

Mayor Kennedy O'Brien opened the Council Meeting at 7:12 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this May 22, 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
Theresa A. Farbaniec, Municipal Clerk
Michael DuPont, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: Wayne A. Kronowski, C.F.O./Treasurer

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

- **PRESENTATION**

Legacy Stables, Bordentown Avenue

- Expansion of stables at Julian Capik Nature Preserve to provide for a Horse Therapy Program
- Brittany Bojoum discussed the types of programs they have. They are looking to help everyone from children to adults with the horse therapeutic program. We need the Borough's permission to rehab a riding rink that's fallen into disrepair. We also need some safety things fixed.
- Mayor asked if there were any objections to these requests.
- Councilwoman Novak questioned how much it would cost Sayreville.
- Ms. Bojoum responded no cost to Sayreville.
- Mayor stated they are very happy with their progress. He spoke about the BIC Camp and the premier school for autistic children.
- Ms. Bojoum also spoke about partnering with the Sayreville Schools for experiential learning.
- Mayor told Arthur to get in touch with someone at the high school to do some films and put on the access channel.
- Councilwoman Kilpatrick recommended that she get in touch with Maryann Gordon from the BIC.

- **OLD BUSINESS:**

- **NEW BUSINESS:**

- a) Introduction of the following Ordinance(s):

ORDINANCE NO. 363-17

**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 June 26, 2017)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 26, 2017. Motion was seconded by Councilwoman Novak.

Mayor asked Mr. Sachs and Mr. Leoncavallo to come up. Mayor questioned the Judge's patience with us.

Mr. Sachs responded that he has to appear in court on June 1, 2017 and will let the judge know that the ordinances were introduced and the public hearing is scheduled for June 26, 2017.

Council President Buchanan questioned if there is any way of working more on this plan.

Mr. Sachs responded that it's a fluid document and if there's questions about possible amendments it needs to be brought to his attention as well as Planning.

Borough Attorney DuPont questioned if they would need to hire another planner.

Councilman Grillo stated they need a point of clarification from the planner regarding two concepts they agreed on in closed session. One was for a potential multi level mixed use development & potential rezoning on Route 35. The other was for a potential adaptive reuse plan.

Mr. Leoncavallo stated they would need to amend the Master Plan which the housing plan element is part of. The options that can be done are either amend the Master Plan or do a reexamination report.

Council President Buchanan questioned how they got into this position. He stated it's appalling that all these ordinances need to be changed and the public should know why.

Mr. Sachs responded that it's several years of litigation at this point. He stated that where we are now is that the settlement agreement was approved by the council last July. Between last July and August we are required to come up with enabling ordinances to facilitate the affordable housing settlement.

Council President Buchanan questioned why we have to meet these affordable housing requirements and why wasn't it done in the past.

Mr. Sachs responded that it was done in the past to some degree but what happened was the Borough was certified for the 2nd and 3rd round COAH. COAH was disbanded a couple years ago. A case that went before the NJ Supreme Court mandated that the judges in each County would be responsible for administering the affordable housing programs in each municipality. Each municipality filed declaratory actions that they were COAH certified. That's where we are today.

Council President Buchanan stated that being the Borough has to build affordable housing we also have to build market value homes.

Councilwoman Kilpatrick questioned why there were no affordable housing units in Camelot at Towne Lake.

Mr. Sachs responded the one that did have an affordable housing requirement were Chase Partners.

Councilwoman Kilpatrick stated awhile back she requested Veteran housing to comply with some of our COAH obligations. She stated she is okay with introducing but moving forward she's not okay with this plan.

Councilman Grillo stated he would like to empower whether it's Councilman Lembo or the planner to bring to the Planning Board the request for a zoning amendment analysis for Route 35 and potential adaptive reuse plan.

Councilman Melendez asked for an explanation of what happened since last July.

Mr. Sachs responded that after the lawsuit was filed, a special master was appointed, with her assistance she facilitated a settlement which was approved by the court and the council last summer. The agreement provided for how many units. There were developers who intervened in the settlement.

