

CALL TO ORDER

Agenda meeting of the Mayor and Borough Council held on Monday, March 28, 2011, in the Borough Hall, 167 Main Street, Sayreville, NJ was called to order by Mayor O'Brien at 8:09 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 28, 2011 (for April 11, 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

- **Public Hearing on the following ordinance(s)**

Mayor asked if there were any questions or comments on the following ordinance coming up for Public Hearing on April 11, 2011.

No one appeared.

Mayor said that there was a stipulation that the Planning Board review the amendment and reach a consensus and respond prior to the Public hearing.

ORDINANCE NO. 158-11

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE ROUTE 35 – PHASE
I STUDY AREA – REDEVELOPMENT PLAN IN THE BOROUGH OF
SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

(Co. Henry – Planning & Zoning Committee – Public Hearing April 11, 2011)

COMMUNICATIONS & COMMITTEE REPORTS:

- **ADMINISTRATION & FINANCE** – Co. Perrette

#1 APPLICATION FOR BINGO/RAFFLE LICENSES

Received from:

a) St. Stanislaus Kostka R.C. Church to conduct:

- On-Premise Draw Raffles on June 22, 23, 24 & 25, 2011 (#1695).
- Off-Premise 50/50 Raffle on June 25, 2011 (#1696).
- On Premise 50/50 Raffle on June 22, 23, 24 & 25 (#1697).

b) Our Lady of Victories HSA to conduct:

- Off-Premise 50/50 Raffle on June 4, 2011 (#1698). - a & b) Approved.

#2 TAX ASSESSMENT APPEALS

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

<u>Plaintiff</u>	<u>Block/Lot</u>	<u>Address</u>
Libretti, Joseph P. & Peggy A.	442/2.05	1047 Bordentown Avenue
Thomas M. Brown	168.02/33	7 Eisenhower Drive
Jayeshkumar Patel	136/174	39 Fritz Drive
Yogendra & Prital Patel	136/176	43 Fritz Drive
Magdi Mikhail & Khaled Sadek	123/4.01	5 Krumb Street
Manuel & Grace Santos	449.03/8	39 Scheid Drive
Ricciardi, Anthony R & Ricciardi, Rudo		
By USPS, Tenant-Taxpayer	154.01/45	90 Main Street
Lorraine Munnia Mocco	254/1	850 Main Street
Fine Realty, LLC	441/2.01	984 Route 9
Madan and Vazirani	449/6.03	70 Woodmere Drive
First Industrial, LP	326.01/3	2400 Main Street
Amboy Midison National Bank	96/29	Washington Road
Verizon	439.01/5	934 Route 9
Rite Aid Corp.	335.01/3	3553 Washington Road
Sayreville Shopping Plaza, LLP	368.07/1,2	2909 Washington Road
Hillside Estates	10/2	Bordentown Amboy Turnpike

- Refer to Tax

Counsel

#3 JACK MYATT

Received notice of Resignation from his membership on the Cable TV Advisory Board.

- Receive & File

REPORT OF CHAIR.

-Councilman Perrette made a motion to appoint Lillian Lukacs to the Open Space committee for a three (3) year term and waive the provision that she would need to be a member of the Environmental Commission.

Motion seconded by Councilman Kelly.

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

• PLANNING & ZONING – Co. Henry

#4 SAYREVILLE PLANNING BOARD

Submitted a copy of the Supplemental Modification to the Re-examination Report of the

Master Plan of the Borough of Sayreville.

- Receive & File Report / Borough Attorney to prepare Ordinance.

- (*Would require a Zoning Ordinance Amendment*)

Discussion:

Councilman Henry said that at the Planning Board meeting they asked the engineer review the changes made modifying the Master Plan.

Engineer Jay Cornell explained that the Planning Board prepared a re-examination report to the Master Plan and one of the main recommendations was to rezone a piece of property on Main Street. He said the property is approximately 100 acres and is currently zoned residential. He said the planning board is recommending that it be re-zoned to an SED, which is an office/business type of use. So in order to do this you would have to have an Ordinance creating that zone for that property.

Mayor asked if they had finished their study and review.

Mr. Cornell said that they have and they have approved it and for that there is no council action necessary, except for the recommendation on the re-zoning that would need council action in the form of an ordinance.

Mayor asked Councilman Henry if he wanted the attorney to prepare an ordinance changing this zone for the next meeting.

Councilman Henry said that would be appropriate.

REPORT OF CHAIR. –

Councilman Henry read an e-mail into record regarding the inspectors in the Construction Official's Office:

All inspectors were professional, friendly and helpful and felt that they had the safety, and wellbeing of our family and property at heart and were all very sincere and while they only have good things to say about all of the inspectors that came to the home they especially mentioned Robert Rosario, not only did he make sure that everything was up to code he also gave some advice to make it a better place to live and the final product was outstanding.

So he wanted to give kudos to the inspectors in the construction office.

He then reported that old Stewart's property on Rt. 35 was approved for a used car lot.

He also reported that the last planning board meeting was supposed to be televised, but there was a glitch and hopefully will be taken care of for the next meeting.

Progress.

- **PUBLIC SAFETY** – Co. Bella

#5 PRESIDENT PARK FIRE CO. NO. 1

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

a) Connor Giannetto, 38 Kenneth Avenue, Parlin.

(Accepted by Fire Co. on June 7, 2010)

- Approved

#6 SAYREVILLE BOMBERS GOLF

Requesting permission to solicit funds on May 7 from 8AM-2PM at the intersection of Washington Rd & Ernston Rd. - Approved.

#7 SAYREVILLE MEMORIAL POST #4699- VFW

Permission to attend the April 25, 2011 Council meeting to help kick off their Buddy Poppy Drive throughout Sayreville. - Approved.

#8 BOARD OF HEALTH PRESIDENT

Request to amend Revised General Ordinance 8-20, entitled Records of Vital Statistics; Burial Permits; Marriage Licenses to include fees for Civil Unions and Domestic partnerships. -Requires an Ordinance/ Attorney to prepare.

REPORT OF CHAIR.

- PUBLIC WORKS – Co. Buchanan

#9 WILLIAMS-TRANSCO PIPELINE

Received a request for a letter releasing their \$500. Maintenance Bond posted in April, 2008 covering a Road Opening Permit for Cliff Avenue as required by Resolution #2008-88 & Ordinance #13-1.7(3).- Resolution.

REPORT OF CHAIR.

- Councilman Buchanan reported that Burkes Park Playground equipment is getting updated with new equipment as required by law.

- Asked about the status regarding a Special Events/occasion ordinance past was discussed some time ago.

Mr. Bertrand said that it was discussed in the past and would look-up the outcome.

- RECREATION – Co. Eicher

#10

REPORT OF CHAIR.

- Councilwoman Eicher reported on various recreation events.

- Councilwoman Eicher asked the Business Admin. for a report on the number of geese removed this year and the total cost.

- Councilwoman Eicher then commented on the on-going stench emitting from the MCUA and asked that we look into the County coming out and doing a test to see how strong it is and have it taken care of.

- She also called for a recommendation from the police department along with having a check list of items for when events are taking place in our town.

-She thanked the police department in keeping the traffic under- bay while the Temple had their event. She also thanked the fire department for their hard work at a fire on Deerfield.

- Asked for a report wit regards to the traffic light at Park Village.

Mr. Cornell indicated that we are still acquiring property.

-Councilman Buchanan invited everyone to the Sayreville AA Opening Day on April 16th at 1:00PM.

#11

- **WATER & SEWER** – Co. Kelly

REPORT OF CHAIR.

-Councilman Kelly thanked the men and women of the water and sewer department for their continued supportive effort on behalf of the borough.

- Councilman Kelly reported that he and Rich Kosmoski took on the up-dating of the veteran's honor rolls. He said that last week a local contractor, Bob Downey donated the board and it is being engraved right now with the old and new names. He said that it is almost $\frac{3}{4}$ was into the process so hopefully it will be ready for Memorial Day, if not it will be Veteran's Day.

- He requested the council's permission to erect a sign on a pole leading into the borough hall parking lot called Silver Star Way and list the Silver Star recipients on the pole plates on the pole. He said that this would be at no cost to the borough.

-There were no objections.

Progress.

#12

- **MAYOR O'BRIEN**
- Mayor O'Brien asked for a motion to appoint the following:
Cultural Arts Counsel - 1 Yr. Term, Jean Kodada
Cultural Arts Counsel – 1 Yr. Term, Eugenia Marie Jurkiewicz

Both terms would expire on December 31, 2011.

Motion made by Councilman Buchanan. Seconded by Councilman Kelly.

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

Mayor announced that on April 8, 2011 will be the ground breaking/ribbon cutting ceremony for the long awaited Bordentown Avenue/Ernston Road improvements Project. He said that he asked Mr. Kominkiewicz to attend on his behalf.

#13

- **BUSINESS ADMINISTRATOR'S AGENDA/REPORT**

Administration & Finance:

- a. Authorization to execute the amendment to the Residential Maintenance Agreement between the Borough and Middlesex County. The amendment is

strictly for the acceptance of year two funding under this program in the amount of \$4,500.

- Resolution.

Public Works:

- a. Authorization to contract for the provision of Sprinkler System maintenance and repair services with April Showers Sprinkler Company of Piscataway. This is a result of the collection and analysis of written quotes for this work. The initial cost of this work is \$1,635 for the spring start-up. Additional costs will be dependent upon our service needs. Total cost associated with this contract is \$6,560 based upon the average last 3 years of service needs.

- Resolution.

- b. Authorization to contract for the provision of Preventative Maintenance Services for the Borough's 9 emergency generators at our various facilities with Performance Plus, LLC from Southampton, NJ. This is a result of the collection and analysis of written quotes for this work. Total cost associated with this contract is \$11,171.

- Resolution.

Recreation:

- a. Little League Opening Day – April 9th .

Water & Sewer:

- a. Authorization to extend the existing contract for the purchase of SLI-5250 Orthophosphate from Shannon Chemical Corporation of Malvern PA. The price will be held at existing rates for this one-year extension.

- Resolution.

Public Safety:

- a. Authorization to execute a Shared Services Agreement with the Borough of Helmetta for the provision of animal shelter services for the period May 1, 2011 through December 2011 with two additional one-year renewals. The cost of the services is outlined within the body of the agreement.

Discussion regarding the use of other municipalities and/or shelters.

- Resolution.

Planning & Zoning: none

Personnel:

- a. Police Department
 1. Request for an extension of unpaid medical leave (Exec. Session)

Budget

Mayor asked the Business Administrator to review the Budget Report that he and C.F.O. Kronowski prepared as was requested by Councilman Bella bringing the budget down to a \$.02 cent increase. He warned that each item can become controversial because in some way you would be cutting services.

Councilman Bella asked how this would affect the Public Hearing on the Budget scheduled for the next meeting.

Mr. Kronowski said that the Public Hearing is scheduled for April 11th and you would not have to adopt at that meeting.

Councilman Bella asked if there would be any other workshops. Mr. Kronowski said that you have to have the Public Hearing on April 11th as was stated at introduction, however you could have another workshop if you choose and if you come up with amendments you could intro those amendments at another meeting. He explained that the choice in up to them. He requested items which would need to be cut or reduced in order to reduce the budget down to .02 cents they, the business administrator and he the C.F.O. made those suggestions and its ramifications it is now up to the council to make a decision.

Mayor said that the council has to make a decision. He said that he would go by liaison and ask if they want to make the cuts from the list as they would apply to their department.

Mayor explained that under the new 2% CAP whatever you lose is not coming back. The way the law is written any elimination or reduction is permanent.

Co. Perrette – Committee Admin. & Finance
Small Surplus is needed for Tax Appeals - No

Co. Henry – Planning & Zoning
Elimination of one Clerk in the Planning Board office – Can not comment on at this time as he does not know their responsibilities.

Co. Bella – Public Safety
Co. Bella read down the entire list/report provided by the business admin and C.F.O. (on file).

Discussion followed regarding contracts signed last year, furloughs taken last year and a request by Councilman Bella for the borough to renegotiate the signed contracts.

Mayor asked Councilman Bella what he would like to see cut from Public Safety. He said that he asked for this report as an act of futility, but he would like to see the contracts re-negotiated.

Co. Buchanan – Public Works

He stated that he is not in agreement with cutting services. But asked that it be listed at the next meeting before the Public Hearing.

Co. Eicher – Recreation
No cuts

Co. Kelly – Water & Sewer
Does not recommend any further cuts.

He said that for the past three years he has been part of the Admin. & Finance Committee. He said that he has seen how Mr. Bertrand and Mr. Kronowski present and cut the budget along with the other members of the committee. Then the committee meet with the entire council for discussion and further cuts on a few occasions. He said that the Business Admin. and C.F.O. truly do an outstanding job working on these budgets and getting them down and preparing the figures for presentation to the council. Then further cuts are made. He warned about large cuts this year and how it could affect budgets moving forward.

Councilman Bella said that he is listening to the public out there and is trying to set a tone and defend the people and cut taxes.

#14

- C.F.O. WAYNE A. KRONOWSKI

1. Bill Resolution
2. Public Hearing on the 2011 Local Municipal Budget.
3. Resolution canceling Municipal Workers Compensation Insurance Fund and transferring the balance of funds to the Current fund.

#15

- BOROUGH ATTORNEY AGENDA/REPORT

#16

- BOROUGH ENGINEER AGENDA/REPORT

1. NL Industries – Parcel C Remediation (Report enclosed)
Remediation work to begin and contracting company is concerned about safety and security and has requested permission to erect a gate across Chevalier Avenue just passed Faith Fellowship to prevent unauthorized access onto the property. He said the engineer's officers agree with these concerns and recommend a Resolution be placed on the next agenda to allow for the gate be put there for a temporary period.
- Resolution.

2. Ernston Road / Bordentown Avenue Intersection Improvements – Status of Project
 - Ground Breaking is scheduled for April 8th, location Karen and Johnsons Lane and the County has issued a notice to proceed to the Contractor effective April 4th, so that is the official start date of that project. (Verbal Report).

FOR YOUR INFORMATION

- ADMIN. & FINANCE

- PLANNING & ZONING

#1 SAYREVILLE PLANNING BOARD

Resolution(s) Memorialized on March 16, 2011.

a) Sameh Iskander, 1844 Rt. 35, Blk. 525, Lots 7-12
 Minor Site Plan Amendment.

- Receive & File.

- PUBLIC WORKS

- ENVIRONMENTAL

- PUBLIC SAFETY

- RECREATION

#4

MINUTES Rec. & File

Board of Adjustment		
Organization & Regular Meeting	-	February 23, 2011
Housing Authority	-	January 11, 2011
Commission for the Disabled	-	September 7, 2010
Board of Education	-	March 1, 2011
Planning Board	-	March 2, 2011

Business Admin. Bertrand also reported on a meeting with the Department of Transportation and their consulting engineers, our police department, emergency squads, fire department and our engineer's office. He said that there is a proposal to make some modifications to the Route 35 North at the intersection of Rt. 9 & 35 ramp onto Rt. 35. The proposal they made was the elimination of one lane of traffic north bound on Rt. 35 which would provide an on ramp from Rt. 9 onto Rt. 35. They would also eliminate the off ramp, which the borough felt was not a good plan and do not support this idea. There would be a very serious effect on our emergency response activities being we have the

Morgan Fire and Morgan First Aid on Rt. 35 and they use that off ramp onto Washington Road to serve that area of the municipality. He said that we are currently fashioning a Resolution in conjunction with the City of South Amboy . this resolution would be e-mailed to everyone and would like the council to consider passing this resolution which would not only oppose this “experiment” but also ask for final resolution to add the additional on and off lane that they have talked to us about about three years ago. He said that Councilman Bella has been briefed on this as the Chairman of Public Safety. He asked Councilman if he would like to make any comments.

Councilman Bella asked for the council support of this resolution to the Dept. of Transportation that this is very displeasing to the resident so of Sayreville.

Mayor asked if there were any objections.

None made.

Councilman Buchanan asked for an up-date on the telephone system.

Mr. Bertrand said that the final configuration will be submitted to the contractor tomorrow and the work will begin shortly for the conversion. He said that he is also having conversations with other towns about how they could hang off of our system and this would create additional revenue to Sayreville.

Mayor reported that the he received a call from the Governor’s office that the Governor was going to sign approval for the \$20 million dollars for the new bridge on Rt. 35.

PUBLIC PORTION

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

Those appearing were:

- Ed Stek, 58 Nickel Avenue
 - Questioned how many Budget Workshops were held with the council. Mr. Kronowski responded that there were three with the council and additional meetings with the Admin. & Finance Committee.
 - Asked if at the Public hearing on the Budget on April 11th if the public and council would be able to comment.

Mr. Kronowski responded yes.

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

- Commented that over the past years the funds for the Memorial Day Parade have been cut. He said that the work is primarily done by the American legion and the VFW alternating years and the borough funds the parade. In honoring our veterans the Memorial Day Parade should not be cut.

Mr. Bella said that he did not put the list together, he said his purpose for asking for the list was for transparency and to let the people know what the options are. He wants the people to know how their money is being spent. He said that he wants all public officials and department heads to know they re spending the taxpayers money, etc.

Mayor said that for transparency and for the past 12 years the budgets and budget drafts are on file in the library. But a decision needs to be made.

Business Admin. Bertrand said that on the list to create the 2% they also put comments as an overview as to what the cuts would mean.

- Police Chief Mike Burns
 - Requested a Nox Box type of lock be put on the Chevalier Avenue gate so that Fire, First Aid and Police Department have access.

Mayor responded that that was a great suggestion.

Councilman Henry asked Chief Burns for an update on the Red Light Cameras.

Chief Burns said that he reviewed the proposals we received in the past from ATS and RED Flex. He felt that those two proposals were old and will be discussing going out for new RFP'S. He that is was the recommendation of the Police Department to install these Red Light Cameras.

Councilman Buchanan asked how the process red light camera system works.

Discussion followed on how the system works, who reviews the film, etc. He said that a lot of other town have had these installed and the revenue

is up for a short period of time, then it becomes flat then it does not pay for the camera system. He recommended that the these cameras be located on Rt. 35 and Old Spye Road and Rt. 35 So. at Club Abyss and Deko. He also said that the police department also looked at Washington Road and Raritan Street, along with Washington and Main Street. He indicated that at this time he would leave them only on the highway.

Councilman Bella asked if there was in increase in panic stop accidents when people realize there is a camera there.

Chief Burns replied that studies show that for a short period of time there is an increase of same direction accidents, until people become accustomed use to the cameras.

- Kevin Krushinski, Fire Chief
Questioned when we would be going out on bid for the Fire Tac Truck.

Clerk Farbaniec responded that the approvals have been made and we would be advertising shortly, she would let him know.

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
Litigation

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 Buchanan.

Roll Call: Voice Vote, all Ayes.

Time 9:27 P.M.

RECONVENE

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

Roll Call: Voice Vote, all Ayes.

Time: 9:37 P.M.

ADJOURNMENT

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:37 P.M.

SIGNED:

Theresa A. Farbaniec,
Municipal Clerk

Date Approved