

MAY 10, 2012

BUDGET
WORKSHOP/COMBINED

Combined Meeting of the Mayor and Borough Council held on Monday, May 14, 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.

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- **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.

- **ROLL CALL:**

Present: Councilpersons Bella, Buchanan, Eicher, Henry, Novak,
Perrette
Absent: None

Others Present: Mayor O'Brien
Municipal Clerk Farbaniec
Engineer Cornell
Attorney Mike DuPont

Absent: C.F.O. /Acting Business Admin. Kronowski

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Councilwoman Eicher moved the following minutes be approved subject to correction if necessary:

☒	Budget Meeting	-	March 5, 2012
☒	Combined Meeting	-	March 12, 2012
☒	Executive Session	-	March 12, 2012
☒	Receipt of Bids	-	March 22, 2012
	(Petzl Safety Equipment & Water Meter & Related Equipment)		
☒	Combined Meeting	-	March 26, 2012
☒	Executive Session	-	March 26, 2012
☒	Receipt of Bids	-	April 3, 2012
	(HVAC at Borough Hall)		

Motion seconded by Councilwoman Novak.

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

PRESENTATION

- Certificate of Recognition presented to Katlyn Klosek in recognition of her _____ attending the Business Leaders of America National Competition in San Antonio, _____TX, representing the Borough of Sayreville and the State of New Jersey.

Information provided on where donations could be made for this fund raiser.

Mayor asked that the information flyer be read into the record and that it be placed on the Sayreville web site.

Municipal Clerk Farbaniec read:

Hello, my name is Katlyn Klosek, I am a member of Future Business Leaders of the America at Sayreville War Memorial High School. I am trying to raise money to participate in a national competition in San Antonio, TX from June 29 to July 3, 2012. If you would like to contribute to this worth-while cause you can make a donation to our organization. All donations are tax deductible and a letter documenting your charitable contribution will

be provided. Checks can be written to: Sayreville War Memorial High School, Activities Fund. Write FBLA in the memo area. Very truly yours, Katlyn Klosek, Sayreville War Memorial High School student.

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PROCLAMATION

Proclamation urging all citizens purchase and wear a Buddy Poppy as evidence of our gratitude to the men and women who have risked their lives in defense of the freedoms of our Country.

Borough of Sayreville

Proclamation

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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

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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 14th day of May, 2012 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

ATTEST:

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

Mayor called VFW member Charlie Woods forward for the sale of Buddy Poppies.

Councilwoman Eicher moved the Mayor's Proclamation be approved on Roll Call Vote. Seconded by Councilman Buchanan.

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

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Comments made by Mrs. Rock, VFW Auxiliary member asking that the residents stop in at the Menlo Hospital and visit.

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OLD BUSINESS

a. Public hearing on the following Ordinance(s): (none)

b. Other

NEW BUSINESS:

- a. Clerk to Report -
- b. Introduction of the following Ordinance(s):

ORDINANCE #183-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 7-30.4(3) TO INCLUDE SECTION F
(Enforcement of traffic regulations of private property – LaMer III C)
(Co. Bella, Public Safety Committee – Public Hearing May 29, 2012)

Councilman Bella moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing held on May 29, 2012. Seconded by Councilman Buchanan.

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

ORDINANCE #184-12
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
SAYREVILLE TO ADD SECTION 8-3.3c
P-3 “BAIT & TACKLE AT RIVER ROAD WATERFRONT PARK”
(Co. Eicher, Recreation Committee – Public Hearing May 29, 2012)

Mayor said that he missed the last two meetings (one he was out of town and the other was in the hospital) and asked that Ordinance be put on hold. He said that when Co. Henry discussed this originally he (the Mayor) asked that a Request for Proposals be prepared for the pavilion at the Buchanan Water Front Park and provide the service, bait being one of the items that could be provided. He explained that a number of years ago the council had stopped issuing peddlers licenses for site specific and those who had them were grandfathered and further stopped the sale of merchandise on street corners. Since then they have denied a number of peddler licenses including those to Sayreville residents and veterans and in the interim have a three million dollar waterfront park with an empty concession stand and would like it utilized. So he is requesting that this ordinance be tabled and issue an RFP for the concession stand. Mayor asked if there were any questions or comments on his recommendation.