Councilman Melendez questioned if there was a plan along with the agreement.

Mr. Sachs responded that there were concept plans.

Councilwoman Novak stated that's the only thing they agreed to. They were never told that they would have to rezone any property and would be increasing density. The only problem is the fact we will have to allow at least 2,000 market units.

Roll Call: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick with comment that she will not consent to this if it remains how it is written, Melendez with comment that he will vote no if the plan is not changed, Novak, all Ayes. Carried.

ORDINANCE NO. 364-17

**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 June 26, 2017)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 26, 2017. Motion was seconded by Councilman Grillo.

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

ORDINANCE NO. 365-17

**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 June 26, 2017)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 26, 2017. Motion was seconded by Councilman Grillo.

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

ORDINANCE NO. 366-17

**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 June 26, 2017)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 26, 2017. Motion was seconded by Councilman Grillo.

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

Council President Buchanan made a motion to authorize an additional planner as a second set of eyes not to exceed \$10,000.00.

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

ORDINANCE #367-17
AN ORDINANCE APPROPRIATING \$190,000
FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR AND BY THE
BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, NEW JERSEY

(Water Capital Improvement Fund)
(Admin. & Finance Comm. - Public Hearing, June 12, 2017)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 12, 2017. Motion was seconded by Councilman Grillo.

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

ORDINANCE #368-17
BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES
AND EQUIPMENT IN, BY AND FOR THE BOROUGH
OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF
THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance Committee – Public Hearing June 12, 2017)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 12, 2017. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE #369-17
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO
VARIOUS PARKS IN THE BOROUGH OF SAYREVILLE, NEW
JERSEY, APPROPRIATING \$330,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$313,000 BONDS OR
NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance Committee – Public Hearing June 12, 2017)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 12, 2017. Motion was seconded by Councilman Buchanan.

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

ORDINANCE #370-17
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY
AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$2,250,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$2,142,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance Committee – Public Hearing June 12, 2017)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 12, 2017. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE #371-17
**AN ORDINANCE APPROPRIATING \$49,350.00 FOR THE ACQUISITION OF
VARIOUS EQUIPMENT FOR SAYREVILLE POP-WARNER FOOTBALL
PROGRAM IN AND BY THE BOROUGH OF SAYREVILLE, COUNTY OF
MIDDLESEX, NEW JERSEY.**

(Admin. & Finance Committee – Public Hearing June 12, 2017)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 12, 2017. Motion was seconded by Councilman Buchanan.

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

Mayor wanted to thank John Walsh and Bill Curry who had the best interest of Sayreville kids. These two gentlemen put an agreement where both the Leprechauns and the Panthers would become one.

Councilman Melendez thanked everyone for agreeing to this ordinance.

• **CONSENT AGENDA/RESOLUTIONS**

At this time the Mayor opened the meeting for questions or comments on Consent Agenda Resolutions. There were no appearances. Mayor O'Brien called for a motion.

Council President Buchanan moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Roll Call on Consent Agenda Resolutions:

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

Nays: None

RESOLUTION #2017- 131

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/Dan 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 22, 2017 in the amount of \$7,635,214.84
in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this
date).**

RESOLUTION #2017-132

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
Northeast Remsco Construction	Four (4) – Temp. Office	Blk. 169, Lot 12 53 Canal Street

WHEREAS, said application has been referred to the proper department for investigation and review; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of a said trailer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate two (2) temporary trailers for office use.

/s/Pasquale Lembo, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O’Brien
Mayor

RESOLUTION #2017-133

BE IT RESOLVED that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for one (1) automated refuse loader body and arm replacement for the Department of Public Works for a fee not to exceed \$ 1,500.00.

