

Regular and Agenda meeting of the Mayor and Borough Council held on Monday, May 23, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:34 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Municipal Clerk Garbowski announced that this regular 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:**

Roll Call: Councilpersons Buchanan, Eicher, Kelly, Perrette

Absent: Councilman Bella and Councilman Henry

Others Present: Deputy Municipal Clerk Garbowski
Engineer Cornell
Attorney DuPont
Business Administrator Bertrand
CFO Kronowski

As directed by Mayor O'Brien, Deputy Clerk Garbowski read the Arbor Day Proclamation into record.

PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, do hereby acknowledge that **ARBOR DAY** was observed April 29, 2011 and urge all citizens to support efforts to protect our trees and woodlands to support our town's urban forestry program.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 23rd day of May, 2011 and the same duly attested by the Deputy Municipal Clerk.

/s/ Kennedy O'Brien
Kennedy O'Brien, Mayor

Attest:

/s/ Rebecca Garbowski

Rebecca Garbowski – Deputy Municipal Clerk

Mayor asked for a motion to approve the Proclamation.

Councilman Buchanan made a motion to approve, seconded by Councilman Perrette.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

Mayor opened the public hearing on Ordinance #160-11

ORDINANCE #160-11
**AN ORDINANCE AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO EXPAND
THE SPECIAL ECONOMIC DISTRICT
(Main Street)**

BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey, as follows:

SECTION 1. Section 26-81.1, “Establishment of Zones,” of CHAPTER XXVI, “LAND DEVELOPMENT”, of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to expand the Special Economic District by inserting the text **underlined and marked in bold**, to read as follows:

26-81.1. Establishment of Zones. For the purpose of this chapter, the Borough of Sayreville is hereby divided into the following twenty-five (25) zones known as:

R-20	Single-Family Residential
R-10	Single-Family Residential
R-7	Single-Family Residential
R-7	Planned Residential
(PRD)	Development
R-5	Single-Family Residential
PD-10	Single-Family Planned
	Development
PD-7	Single-Family Planned
	Development
G-1	Garden Apartment
PRIME	Public, Recreational, Institutional
	Municipal and Educational
B-1	Neighborhood Business
B-2	General Business
B-2	General Business Planned
(PUD)	Unit Development
B-3	Highway Business
PO	Professional Office
MW	Marine Waterfront
MW	Marine Waterfront Planned
(PUD)	Unit Development
SED	Special Economic Development

<u>SED-2</u>	<u>Office/Business Use</u>
I	Industrial
RA-W	Waterfront Redevelopment Area
RA-	Jernee Mill Road
JMR	Re-development Area
OS-C	Open Space – Conservation
OS-R	Open Space – Recreation
O-S	Office/Service Overlay

LI-BS Light Industrial/Business Service Overlay **SECTION 2.** Section 26-81.2, "Zoning Map", of CHAPTER XXVI, "LAND DEVELOPMENT", of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to describe the properties to be included in the new Office/Business Use District by inserting the text **underlined and marked in bold**, to read as follows:

26-81.2 Zoning Map. The location and boundaries of the above zones are hereby established on the zoning map dated November 1999, which is attached hereto and made a part of this chapter, excepting that the Zoning Map is hereby amended to reflect that the following lots and blocks are located within the new OS-C Zone: Block 10.03, Lot 4; Block 14, Lot 2, Block 15, Lot 1, Block 16, Lot 1; Block 17, Lots 1 and 2; Block 18, Lots 1,2,3,4,5,6,7 and 8; Block 19, Lot 1; Block 20, Lot 1; Block 21, Lots 1, 2,3,4,5,6 and 7; Block 22, Lot 1; Block 24, Lot 1 and Block 26, Lot 1; and that the following lot and block is located within the new OS-R Zone; Block 14, Lot 1.04; and that the following lots and blocks are located within the new O-S Overlay Zone: Block 124, Lots 14, 15, 15.01, 16, 17.01, 17.03, 18, and 19; Block 129, Lots 183, 184, 185, 268, 269, 270, and 271; Block 130, Lots 264, 265, 266 and 267; Block 136, Lots 28.04, 28.06, 28.07, 28.08, 28.09, 38, 39, 40, 44, 45, 46, 47, 48, 49, 50, 51, 52, 58, and 59; and that the following lots are located within the new LI-BS Overlay Zone: Block 29, Lots 1.01, 2, 3, 3.01, 4, 4.01, 4.02, 4.03, 4.04, 4.06, 4.07, 4.08, 4.10, 4.11, 4.13 and 4.14 **and that the following lots are located within the new SED-2 Office/Business Use Zone: Block 249 Lot 1 and Block 250 Lot 1**