Councilwoman Eicher asked what the square footage of the concession stand is and that she could not see someone ordering food and bait at the same time nor does she know if it is allowable to sell both.

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Mayor felt that this was not the right thing to do.

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Councilman Buchanan asked if there was any certain request for this location or for this specific type of business. Clerk responded that no one ever applied for any type of license or request to sell bait at the park in the past.

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Councilwoman Eicher asked for an RFP for the concession stand to sell food.

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Councilwoman Eicher moved the Ordinance be introduced on first reading, advertised according to law and a public hearing be held on May 29, 2012. Seconded by Councilman Henry.

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Councilman Bella asked for clarification. He asked if this was to amend the Peddler Ordinance to allow for bait and ~~tackle~~tackle. Just at this location? Attorney DuPont said that was correct.

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Councilman Bella then said that this person would be selling bait out of a truck vs. selling bait out of the pavilion.

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Mayor said that it was his understand that he would be selling out of a Coleman cooler on a flatbed trailer.

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Councilman Bella asked if anyone approached him about using the pavilion and if this was a new business he was starting.

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Councilwoman Eicher said that he is a fisherman and saw a need for the sale of bait there and asked about getting a peddlers license just to sell bait during fishing season.

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Mayor called for Roll Call:

Ayes: Councilpersons Buchanan, Eicher, Henry, Novak

Nays: Councilpersons Bella, Perrette

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Ayes: 4

Nays: 2

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Mayor said that he very strongly objects to this ordinance and will not be it.

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c. Discussion on Resolution to be read in full. (Listed below)

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- Authorizing the submission of an application for grant funding under the Safe and Secure Communities Program

CONSENT AGENDA/RESOLUTIONS

PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY

Mayor O'Brien opened the meeting to the Public for questions or comments on Consent Agenda Resolutions.

Those appearing were:

- John Rucki, Sayreville
Questioned Resolution #2012-132, authorization to execute an agreement with AFLAC to administer a Section 125 Flexible Spending Plan.

Response by Councilman Perrette that the Flex Spending Plan would have no cost to the borough whatsoever. ~~That e~~ Employees can put an amount of their choice away for health/medical needs.

Mr. Rucki then questioned Resolution #2012-134, authorization on an agreement with the Middlesex County Prosecutor's Office for the "Skywatch" Surveillance Platform.

Councilman Bella said that the Police Chief explained this at the last meeting in great detail. He said that the county has this equipment stationed at the Fire Academy and would allow the department to utilize this equipment during large gatherings. This equipment has a camera on it and can view a large area.

No further questions or comments.

Councilwoman Eicher moved the Public Hearing on Consent Agenda Resolutions be closed and the resolutions be approved on Roll Call vote. Seconded by Councilwoman Novak.

Roll Call:

Councilman Bella – Nay to Resolution #2012-131, Ayes to the rest;
Councilman Buchanan – Nay to Resolution #2012-131, Ayes to the rest;
Councilwoman Eicher – Ayes to all;
Councilman Henry – Ayes to all;

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Councilwoman Novak – Ayes to all, ~~Recuse~~ herself from Resolution #2012-131;
Councilman Perrette – Ayes to all.

Resolution #2012-131 - Ayes: 3 Nays: 2 Abstain/~~Recuse~~: 1

RESOLUTION #2012-125

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 May 14, 2012, in the amount of \$ ~~_____~~ **\$13,114,294.56**
(Bill List – See Appendix 2012-A for this date, in a separate Bill List File for 2012).

RESOLUTION #2012-126

**RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
April 23, 2012 COUNCIL MEETING**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the April 23, 2012 Council Meeting approving the following:

- **Application(s) for Bingo/Raffle Licenses received from:**
 - Sayreville War Memorial High School Touchdown Club (Bombers) to conduct an Off-Premise 50/50 on Sept. 14, 2012 #RA:1757. and an On-Premise 50/50 on Sept. 14, 21, 2012; Oct. 19, 2012; Nov. 2, 2012 - RA:1758.

/s/ Nicholas J. Perrette, Councilman

(Admin. & Finance

Committee)

ATTEST: _____

BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012-127

WHEREAS, on November 29, 2010 Road Opening Permit #5162 was issued to open 11 Kolb Avenue, Sayreville; and

WHEREAS, the Road Department has advised that the road has been restored to original condition and has recommended that a refund of a portion of said permit fee be made;

NOW, THEREFORE, BE IT RESOLVED that the proper Borough Officials are hereby authorized and directed to refund the sum of \$180.00 for the afore-mentioned Road Opening Permit to Gabriel Lotesto of Carmine St. Assoc., Inc., upon the submission of a properly approved borough voucher.

BE IT FURTHER RESOLVED that the Maintenance Bond requirement is hereby waived due to the fact that the fees have been held for one year in lieu of posting the required Maintenance Bond.

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

ATTEST: _____

BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2012 - 128

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, MEMORIALIZING THE DENIAL OF THE PLACE TO PLACE TRANSFER OF P.R.C.L. #1219-33-022-003, HELD BY STOCK ENTERPRISE, INC.

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WHEREAS, Stock Enterprise, Inc. (the "Licensee"), has heretofore been the holder of New Jersey Alcoholic Beverage Control Plenary Retail Consumption License No. 1219-33-022-003 (the License"); and

WHEREAS, Stock Enterprise, Inc. (the "Licensee") was charged with violations of the New Jersey Alcohol Beverage Control Law in August of 2007; and

WHEREAS, Stock Enterprise, Inc. (the "Licensee") deactivated and "pocketed" License No. 1219-33-022-003 on November 1, 2007 so that the License currently remains in inactive status; and

WHEREAS, on August 11, 2011 Stock Enterprise, Inc. (the "Licensee") filed a Place to Place Transfer Application requesting that the Plenary Retail Consumption License No. 1219-33-022-003 (the "License") be transferred from "Pocket" to 7090 Route 35, in the Borough of Sayreville, County of Middlesex, and State of New Jersey; and

WHEREAS, a hearing was held before the Mayor and Council of the Borough of Sayreville on April 23, 2012, at which hearing objections to the application were received; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville as follows:

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1. The August 11, 2011 application of Stock Enterprise, Inc. (the "Licensee") for a Place to Place Transfer out of "pocket" status to 7090 Route 35, in the Borough of Sayreville, County of Middlesex, State of New Jersey is hereby denied.

2. A certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street
P.O. Box 087
Trenton, NJ 08625-0087

b. Chief, Sayreville Police Department

c. Stock Enterprise, Inc.

/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 #2012-129

BE IT AND IT IS HEREBY RESOLVED the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for the following chemicals:

- Orthophosphate
- Hydrated Lime

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-130

WHEREAS, on May 23, 2012 the Borough of Sayreville awarded a one year contract for "Water Department Chemical-Sodium Hypochlorite" to Miracle Chemical Company, 1151 B Highway #33, Farmingdale, NJ 07727; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for a one-year period at no additional increase in price contained therein; and

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WHEREAS, Miracle Chemical Company, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for "Sodium Hypochlorite" is hereby renewed for one additional year period at no additional increase in price.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-131

WHEREAS, the Borough of Sayreville wishes to Sayreville Police Department begin the accreditation process; and

WHEREAS, in order to begin this process the Borough of Sayreville would need the proper mentoring for the process.

NOW THEREFORE BE IT RESOLVED THAT the Borough Clerk is hereby authorized and directed to advertise for the Request for Proposals "RFP's for Police Accreditation mentoring.

/s/ William Henry, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-132

WHEREAS, the Borough of Sayreville wishes to adopt an employer Sponsored Section 125/Cafeteria Plan/Flexible Spending Account

NOW, THEREFORE, BE IT RESOLVED that the Borough of Sayreville hereby adopts the Employer Sponsored Section 125 Flexible Spending Account with AFLAC of Columbus, GA.

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Sayreville do hereby authorize the proper borough officials execute the necessary documents to adopt the program.

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

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ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-133

BE IT AND IT IS HEREBY RESOLVED that Elyse Barone in her capacity as Recycling Coordinator is also hereby designating as the Clean Communities Coordinator for the Borough of Sayreville.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION 2012-134

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to execute the attached memorandum of Understanding by and between the Middlesex County Prosecutor's Office and the Borough of Sayreville and the Borough of Sayreville Police Department for the "Skywatch" Surveillance Platform.

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

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

READ IN FULL

RESOLUTION 2012-135

WHEREAS, the Mayor and Council of the Borough of Sayreville wishes to apply for funding a project under the Safe and Secure Communities Program (Grant #P-5545-12); and

WHEREAS, the governing body of the Borough of Sayreville has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Sayreville for the purpose described in the application;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that:

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1. As a matter of public policy the Borough of Sayreville wishes to participate to the fullest extent possible with the Department of Law & Public Safety.

2. The Attorney General will receive funds on behalf of the applicant.

3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.

4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

At this time the Mayor opened the meeting to the public for any questions or comments of Resolution #2012-135.

No one appeared.

Councilman Perrette made a motion to close the public portion and adopt resolution #2012-135 on Roll Call vote. Seconded by Councilwoman Novak.

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

BUSINESS SESSION

COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Minutes-

Councilman Perrette made a motion to receive & file the following minutes:

- Rent Leveling Board – May 8, 2012
Seconded by Councilman Buchanan.

b) TAX ASSESSMENT APPEAL(S)

Received the following 2012 Tax Appeals from:

Plaintiff/Petitioner	Block	Lot	Address
Maged Mikhail	530	117.01	240 Midland Avenue
Bhaven Shah	229.03	1	10 Wellington Court
Jadwiga Shahat	148	238.01	64 Whitehead Avenue

- **Refer to Tax Counsel**

c) Request received from Metro PCS for the release of a \$15,000. Performance Bond posted for the lease of antennae space on the Pulaski Ave Water Tank. Received an E-mail from the engineer stating that both Sandy Triolo and Andy Mashanski have indicated that they are not aware of any problems at the site and therefore he does not see any issues with the bond being released.

- **Approved – prepare resolution.**

d) Committee Reports

- Councilman Perrette said that information has been received from NJ Dept. of Transportation that there is no local funding available for any programs in their Treasury for help with the William Street flood issue.

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- He gave an up-date on the Budget Committees progress.

- **PLANNING & ZONING** – Councilman Henry

a) Minutes-

Councilman Henry made a motion to receive and file the following minutes:

- Board of Adjustment - March 28, 2012
- Middlesex County Planning Board – April 10, 2012
- Main Street By-Pass Committee - March 29, 2012

Seconded by Council Buchanan.

b) Notice to Adjacent Property owner of an application before the Zoning Board on May 23, 2012 for a proposed addition encroaching the rear set back at 77 Morris Ct., Block 524, Lot 21.

- **Receive & File.**

c) Committee Reports:

Progress.

- **PUBLIC SAFETY** – Councilman Bella

a) Minutes-

Councilman Bella made a motion to receive the following minutes:

- Board of Health - April 5, 2012

Seconded by Council Buchanan.

b) Notice of resignations from Sayreville Engine Co. No. 1 received from Jordan Thomas & Rory Zach.

Receive & File.

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c) Requests to conduct canister fundraising event at the intersection of Washington & Ernston Rds. received from the Sayreville RiverDogs Travel Baseball Team on June 23, 2012.

Clerk stated that she needs to reach out to this organization and have them change the date as this one is already taken. Asked the council to approve their alternate date as long as it is on the 2nd or 4th weekend on the month.

- Approve.

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d) Committee Reports:

Progress.

- **PUBLIC WORKS** – Councilwoman Novak

a) Minutes-

Councilman Bella made a motion to receive the following minutes:

- Commission on Aging - March 16, 2012

Seconded by Council Buchanan.

b) Resident of Jackson Avenue requesting to have roadway paved and excessive trash and debris cleaned up along Washington Road and Main Street.

- Referred to Dept. of Public works.

c) Committee Reports:

- **WATER & SEWER** – Councilman Buchanan

a) Minutes (none)

b) Complaint received on behalf of Glenkat Realty Co., Ltd. to have water tank behind 499

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Ernston Rd (their property) painted and have debris cleaned up, as it blows onto their property and they received a complaint from the Bd. of Health.

- **W&S Dept Head to inform item is in budget.**

c) Committee Reports:

Councilman Buchanan reported on water main breaks in town which were handled appropriately by the men and women of the department and thanked them for their dedicated work.

• **RECREATION** – Councilwoman Eicher

a) Minutes:

Councilwoman Eicher made a motion to receive the following minutes:

- Cultural Arts Council – April 11, 2012.

Seconded by Councilman Henry.

b) Request for a Resolution authorizing all municipal fees be combined

(including Special Event and Food Handlers) into one general fee of \$300 for all vendors

for participation in the Independence Day Celebration this action does not eliminate the requirements for each vendor to obtain such necessary permits.

- **Approved/prepare Resolution**

c) Committee Report –

- Councilwoman Eicher reported that that the recreation department would like to thank everyone who helped out with the fishing derby this weekend with a special thanks to the Sayreville Sportsman for their generosity she further reported on the derby winners.

- Councilwoman Eicher gave dates of other recreation events.

- Reported on the improvements to the Kennedy Park Tennis Court.

-Requested permission to have the IT person come before the governing body on May 29 for a presentation of his findings and recommendations. No objections.

-Reported that resumes for Business Admin. were reviewed by the committee and would like to submit the top five names to the Clerk to start the interview process for next week.

- Reported on the Relay for Life Program at Denny's Stadium in South River from 12 noon to 10pm and invited everyone to come.

• **MAYOR** – Kennedy O'Brien

a) Appointments

- Mayor appointed Lee Mullican to the Unexpired Term on the Environmental Commission. He said that this is a Mayoral appointment and does not need consent of the council.

b) Other Business

- Appointment to SERA

The Mayor said that during his absence Dennis Grobelny was appointed to SERA and that this is a Mayoral appointment for the first 30 days and felt that the 30 days has not yet lapsed since the passing of Fred Semoneit. He asked that the Borough Attorney be very sure before allows these things to happen. He said that it is the wrong way to go and that at the beginning of the year when he was asked to hold off his appointments and he did they

did it their way. He felt that this was a very important rule of law and held the attorney accountable for allowing this to happen. He said that he felt this would have to be rescinded and go through the process all over again.

The borough attorney said that he would check the dates and report at the next meeting.

Mayor was not happy waiting the two weeks. He reiterated the episode at the beginning of the year with regards to appointments.

- Business Admin. Position

Mayor stated that for the last 15 years and the past three business administrators, has been handled by the governing body as a whole. The entire council discussed and interviewed the applicants as a whole and collectively came to a decision on the selection and that this is the process that should be followed now.

Councilwoman Eicher said that was true and at the last meeting she had asked everyone to submit their five names and everyone did except for Co. Perrette and himself.

Discussion followed on procedures.

After the discussion. The Mayor asked that a meeting be scheduled to go over the issue and resumes.

Councilman Bella said that 30 days had lapsed since the passing of Fred Semoneit and the appointment of Dennis Grobelny.

Councilman Bella commented on the submission of the top five picks for Business Admin. from the list of resumes and who submitted and who did not. Councilman Bella also felt that the council was qualified to choose a business admin.

Mayor said that he still would like a meeting so that the selection can be discussed.

Mayor asked the Clerk to get a date together in the next two weeks for a meeting to discuss the Business Admin. resumes.

Appointments-

- Mayor O'Brien then appointed Tom Haney to a Three-Year Term on the Recreation Advisory Committee. Councilman Perrette moved the Mayor's Appointment. Seconded by Councilman Buchanan.

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

- Mayor announced that the former Business Admin. Jeff Bertrand has been hired by Wall Twp. as their Business Admin. and wished him well.

• NEW BUSINESS -

• BUSINESS ADMINISTRATOR -

I) Community Development Block Grant 2012 Consolidated Plan has been prepared by the Coordinator with input and approval of the CDBG Committee. The plan has been advertised for public comment and will be filed shortly. A copy of the plan has been transmitted to the Governing Body for review.

II) Resolution required to execute an agreement with Easter Seals of New Jersey to continue participation in the Senior Community Service Employment Program. Presently there is one individual assigned to the Senior Center. No expenditure of funds on the part of the Borough.

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- Resolution.

IV) Review of **Special Event Permit Applications** received from:

- Truman School PTO to conduct a Free Movie Night for the families of Truman School on Saturday May 19th with a rain date of May 26, 2012.

- 1 OT Personnel required and fees will be pd. prior to permit being issued.

- Due to a time issue with this matter approval needs to be granted tonight.

Councilman Buchanan made a motion to approve. Seconded by Councilman Perrette.

Roll Call: Voice Vote, all Ayes.

- Resolution memorializing the council's action will be listed on the next agenda.

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• **C.F.O.- Wayne Kronowski**

I) Bill List **Resolution**

II) **Resolution** to Amend 2012 Local Municipal Budget

III) Refunding Bond Sale – Report Attached

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• **ENGINEER - Jay Cornell**

I) Raritan Bay Slag Superfund Site – EPA Clean-up Options (Report Attached)

II) Weber Avenue Storm Sewer Improvements – Change Order (Report Attached)

- Resolution.

III) Improvements to Marsh Avenue – Receipt of Bids (Report Attached)

- Resolution.

BOROUGH ATTORNEY - Michael DuPont

I) Authorization to have Stern & Dragoset, Inc. prepare an appraisal for the sale of borough owned property known as Block 356, Lot 51 & 52, Harding Avenue as was recommended by the Open Space Committee on Nov. 14, 2011, as well as authorization to prepare the necessary Ordinance.

(Request to purchase made by Mr. Olsen, 103 Harding Ave).

- Resolution.

II) Authorization to re-advertise and prepare Ordinance for the sale of Borough owned property known as Block 457, Lot 46, Dolan Ave. This property was advertised for sale back in March 2011 and the interested party did not submit

a bid. He has once again shown an interest.

- Ordinance.

III) Closed Session – Heirs of Charlotte M. Quaid

- Hold Over.

(Added this evening)

IV) Request made by the Recreation Director for an ordinance to curtail fishing at Kennedy Park by Rod & Reel only.

Mayor asked that this ordinance also prohibit fishing for turtles.

PUBLIC PORTION

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street
Questioned if there had been any other budget meetings.

MAY 10, 2012

BUDGET
WORKSHOP/COMMISSION

Councilman Perrette said that there was a meeting May 10th and felt that everyone was pretty much in agreement with the capital portion of the budget and they continue to struggle with certain areas in the regular budget but it is pretty much worked out.

Councilman Henry commented that not everyone felt comfortable.

Mrs. Kilcomons said that she felt that the request made by the DPW department to house or the need for a garage for their equipment should be cut. She then questioned the balance in the Shade Tree Commission account.

She then complemented the Mayor and Council for recognizing Katlyn Klosek for her achievement and was appalled that the Board of Education did not recognize or support her on her academic achievement. This is an honor as she represents Sayreville and the State of New Jersey.

- John Misiewicz, 97 Winkler Road
- Commented on the Ordinance for the sale of bait at the River Road Waterfront Park. He said that as a former member of the Boat Ramp Committee and the design of the park that there was a cotillion built for that purpose and asked if there was a residency and veteran's preference written into the ordinance and if there were insurance requirements. He stated that he does not agree with this type of license. He also commented that there were cars with trailers parked there without passes.

Mr. Misiewicz then commented on the SERA commissioners and the NL Project, stating that the council or the community at large does not know what is going on with this project.

Councilman Bella who sits on SERA reported that they have made good progress with the remediation process and it is still ongoing. Discussions have taken place regarding what type of soil will be replacing the remediated soil. Major litigation issues have just been resolved. He also said that the council could request that the Executive Director come to a council meeting to give up-dates.

Councilman Henry agreed with Councilman Bella. He said that the process is going slowly and that there is nothing big to report at this time, until applications have been made to the planning board.

Dr. Misiewicz felt that there should be a time line outlining the project cleanup.

Mayor O'Brien commented on the design and make-up of SERA.

- Ed Strek, 58 Nickel Ave.
-Commented said that there should be a veterans preference clause in the bait ordinance.
-Mr. Strek then gave the schedule of events in observance of Memorial Day.
-He said that there are letters missing from the sign in front of the Public Safety

Complex, that Main Street needs to be cleaned up and that Jersey Central put in a telephone pole across from the funeral home which has not been completed.

- John Klosek, Parker Street, Morgan
- He personally thanked everyone for their support and recognition of their daughter Katlyn. He also recognized that there were four members of the board of education who did who did support Katlyn.

Councilman Bella expressed is disappointment regarding the board of education and how they support athletes to excel in athletics and not ~~this academically gifted students~~ these academically gifted students.

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MAY 16, 2012

BUDGET
WORKSHOP

- Phyllis Batko, 5 Glynn Court
She thanked the Mayor and Council for supporting Miss Klosek without their help she probably would not be going.
The Mayor congratulated Mr. & Mrs. Batko on the graduation of their son from Penn State with a degree in chemical engineering.

- John Rucki, Sayreville
-Commented that he felt the Bait and Tackle Ordinance needed more work by the attorney. He suggested that this go out to bid and the concession stand sell products -that would be more beneficial to the residents who can't afford a boat or fishing.

- Questioned Ordinance #183-12-LaMer.

Mayor explained that this is routine and was requested by the residents of La-Mer.

- Mr. Rucki than commented on the resignation and appointments that took place during the Mayor's absence on April 23rd.

- Dr. John Misiewicz, 97 Winkler Avenue
- Asked that SERA meetings be televised.
Mayor asked the Clerk to pass this request along to SERA.

- Barbara Kilcomons, 22 Schmitt Street
- Commented on Resolution #2012-131 Police Dept. Accreditation and Mentoring proposals . She also commented on Councilwoman Novak's appointment on the Public Safety Committee and felt there is a conflict and not be on that committee.

No further questions or comments.

Councilwoman Eicher made a motion to close the public portion. Seconded by Councilman Bella.

Roll Call: Voice Vote: All Ayes.

Councilman Henry commented on the selection of a new business administrator and the screening committee and how the process is working. He said it is being handled in a by-partisan way and that the Mayor would have the right to interview the candidate that is selected.

The Mayor re-iterated that he would be interviewing a candidate that had already been selected.

Councilwoman Novak commented that it is not up to anyone to advise someone who missed a meeting what took place. The meetings are televised. She commented on the meetings the Mayor missed and Councilwoman Eicher's position at those meetings.

She also commented on her position on the Public Safety Committee.

- **EXECUTIVE SESSION (none)**

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

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Time: 8:14 P.M.

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SIGNED:

Theresa A. Farbaniec, Municipal Clerk

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Date Approved