BE IT FURTHER RESOLVED that upon approval of said plans and specifications the Borough Clerk is also herein authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2017-134

BE IT AND IT IS HEREBY RESOLVED that the following Recreation Program fees are established and sponsored by the Recreation Department:

“Summer Sports Camp – Games from the Street

- **1 week Program - Residents \$ 105.00 / Non Resident \$130.00**

/s/Ricci Melendez
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec
Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O’Brien
Kennedy O’Brien
Mayor

RESOLUTION #2017-135

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE: Andrew Landstrom

POSITION: Fire Prevention Specialist
Full Time

DEPARTMENT: Inspection of Bldgs. Dept.

EFFECTIVE: May 22, 2017

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

/s/ Pasquale Lembo
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-136

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE: William Fetzke

POSITION: Truck Driver

DEPARTMENT: Dept. of Public Works

EFFECTIVE: May 22, 2017

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-137

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AWARDING THE CONTRACT
FOR IMPROVEMENTS TO SAYREVILLE FREE LIBRARY MEETING ROOM**

WHEREAS, the Borough of Sayreville accepted Bids for construction of a Special Meeting Room in the Sayreville Free Library on April 13, 2017; and

WHEREAS, after all of the packages were reviewed it was found that the two (2) lowest bids contained numerous irregularities; namely, first lowest bidder, Ascend Construction subcontractors are not registered Public Works Contractors which is required under N.J.S.A. 34:11-56.48 et. seq. "Public Works Contractor Registration Act", and the second lowest bidder, Tekcon Construction did not submit any information on the fire/sprinkler subcontractor, both of which are fatal flaws in the bid documents; and

WHEREAS, the two (2) lowest bids must be rejected; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the third lowest bidder, Tri-Form Construction be awarded the contract for the Construction of a Special Meeting Room in the Sayreville Free Library to Tri-Form Construction.

/s/ Ricci Melendez
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-138

BE IT AND IT IS HEREBY RESOLVED that the Mayor and Council of the Borough of Sayreville hereby approve the request for reducing the park rental fee for Sayreville PBA Local #98's annual picnic being held at Burkes Park to a negotiated flat rate of \$450.00 and that said PBA Local #98 shall be responsible of all cleanup associated with event scheduled for August 27, 2017.

BE IT FURTHER RESOLVED that fees associated with the use of the Borough's mobile state is hereby waved for this event.

/s/Ricci Melendez
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec
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.

- Mina Kolta, Matawan, Middlesex County Freeholder Candidate

He is doing some research and questioned the budget for 2017.

The Mayor stated the CFO is on vacation.

He then asked if there is any money left for emergencies.

Response by Mayor.

He then questioned the credit rating.

Response by Business Administrator Frankel.

He questioned Police Salaries.

Response by Business Administrator Frankel.

Councilwoman Novak responded on that topic.

He questioned the 2 million salary under the water utility and how many employees are paid from there.

Business Administrator Frankel responded 12.

He then questioned equipment and radios.

Response by Business Administrator Frankel.

Councilman Melendez responded on the question as well.

- Ruth Mahoney, 2 Gerard Place

She stated she went to the Planning Board meeting in March regarding Camelot 2 and the rezoning and they told her that she is intruding on their pizza time. She spoke about the environmental impact and traffic impact.

- Ken Olchaskey, 108 No. Edward Street

He complimented the Council on their questions tonight about affordable housing and their actions in looking for a specialist.

He stated this issue could be a big change for Sayreville.

- Jim Robinson, 11 Borelle Square

He stated that he hoped what is adopted for the COAH ordinances will not be what's in the plan.

He spoke about veteran's housing, assisted living and victims of domestic violence.

He stated that some property on North Ernston Road is zoned PRIME and hope you do not rezone that property and preserve it.

He spoke about the Mocco property lawsuit and it cost the Borough 1.2 million dollars.

He stated there was a partial decision on this suit and it wasn't in the Borough's favor.

He suggested that the Borough reach out to Mr. Mocco and see if he could be a help to us in resolving this affordable housing issue so that he can build some of these units.

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 Councilman Buchanan.

Roll Call – Voice Vote, all ayes. Carried.

Time 8:24 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved