak.
 - The Borough Attorney responded \$170/hr. cheaper per hour however there was no cap and there was an RFP submitted for legal work. Mr. Rittenhouse said that it was not for special litigation. Mayor questioned how we were being charged and why there are two attorneys here and are we paying for two attorneys. The Borough Attorney said that he is not sure we are paying for two and he would have to look at the contract.

- **PUBLIC SAFETY – Council President McGill**

a) Request for **coin toss** at the intersection of Washington & Ernston Roads from 10am-2pm received from:

- 1) Sayreville Sharks U16 Travel Soccer on June 13, 2015
(County approval received)
- 2) Boy Scout of America Troop 68 on April 25, 2015
(rain date April 26) (Pending County Approval).

-Approved.

b) Request for approval on the following Firefighter applications:

- 1) Morgan Hose & Chemical Co. No. 1 – Matthew Bond
- 2) Melrose Hose Co. No. 1 – Gregory L. Barna, Jr. and Kevin M. Krolik as a Regular member.

Both applicants were accepted at a meeting of their perspective fire departments.

-Approved.

c) Committee Reports –

- 1) Progress.

- **MAYOR – Kennedy O'Brien**

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

- Admin. & Finance**

- Planning & Zoning**

- 1) Request received from T-Mobile to execute a consent form in order to perform upgrade work such as replacing existing antenna and cabinets at their site on borough property known as Block 119, Lots 1, 13, 14, 15 (Pulaski Ave/Deerfield Rd. Water Tank facility)

- Resolution.

- Public Safety**

- a) Discussion on a request for dedicated on-street parking for the Sayreville Animal Hospital on Roll Avenue.

- Mayor stated that it is a public street and they are requesting private parking so that could not be done.

- Public Works**

- a) Request for authorization to execute agreements with Middlesex County Improvement Authority for Recycling Collection and marketing Services.

- Mayor asked that the Recycling Coordinator call him because he has heard that municipalities are actually being paid other than paying to have their recycling picked up.

b) Public Works Facility Update

Mr. Frankel indicated that we are still working with a client on Jernee Mill Road to try and get a firm price but the property owner has been ill.

- Recreation

a) **Special Event Permit Application** received from:

-**Sayreville Engine Co.** to hold a flower sale at Engine Co. No. 1 on April 3, 4 & 5, 2015 to help raise money for their 100th Anniversary parade.

-- **No departmental issues.**

- Approved.

- **St. Stanislaus Kostka Church** to hold their Annual Carnival on June 24-27, 2015 at their facilities.

- Approved.

- Water & Sewer

a) Request for authorization to extend contracts with the following companies for Water Department Chemicals with no increase in price for one year.

- o Coyne Chemical – Citric Acid
- o PVS Technologies – Ferric Chloride
- o Miracle Chemical Co. – Sodium Bisulfite
- o Univar USA, Inc. – Sodium Hydroxide and Sulfuric Acid

- Resolution.

- OTHER

Mr. Frankel stated that he received a letter and spoke with the Animal Control Officer about the need for an Animal Cruelty Officer of which he would take responsibility of and would give him the ability to issue summonses and the borough would retain 50% of all fines vs. going to the ASPCA.

- Review and list on next agenda.

- Closed Session Items

- Temple Litigation Update
- PBA Litigation

• **C.F.O. - Wayne Kronowski**

a) Bill List Resolution

b) Transfer Resolution

c) Authorization for Shade Tree Commission to apply for 2015 Green Communities Grant Phase I in the amount of \$3,000., with the borough matching funds of 50%.

d) Request for authorization to no longer request approval to list the Bill List Resolution on each agenda. If approved it will always appear under the Consent Agenda Resolution page.

a-d) Approved.

Councilwoman Novak asked the CFO what the cost estimate was for snow removal this year. Mr. Kronowski stated he did not have all the figures in yet.

• **BOROUGH ENGINEER -Jay Cornell**

1. Main Street By-Pass – Project Status Report

-Report Attached.

2. Ernston Road Tank Rehabilitation – Change Order for Project

- Resolution.

(Report Attached)

3. Modifications to former Bordentown Avenue Water Treatment Plant Building
- Receipt of Bids came in over the estimated budget, suggested they meet with
Co. Rittenhouse and review options.

- Approved.

4. Ciecko Court Drainage Improvements – Receipt of Bids (Verbal Report)

- Resolution.

- **BOROUGH ATTORNEY - Michael DuPont**
- **EXECUTIVE SESSION - None**
- **PUBLIC PORTION**

There were no appearances.

Mayor asked if there were any other questions or comments.

None made.

Councilwoman Novak made a motion to close the public portion. Seconded by
Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION – None**
- **ADJOURNMENT**

Before adjourning, Councilwoman Novak commented on holding people who
speak during any public portion be held to the 5 minute rule.

Councilman Melendez made a motion to have the Clerk keep public speaking
time. Seconded by Councilman McGill.

Mayor stated that the council also needs a five minute rule and he runs the
meeting.

No further business.

Councilman Rittenhouse made a motion to adjourn. Motion seconded by
Councilman McGill.

Roll Call: Voice Vote, all Ayes.

Time: 10:40 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved