

Mayor Kennedy O'Brien opened the Council Meeting at 7:05 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this May 8, 2017 Council Meeting 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 is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo,  
Melendez, Novak,

Absent: None

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

Others Absent: None

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL: (None)**

- **PROCLAMATION**

Capt. of the VFW Honor Guard, Kenneth P. Kelly, Sr. read the Proclamation into record.

## **P r o c l a m a t i o n**

**WHEREAS**, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

**WHEREAS**, VFW Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans and the widows and orphans of deceased veterans; and

**WHEREAS**, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living".

**NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville**, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American Citizens.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 8<sup>th</sup> day of May, 2017 and the same duly attested by the Municipal Clerk.



Kennedy O'Brien, Mayor

**ATTEST:**

/s/ Theresa A. Farbaniec, R.M.C. Municipal Clerk

Council President Buchanan moved the Mayor’s Proclamation be approved on Roll Call Vote. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

• **Presentations to:**

- **Sayreville Memorial Post #4699 – VFW**

Presentation of Buddy Poppies to Mayor & Council to kick off their annual Buddy Poppy Drive throughout Sayreville.

- **Patricia Burch-Fausto**

Certificate of Recognition presented to Patricia Burch Fausto for her 20 years of dedicated service as Chairperson of the Sayreville Day Committee.

• **OLD BUSINESS:**

a) Municipal Clerk Farbaniec read the heading for the following ordinances listed for Public Hearing:

Mayor O’Brien opened the meeting to the public on Ordinance #360-17.

a) Public Hearing on the following Ordinances:

**ORDINANCE #360-17**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 195-12  
FINALLY ADOPTED OCTOBER 9, 2012 BY THE BOROUGH OF SAYREVILLE,  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
IN ORDER TO PROVIDE FOR A CHANGE IN THE IMPROVEMENTS  
AUTHORIZED BY SUCH ORDINANCE**

**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. Section 3(a) of bond ordinance number 195-12 entitled “Bond Ordinance Providing for Various Road and Sidewalk Improvements for the Borough of Sayreville, New Jersey, Appropriating \$2,500,000 Therefor and Authorizing the Issuance of \$2,380,000 Bonds or Notes of the Borough for Financing Part of Such Appropriation” of the Borough of Sayreville, New Jersey (the “Borough”), finally adopted October 9, 2012 (the “Original Ordinance”), which provided for various road and sidewalk improvements is hereby amended to read in its entirety as follows:

“(a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are (i) the reconstruction and improvement of Greenhill Avenue, Horseshoe Road, Glenwood Avenue, Modzelewski Terrace, William Street, Ernston Road, Hart Street and the sidewalks along Ernston Road and (ii) the paving of the intersection of

Main Street and White Oaks Drive, together with all other work, materials and appurtenances necessary therefor or incidental thereto.”

Section 2. All other details of the Original Ordinance shall remain the same.

Section 3. 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/ Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

There were no appearances.

Councilwoman Novak moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilwoman Kilpatrick.

Roll Call: Ayes – Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.  
Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #361-17

**ORDINANCE #361-17**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII**  
**OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
**TO AMEND SECTION 7-10.1 "TURN PROHIBITIONS"**

**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:

**7-10.1 Left Turn Prohibition.**

**Left turn prohibited from:**

Moorehouse-Main Street Shopping Center, Block 246, Lot 1A, onto Main Street.

South from the driveway of the Parlin Center Mall to east on Washington Road.

Johnson's Lane southbound to Ernston Road eastbound.

***Burlew Place onto Bordentown Avenue.***

***Ernston Road Eastbound onto Johnson's Lane Northbound***

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Seven Section 10.1 – Turn Prohibition**, 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/ Steven Grillo, Councilman  
(Sponsor)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

Councilman Grillo moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.

Roll Call: Ayes – Councilpersons Grillo, Buchanan, Kilpatrick, Lembo, Melendez, Novak.  
Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #362-17

**ORDINANCE NO. 362-17**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XIV, WATER AND SEWER, OF THE REVISED**  
**GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey that the following Sections in Chapter XIV, Water and Sewer are hereby supplemented and amended as follows:

**SECTION 1.**

**14-4 Permission for Making Connections**

a. \*

b. When fire service is required for building sprinkler service, the fire service line shall be separate from domestic service line and individual curb stops shall be provided for each line that would allow the independent isolation of each service.

**SECTION 2.**

**14-14.4 Testing**

a. The Water Department will test any meter for accuracy when requested by the owner to do so, if the meter is found to be defective to the extent that it registers on its dial in excess of one hundred two (102%) percent of the water actually passing through it, the Borough will make no charge for the test. However, should the test fail to show a defect in accuracy, a fee as provided in Section 14-14.9 of the Revised General Ordinances shall be charged by the Water Department for each test made of each meter.

b. \*

c. \*

SECTION 3.

14-14.9 Miscellaneous Fees

The following fees shall be established for inspections, equipment, permits or other such service provided by the Water and Sewer Department:

a. Water use at construction site	\$0.50 per 1,000 C.F.
b. Hydrant Permit	\$75.00
b (1). Flushing, Clearing and performance of operations tests on hydrants located on private property	\$75.00 per hydrant, per quarter
c. Meter Test	\$100.00
d. Water charge search fee	\$ 10.00
e. Return check fee	\$ 25.00
f. Water Shut-Off Fee Monday through Friday Between 7:00A.M. and 3:00 P.M.  Saturday and Sunday or between the hours of 3:00 P.M. and 7:00 A.M. Weekdays	Residential \$ 25.00 Commercial \$ 75.00 Residential \$ 50.00 Commercial \$150.00
g. Account Transfer Fee	\$ 10.00
h. Water Activation (turn-on) Fee Monday through Friday Between 7:00 A.M. and 3:00 P.M.  Saturday and Sunday or between the hours of 3:00 P.M. and 7:00 A.M. Weekdays	Residential \$ 25.00 Commercial \$ 75.00  Residential \$ 50.00 Commercial \$150.00
i. Water Meter and Accessories	At prevailing cost
j. "Final" meter readings	\$ 25.00
k. Meter, Fittings, Valve Boxes and Other Parts	Cost Plus 15%
l. Location of Service Fee (Mark-Out)	\$ 50.00

SECTION 4.

14-15.1 Date Due, Shut-Off Fees

a. All bills for water are payable quarterly at the office of the Tax Collector, except in the cases of building permits. If not paid within thirty (30) days payment of arrearages with interest at eight (8%) percent per annum up to one thousand five hundred (\$1,500.) dollars of delinquent charges and eighteen (18%) per annum on all arrearages in excess of one thousand five hundred (\$1,500.) dollars as well as the payment of the appropriate Shut-Off and Turn-On fees as provided in Section 14-14-9.

b. (Deleted)

c. (Deleted)

SECTION 5.

14-17 WATER MAIN TAPS

14-17.1 Application; Connection Fee

Where a connection to a water main or water service connection is required, an application shall be made, on a form prescribed by the Borough in Section 14-1, supra, by either the property owner or the plumbing contractor doing the plumbing work. The application shall be returned to the Borough with the appropriate fee for the size connection proposed. The fee shall be fifteen-hundred (\$1,500.) dollars per each equivalent unit. This fee shall be paid prior to making the connection of the building service to the service connection or water main.

14-17.2 Equivalent Units

The connection fee provided for in this chapter is based upon the flow from a one (1") inch diameter individual residential connection. Where a connection is to serve more than one (1) residential unit, the connection shall apply to each equivalent unit tributary to the

connection. When larger connections are required for other than residential connections, the connection fee shall increase based upon the following table which is based upon flow at a velocity of 5 feet per seconds:

Connection Size	Equivalent Unit
1" Type K Copper	1
1 ¼" Type K Copper	2.21
1 ½" Type K Copper	3.9
2" Type K Copper	5.9
3" Type K Copper	8.5
4" Cement Lined DIP CL. 52min	17.98
6" Cement Lined DIP CL. 52min	39.8
8" Cement Lined DIP CL. 52min	71.1
10" Cement Lined DIP CL. 52min	109.2
12" Cement Lined DIP CL. 52min	156.8
16" Cement Lined DIP CL. 52min	278.3
Connection solely for use of approved sprinkler system	2
Connection for each on site fire hydrant	2

SECTION 6.

14-29 Requirements for Connections with the Sewer Main

In making house or other building connections with the sewer main, extra-heavy duty cast iron pipe or PVC SDR 35 Minimum not less than four (4") inches in diameter and free from defect of any kind shall be used from the main line to the building itself. House connections shall be installed with a positive slope of ¼" per foot. There shall be no rocks or other rigid or unyielding material permitted in the bottom of the trench in which the pipe is laid. When the character of the earth is rocky or a soft sand type, a six (6")inch bed of crushed stone shall be placed under the pipe and thoroughly tamped. When the character of the earth is of the cinder or cinder-fill type, the pipe shall be laid in an embedment of twelve (12") inches of soft sand or gavel, which shall be carefully tamped around the pipe to prevent contact of the pipe with the cinders. The interior of all pipes shall be thoroughly cleaned before being lowered into the trench. Each section of pipe shall be fitted with rubber or neoprene gaskets to insure solid and water tight joint. No rocks shall be used in backfilling. All backfill shall be tamped thoroughly in order to provide thorough bedding under the lower half of the pipe. All laterals will contain a cleanout adjacent to the R.O.W. line or front property line of the property with brass cleanout plug.

SECTION 7.

14-35 Cut-In Connectors and Saddles

The Borough shall supply all cut-in connectors, and the cost plus 15% will be charged for each saddle furnished by the Borough.

SECTION 8.

14-48 SEWER CONNECTION CHARGES

14-48.1 Definitions. As used in this section:

*House Connection* \*

*Service Connection* \*

*Sewer System* shall mean the sanitary sewerage system of the Borough of Sayreville which transmits sewage to the Middlesex County Utility Authority Treatment Plant.

14-48.2 Connecting to Sewers Required \*

14-48.3 Application for Connection Fee

Hereafter, before any building sewer is connected to a lateral sewer, service connection or sewer main by any owner of property or his agents, the owner shall make application, in writing, on proper blanks furnished for that purpose to the Borough and pay a connection charge of One-Thousand Four Hundred (\$1,400.) dollars per equivalent unit.

a. \*

b. \*

**SECTION 9.**

All other parts of this Ordinance shall remain in full force and effect according to law.

**SECTION 10.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed is separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 11.**

Any ordinance or part thereof inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 12.**

This ordinance shall take effect upon final passage and publication as provided by law.

/s/Daniel Buchanan, Council President  
(Water & Sewer Committee)

**ATTEST:**

**APPROVED:**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/Michael DuPont, Esq.  
Borough Attorney

\* = No changes in this portion of the section

Councilman Buchanan moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilwoman Novak.

Roll Call: Ayes – Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak.  
Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #362-17

• **NEW BUSINESS:**

a) Introduction of the following Ordinance(s):

Council President Buchanan made a motion to hold over the introduction of the following four COAH Ordinances. He said that Councilman Grillo had a few questions which he did not see answered. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak, all Ayes.

Councilman Melendez questioned if the Housing Liaison position was a paid position. He said that it reads that the person has to be a borough employee.

Mr. Leoncavallo responded that there were a number issues in the past and he became the Housing Liaison for the Planning Board and the borough and just carried through the years. He said he was doing it as a consultant not a paid employee.

**ORDINANCE NO. 363-17**

**Hold Over**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO SUPPLEMENT AND AMEND CHAPTER XXXV, ENTITLED “AFFORDABLE HOUSING ORDINANCE”, TO IMPLEMENT THE BOROUGH OF SAYREVILLE HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**  
(Planning & Zoning – Public Hearing \_\_\_\_\_)

**ORDINANCE NO. 364-17**

**Hold Over**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ADDING A NEW SECTION TO CHAPTER XXVI, SECTION 25-111, ENTITLED “DEVELOPMENT FEE ORDINANCE”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
(Planning & Zoning – Public Hearing \_\_\_\_\_)

**ORDINANCE NO. 365-17**

**Hold Over**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT AFFORDABLE ACCESSORY APARTMENT IN THE OFFICE/SERVICES OVERLAY ZONE**  
(Planning & Zoning – Public Hearing \_\_\_\_\_)

**ORDINANCE NO. 366-17**

**Hold Over**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT INCLUSIONARY MULTI-FAMILY DWELLING WITHIN THE PLANNED RESIDENTIAL DEVELOPMENT DISTRICT OPTION**  
(Planning & Zoning – Public Hearing \_\_\_\_\_)

• **EXECUTIVE SESSION**

Mayor announced that the governing body had issues and would be going into Executive Session

Borough Attorney DuPont read the following resolution into record:

At this time the Borough Attorney announced that there is a need to go into Closed Session.

**- 10 minutes / Litigation**

Personnel & Litigation

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 minutes to discuss the following matters:

**Personnel & Litigation Matters**

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/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak, all Ayes. Carried. Time: 7:20 PM

• **RECONVENE – 7:39 PM**

Council President Buchanan made a motion to reconvene. Motion seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

• **CONSENT AGENDA/RESOLUTIONS**

**RESOLUTION #2017- 124**

**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  
Kennedy O'Brien, Mayor

/s/Daniel Buchanan  
Councilman Daniel Buchanan

/s/Pasquale Lembo  
Councilman Pasquale Lembo

/s/Steven Grillo  
Councilman Steven Grillo

/s/Ricci Melendez  
Councilman Ricci Melendez

/s/Victoria Kilpatrick  
Councilwoman Victoria Kilpatrick

/s/Mary J. Novak  
Councilwoman Mary J. Novak

**Bill list of May 8, 2017 in the amount of \$7,382,808.94  
in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this  
date).**

**RESOLUTION #2017-125**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to award a contract for document imaging services, through the Middlesex County Regional Education Commission Cooperative Purchasing Program #65MCESCCPS, RFP #MRESC 12/13-22 to Accu Scan of Edgewater Park, NJ in an amount not to exceed \$81,367.50.

/s/ Pasquale Lembo  
(Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017 - 126**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY  
OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
EXECUTION OF AN AGREEMENT FOR SHARED SERVICES  
WITH THE TOWNSHIP OF WOODBRIDGE**

**WHEREAS**, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") is desirous of obtaining Woodbridge Opioid Overdose Recovery Program services for the victims of opioid overdoses within their borders; and

**WHEREAS**, the Governing Body of the Borough of Sayreville understands that deploying Recovery Specialists to overdose victims within the Borough of Sayreville is of significant importance to the protection of the residents of Sayreville; and

**WHEREAS**, both the Township of Woodbridge and the Borough of Sayreville are desirous of entering into an agreement under the parameters of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., in which deploying Recovery Specialists to opioid overdose victims within the Borough of Sayreville will be provided by the Township of Woodbridge or their agents; and

**WHEREAS**, the Shared Services Agreement between the Township of Woodbridge and the Borough of Sayreville has been prepared and approved by both parties; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Mayor Kennedy O'Brien is hereby authorized and directed to execute the Shared Services Agreement between the Township of Woodbridge and the Borough of Sayreville.

/s/ Steven Grillo, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-127**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY AUTHORIZING THE SAYREVILLE  
FIRE DEPARTMENT USE OF OUT-OF-SERVICE VEHICLES**

**WHEREAS**, the Garage Services Department of the Borough of Sayreville took certain vehicles out of services and transferred said vehicles to Fort Grumpy;

**WHEREAS**, the Sayreville Fire Department has requested the use of the said vehicles;

2002	FORD	F250 4X4	1FTNF21L02EA15354
2000	FORD	CROWN VIC	2FAFP71W7YX110242
1997	CHEVY	2500	1GCGK24R1VZ246099
1999	FORD	F250	1FDNF21F6XEE51476
2000	FORD	F250 4X4	1FTNF21L8YEC05203
1998	CHEVY	2500 4X4	1GCGK24FXWZ192700
2001	FORD	CROWN VIC.	2FAFP71W21X179779
2005	FORD	CROWN VIC.	2FAHP71W25X109665
2003	FORD	CROWN VIC.	2FAFP71W73X220491
2003	FORD	CROWN VIC.	2FAFP71W53X220490
2003	FORD	CROWN VIC.	2FAFP71W23X220494
2005	FORD	CROWN VIC.	2FAHP71W45X177398
2010	FORD	CROWN VIC.	2FABP7BV8AX111331
2001	FORD	CROWN VIC	2FAFP71WX1X187161
2005	FORD	CROWN VIC	2FAFP71W63X125047

**WHEREAS**, the Garage Services Department and the Department of Public Works representatives agree to the use and will schedule the said vehicles to be scrapped after the re-certification takes place; and

**BE IT AND IT IS HEREBY RESOLVED** that Mayor and Council of the Borough of Sayreville do hereby authorize and grant permission for the requested use by the Sayreville Fire Department and the subsequent removal of said vehicles for scrap.

/s/Victoria Kilpatrick, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION 2017-128**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, SUPPORTING MIDDLESEX COUNTY  
RESOLUTION 12-1316-R "COMPLETE STREETS" PROGRAM**

**WHEREAS**, the Borough of Sayreville is supportive of roadways that safely and comfortably accommodate all road users including motorists, bicyclists, pedestrians and transit riders of all ages and abilities; and

**WHEREAS**, on December 10, 2009 the Commissioner of the New Jersey Department of Transportation (NJDOT) signed a new internal policy called "Complete Streets" to ensure that transportation planners and engineers consistently design, construct and maintain State or Federally funded roadways to provide safe access for pedestrians, bicyclists and transit users of all ages and abilities; and

**WHEREAS**, the Middlesex County Transportation Coordinating Committee passed a resolution on March 23, 2010 recommending the evaluation of a County “Complete Streets” Program to help promote and enhance improved traffic safety conditions by ensuring that no user is omitted from the design process of a road improvement project; and

**WHEREAS**, on July 19, 2012 the Board of Chosen Freeholders of Middlesex County adopted Resolution 12-1316-R which acknowledged the merits of a “Complete Streets” design in County projects, thereby promoting traffic safety and encouraging Middlesex County municipalities to adopt similar municipal level complete streets design goals in municipal projects;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sayreville, County of Middlesex and State of New Jersey confirms for the record its support of Middlesex County Resolution 12-1316-R; and

**BE IT FURTHER RESOLVED**, the Borough Clerk shall forward copies of this Resolution to the New Jersey Department of Transportation (NJDOT) and the North Jersey Transportation Planning Authority.

/s/Victoria Kilpatrick  
Victoria Kilpatrick, Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-129**

**WHEREAS**, Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear in Contract Change Order No. 1:

Project: Repairs to Komatsu Loader

Contractor: Durable Undercarriage Co., Inc.  
313 Durham Ave.  
South Plainfield, NJ 07080

Net Increase: \$4,777.12

Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the recommendation and approval of said Qualified Purchasing Agent referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Victoria Kilpatrick  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-130**

**WHEREAS**, on April 25, 2017, the Mayor and Council of the Borough of Sayreville received bids for the “Repairs to Kennedy Park Bridges”; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 11th day of May, 2017 that:

1. Contract for the “Repairs to Kennedy Park Bridges” Project be awarded to T.R. Weniger, Inc. 1900 New Brunswick, Avenue, Piscataway, NJ 08854 for a total of \$158,800.00 as appears on their bid documents and attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Victoria Kilpatrick  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

• **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting to the public for questions or comments on any and all items.

- Heather Pawski, Zaleski Drive

Expressed her concerns on Sayreville's Code of Ordinances and the way the vote went on an item at the last meeting. Stating that there are two councilpersons with vested interests on an item and according to our Code of Ethics 10-8.3, it talks about conflicts of interests and 10-8.10 talks about improper use of official position, to benefit oneself or someone they know. She said that it has been her experience having someone she knows on the Bd. of Ed that when there is someone that they know that is involved in hiring, potential hiring, etc. that they would recuse themselves from the vote.

Councilman Buchanan said that the discussion was regarding vacancies of police officers. That in 2016 we had 92 officers and we currently have 86, so the discussions were regarding vacancies and how many should be declared if any. The council came to the consensus that there are five (5) vacancies. The outside discussions were about the Civil Service lists and which list to use.

Heather said that it was the recommendation of the police chief to hire three (3) individuals and it is a little concerning that the council will be hiring from the old list when a new one list was issued on 3/31. She is also troubled that it was put up for a vote when there was vested interest. She asked the council if the vote was in good standing.

Mr. DuPont expressed his concerns about the closed session discussion. Councilwoman Novak said that they came out and took a vote. Mr. DuPont said that he was not present at that meeting, but would review the tape and get back to her.

Councilman Lembo expressed his concerns about Ethics and conflicts of interest.

Councilwoman Novak said that without talking about what happened in closed session. – The Police Chief never made any recommendations as to the number. That number, three, came from the Mayor.

- Carl Tattoli, 12 Devonshire Road

Thanked the Road committee for getting the roads fixed in the neighborhood. But commented how hazardous Devonshire was. That there was a lot of sand and gravel on the street and huge cracks. Children are falling off bikes, etc.

Mayor instructed that the road get inspected by the end of the week and he will be copied on the report.

Councilwoman Kilpatrick said that she previously received e-mails and a letter to her home and she contacted Bernie Bailey over the weekend and this morning and acting supervisor was out for a site inspection. He instructed his employees to hot patch the pot holes there, so to alleviate injuries. Other areas are being addressed then the street sweeper will be out for the sand and grit. She also asked for road ranking. This street is #70 and currently we are paving #67.

Mr. Tattoli submitted a petition requesting the street be paved for the record.

- Jim Robinson, 11 Borelle Square

Questioned what K-Land (Kaplan's) rights were as an Intervenor.

Mayor stated that because this matter is in litigation that the Borough Attorney would be answering.

Mr. DuPont said that he will not answer that particular question, he does not have the pleadings in front of him and Mr. Sachs is not here tonight. He will get back to him.

Mr. Robinson said that Ordinance # 366-17 talks about the bulk requirements and that it was different for different parcels and stated that they should be uniform.

Mr. DuPont said that this ordinance is not before them tonight so if asking about specific requirements of an ordinance, he will refrain from answering. He suggested that he speak with Mr. John Leoncavallo.

Mr. Robinson questioned the process and why Mr. Mocco was not in this process as an intervenor. Commented about Kay builders and apartments.

Mr. DuPont asked the council to refrain from answering.

Mr. Robinson felt this was about helping wealthy developers then people in need of affordable housing.

- Ken Olchaskey, 108 North Edward Street

Commented about affordable housing.

Concerned how we got into this position that we are in and the numbers that are in the agreement. Asked about Town Lake and how many there are.

Engineer said that there is no affordable housing in Town Lake at this time. Further response and comments made by Mayor O'Brien and Co. Novak.

Mr. Olchaskey asked about affordable housing at various areas in town. He went on to ask when we started and stopped enforcing affordable housing in this town and who was responsible.

Mr. Grillo said that this is a build-up of units that should have been constructed over time in at least the year 2000 or 1997/1998 and good question why – no one was enforcing affordable housing mandates in most towns in this state through that time.

- Mike D'Addio, 13 Zaleski Drive

With regard to Towne Lake, he sat on the Planning Board when they approved part of that development. He said that as part of their application, affordable housing was to be built.

Mr. Cornell said that there was one section of Town Lake that had a requirement for affordable housing and originally approved as age restricted. There was a law that was passed that it was allowed to be converted to market rate with an affordable housing component. There was an application made before the Planning Board (2010). That application was denied by the Board. It was taken to court and the Judge overturned the Planning Board's decision, that it did require affordable housing. There was a negotiated settlement agreement with the Planning Board that the affordable housing factor be removed. So it was settled that the affordable housing did not have to be constructed as part of the last section of the development.

Mr. D'Addio asked why DuPont on Cheesequake Rd. has fencing with barbed wire when it was denied by the zoning board some time back.

Engineer will check with the Zoning Officer.

- Jim Robinson, Borelle Square

Talked about the pamphlet he previously handed out and if anyone read it as it talks about the Mount Laurel I and II as well as the 1985 Fair Housing Act.

Council President Buchanan moved the public portion be closed. Motion was seconded by Council woman Novak.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak. Carried.

- **ADJOURNMENT**

Councilwoman Novak made a motion to adjourn. Motion was seconded by Councilwoman Kilpatrick.

Roll Call – Voice Vote, all ayes. Carried.

Time 8:10 P.M.

Respectfully Submitted,

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Theresa A. Farbaniec, RMC

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Date Approved