SECTION 3. Section 26-84, "SUPPLEMENTARY ZONING REGULATIONS," of CHAPTER XXVI, "LAND DEVELOPMENT", of the Revised General Ordinances of the Borough of Sayreville, is hereby amended and supplemented to add a new Section 26-84.8 following the existing Section 16-84.7, to read as follows:

26-84.8 Regulations for SED-2 Office/Business Use

26-84.8 Regulations for Special Economic Development -2 District (SED-2)

a. *Purpose.* This zone change would affect Lot 1 in Block 249 (94.0 acres) and Lot 1 in Block 250 (8.5 acres). The property in question is along Main Street approximately 1,847 feet west of Crossman Road South.

b. *Permitted Uses.*

1. Professional Offices & Related Uses.
 - (a) Corporate offices & executive centers
 - (b) Data processing facilities
 - (c) Computer centers
 - (d) Medical offices and clinical laboratories
 - (e) Banks, "back office" facilities & other fiduciary Institutions
 - (f) Office-type research centers
 - (g) Municipal utilities and services
2. Restaurants, excluding fast food takeout facilities and drive-up service windows.
3. Sports and health facilities as listed below, provided they are incorporated into other buildings or are built in the general architectural style of the district. Inflatable "bubble" or corrugated frame buildings for sports facilities are prohibited.

- ◆ Baseball practice facilities
 - ◆ Tennis
 - ◆ Racquetball facilities
 - ◆ Health spas and gymnasiums
4. Business Service Uses
- (a) Antique furniture restoration including furniture repair, refinishing and re-upholstering facilities performed within the confines of a building.
 - (b) Collection services
 - (c) Employment agencies
 - (d) Security Systems Services
 - (e) Medical equipment rental and leasing
 - (f) Supplemental education/training facilities
5. Research laboratories, subject to performance standards.
6. Fully enclosed wholesale, distribution and storage establishments with limited retail sales subject to performance standards.
- c. *Conditional Uses.*
- 1. Wireless communication facilities and towers.
 - 2. Funeral homes.
- d. *Prohibited Uses.*
- 1. Truck terminals
- e. *Open Space Requirements*
- It shall be the responsibility of the developer to set aside 20% of the site to be dedicated to the Borough for park and open space uses including pedestrian and bicycle trails as well as buffer requirements. The intent is an open space corridor and buffer of at least 200 feet wide which should be established along the western and southern boundary lines of Lot 1 in Block 249. This open space area would connect residential properties on Main Street with Kennedy Park, directly to the south.
- f. Height, Area, and Yard Requirements.
- Height, area, and yard requirements shall be as specified below:
- 1. All uses would be in 1 - 2 story structures designed in a planned development layout with aesthetic design features to make the zone visually appealing and consistent.
 - 2. Minimum Area Requirements:
Lot Area: 30 acres
Lot Width: 500 ft.
Lot Depth: 400 ft.
 - 3. Minimum Area Requirements (Corner Lots):
Lot Area: 30 acres
Lot Width: 500 ft.
Lot Depth: 400 ft.
 - 4. Minimum Setback Requirements:
Front Yard: 100 ft.
One Side Yard/Total: 50/150 ft.
Rear Yard: 100 ft.
 - 5. Maximum Height (ft/stories): 35 ft/2.5

6 Maximum Lot Coverage:

Buildings: 50%

Buildings and Pavement: 75%

g. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements shall be those specified in Section 26-88.1 of the Revised General Ordinances of the Borough of Sayreville.

h. Signs.

Signs shall be subject to the sign regulations under Sign Schedule II for the SED Zone.

i. Buffers.

Buffers shall comply with the buffer requirements of Section 26.96.6 of the Revised General Ordinances of the Borough of Sayreville.

SECTION 4. SEVERABILITY CLAUSE.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 5. REPEALER.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

/s/ William J. Henry
William J. Henry, Councilman
(Planning & Zoning Committee)

ATTEST:

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

APPROVED:

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont
Michael R. DuPont, Esquire
Borough Attorney

Mayor asked Engineer Cornell to explain the nature of this ordinance.

Engineer Cornell responded it is approximately a 100 acre piece of property located on Main St. across from the Main St. Townhouse development, which is currently zone for residential use. The proposal is to put it into SED-2 zone, which is for office and business.

Mayor called forward Michael Cresitello, from the firm of DeFransesco & Bateman, who is counsel for Lorraine Mocco who is the owner of the property.

Mr. Cresitello objected to the ordinance as the only person it affects is his client. He reiterated his request for this ordinance be tabled as they would like an opportunity to work with the professionals and member of the governing body to work out a solution that they feel is practical yet realistic to both sides. He believes the request for continuance is supported by the Planning Board. He has a signed certification from Ms. Mocco stating she will not develop or file any development applications nor will they consent to the filing of development applications while the matter is pending.

Mr. Cresitello then requested that their experts, Paul Grygle, a professional planner, and Ted Lamicello, a real estate appraiser, give their testimony so the governing body would have the benefit of the analysis and opinions of their experts before moving forward with this ordinance.

Mayor explained that this matter had gone through the normal process before the Planning Board and there were opportunities for his client to come before the Planning Board to discuss their concerns. All the opportunities available to him and his client were not taken advantage of. Stated that he and the governing body have been advised to adopt the ordinance by the Planning Board Chairman and the regular and special counsel of the Planning Board. In addition it is the intent of the Planning Board to work with you on these matters. If it does pass tonight it is a prudent act to protect the interest of the borough.

Mr. Cresitello stated he had a few remarks, being the Mayor would not expand his time to speak. This ordinance focuses on one parcel of land that would deprive his client of her utilization of the property. With the loss of the residential use, it renders the property essentially valueless. Stated they believe the true purpose of this ordinance was the borough inability to purchase this property as open space and/or to zone out additional school children. We believe, despite what the Mayor just put on the record, there were certain due process violations in the procedure and process that led up to this ordinance being introduced. Stated they think the ordinance is entirely inconsistent with the 2004 reexamination report, which is the report they believe is controlling. They do not believe the "supplemental" plan that was recently adopted is a reexamination plan in spirit and/or as contemplated by the Municipal Land Use Law. He then explained the points they thought were inconsistent. They disagree with the statement in the report that there is a lack of residential demand. Stated if the ordinance is adopted it would leave them with no further options and it would be the governing body's actions that compels them to take the step to challenge this ordinance.

Mayor asked if there were any questions or comments. No one appeared.

Mayor asked for a motion to close the Public Portion.

Motion made by Councilman Kelly. Seconded by Councilman Buchanan.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

Mayor stated for the record that Councilmen Bella and Henry have excused absences.

Mayor asked for a motion to adopt ordinance #160-11.

Motion made by Councilman Buchanan. Seconded by Councilman Kelly.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

Mayor stated we would skip the next order of business, which is the Public Hearing on the Budget Amendment and go to the Consent Agenda Resolutions.

Mayor opened the Public Portion on the Consent Agenda Resolutions.

No one Appeared. Mayor asked for a motion to close the Public Portion and the consent agenda resolutions be adopted on roll call vote.

Motion made by Councilman Kelly. Seconded by Councilman Buchanan.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

RESOLUTION #2011-114

WHEREAS, on April 19, 2011 the Mayor and Council of the Borough of Sayreville, received bids for the “Water Department Chemicals (Sodium Hypochlorite/Hydrated Lime)”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 23rd day of May, 2011 that:

1. Contract for the “Water Department Chemicals (Hydrated Lime Only)” be awarded to Carmeuse Lime & Stone, Inc. on their bid price of \$.088465 per lb (\$79,618.50) as appears on copy of bid document attached hereto and made a part hereof.
2. This resolution shall take effect immediately, upon execution of the proper documents.

/s/ Kenneth P. Kelly, Sr.
Kenneth P. Kelly, Sr., Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien,
Mayor

RESOLUTION #2011-115

WHEREAS, on April 19, 2011 the Mayor and Council of the Borough of Sayreville, received bids for the “Water Department Chemicals (Sodium Hypochlorite/Hydrated Lime)”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 23rd day of May, 2011 that:

1. Contract for the “Water Department Chemicals (Sodium Hypochlorite Only)” be awarded to Miracle Chemical Company on their bid price of \$1.03 per gallon (\$61,800.00) as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

Kenneth P. Kelly, Sr.
Kenneth P. Kelly, Sr., Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien,
Mayor

RESOLUTION #2011-116

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for Equipment for Water Mains, Sanitary and Storm Sewer Repairs.

Kenneth P. Kelly, Sr.
Kenneth P. Kelly, Sr., Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-117

WHEREAS, on April 19, 2011 the Mayor and Council of the Borough of Sayreville, received bids for the "Purchase of a Tactical Response Vehicle & Equipment"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 23rd day of May, 2011 that:

1. Contract for the "Purchase of a Tactical Response Vehicle & Equipment" be awarded to 1st Priority Emergency Vehicles on their bid price of \$244,920.35 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

/s/ Lisa Eicher
Councilwoman Lisa Eicher
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien,
Mayor

RESOLUTION #2011-118

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to renew the software maintenance agreement with Queues Enforth Development Inc. for the period of June 1, 2011 through May 31, 2012.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-119

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: Daniel Plumacker
POSITION: Police Lieutenant
DEPARTMENT: Police
EFFECTIVE: 5/24/11

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/ Lisa Eicher
Councilwoman Lisa Eicher
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-120

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: John Kwitkoski
POSITION: Police Sergeant
DEPARTMENT: Police
EFFECTIVE: 5/24/11

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/ Lisa Eicher
Councilwoman Lisa Eicher
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-121

WHEREAS, Middlesex Realty Group LLC, has posted Letter of Credit 877-SB covering various site improvements; and

WHEREAS, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required work has been completed and has recommended the release of said letter of credit.

NOW, THEREFORE, BE IT RESOLVED that the proper Borough Officials are hereby authorized and directed to release said letter of credit in the total amount of \$25,000.00

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-122

WHEREAS, the following applicant has applied for one trailer license to be used as a temporary construction trailer:

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
Professional Radiation Consulting Inc.	1 Temp. Construction	Block 257 Lot 3.04
	1 Temp. Field Lab	(O'Neill Properties)

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 trailers;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate two temporary trailers for on the above-captioned property.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski

/s/ Kennedy O'Brien

MAY 23, 2011

.....
**REGULAR MEETING &
BUSINESS SESSION**

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Rebecca Garbowski
Deputy Municipal Clerk

Kennedy O'Brien
Mayor

RESOLUTION #2011-123

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

Absent
Councilman Frank J. Bella

Absent
Councilman William J. Henry

/s/ Daniel Buchanan
Councilman Daniel Buchanan

/s/ Kenneth P. Kelly, Sr.
Councilman Kenneth P. Kelly, Sr.

/s/ Lisa Eicher
Councilwoman Lisa Eicher

/s/ Nicholas Perrette
Councilman Nicholas J. Perrette

**Bill list of May 23, 2011, in the amount of \$1,722,637.71
(Bill List – See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

RESOLUTION #2011-124

NOW, THEREFORE, BE IT RESOLVED that this Resolution hereby memorializes action taken by the Governing Body at the May 9, 2011 Council Meeting approving Raffle Licenses for the following:

- ◆ St. Stan’s Rosary Altar Society – Off Premise Drawing
Sept. 4, 2011 - #RA:1702
- ◆ St. Stan’s RC Church - 2 Off Premise Drawings
June 25, 2011 - #RA:1703 and #RA:1704

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-125

NOW, THEREFORE, BE IT RESOLVED that this Resolution hereby memorializes action taken by the Governing Body at the May 9, 2011 Council Meeting approving applications for One Day Liquor Licenses for a Social Affair for the following:

- ◆ OLV Church for June 4, 2011, 12-6 pm at Burke's Park
- ◆ Sayreville PBA Local#98 for August 21, 2011, 1-6 pm at Burke's Park

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2011-126

NOW, THEREFORE, BE IT RESOLVED that this Resolution hereby memorializes action taken by the Governing Body at the May 9, 2011 Council Meeting approving St. Stan's to conduct their Annual Carnival being held June 22nd through June 25, 2011

/s/ Daniel Buchanan
Councilman Daniel Buchanan
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Rebecca Garbowski
Rebecca Garbowski
Deputy Municipal Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

SWEARING IN OF POLICE OFFICERS

Mayor called forward Captain John Zebrowski and his family.

Deputy Clerk Garbowski swore in Captain Zebrowski as the new Chief.

Council president Kelly acknowledged retired police chiefs that were in attendance.

New Police Chief Zebrowski said tonight was a great way of looking at the past present and future with the past chiefs, Garbowski and Szkodny being present, himself as the present chief and the new lieutenant and sergeant that are being sworn in tonight. Chief then called forward Sergeant Dan Plumacker and Captain Glen Skarzynski. Stated Dan would be sworn in as Police Lieutenant.

Deputy Clerk Garbowski swore in Sergeant Plumacker as Lieutenant.

Deputy Clerk Garbowski swore in Patrolman Kwitkowski as Sergeant.

Father Ryan then said a short prayer blessing the newly appointed officers.

Mayor asked to take a 10 minute recess.

Motion for recess made by Councilman Kelly. Seconded by Councilman Buchanan.

Voice vote: all ayes

Time: 6:55.

RECONVENE

Time: 7:04.

Mayor asked for a motion to reconvene the meeting.

Motion for recess made by Councilman Kelly. Seconded by Councilman Perrette.

Voice vote: all ayes

Time: 6:55.

Mayor stated we would now go back to item of business #3b-Public Hearing on Budget Amendment.

CFO Kronowski read Budget Amendment Resolution #2011-113 into record.

Mayor opened the Public Portion.

No one appeared.

Mayor asked for a motion to close public portion.

Motion made by Councilman Kelly. Seconded by Councilman Perrette.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

CFO Kronowski announced the next vote would be to adopt the 2011 amendment.

Motion made by Councilman Perrette. Seconded by Councilman Kelly.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

CFO announced the next order of business would be to adopt the 2011 Municipal Budget [Resolution #2011-113].

Councilwoman Eicher stated she wanted to hear what Councilpersons Henry and Bella comments would be on the budget, and being they are not here would be voting no.

CFO Kronowski asked if they would like it held over to the next meeting.

Mayor O'Brien replied that there is not four votes so it moves to the next meeting.

CFO Kronowski stated that if it is not passed at the next meeting he will have another resolution for estimated tax rate and tax bills which will be an added expense to the budget.

COMMUNICATIONS/COMMITTEE REPORTS

ADMIN & FINANCE – Councilman Perrette

- a. Application submitted by Donjon Marine Co., Inc. for two temporary trailers (one break trailer, one light tower w/generator) to be placed at Block 257 Lot 3.05, Chevalier Ave.
- b. Tax Appeal received from Ann & Raymond Mazanec, 7 Wilbur Terrace, Block 350 Lot 1
- c. Amendment to Raffle Application #RA:1704 (St. Stan's Off Premise Draw 6/25/11)
- d. Water Revenue Comparison to Budget Report

Councilman Perrette asked that items a & c be approved, item b be referred to tax counsel. As for the Water Revenue Comparison to Budget stated we are working up a surplus but to take into account that 60% of the 7.6 million is focused for the last 5 months of the year.

Progress.

PLANNING & ZONING – Councilman Buchanan

- a. Request from Faith Fellowship Ministries to install temporary tents on their site, Block257 Lot3.06 for their annual International Pastors & Ministers Conference from July 13 through July 25, 2011 (*Verbal approval received from Andrew Mashanski pending required permits being filed*)
- b. Received notice of Ordinance #2011-19 adopted by the Borough of South River to amend their Code Chapter 295 "Subdivision and Site Plan Review"
- c. Notice of Adjacent Property Owner received from Kenneth Braughton, 88 Canal St. for installation of in-ground pool
- d. Minutes of the Middlesex County Planning Board - April 12, 2011

Councilamn Buchanan asked for approval on item a. No objections.

Thanked Faith Fellowship Ministries for their advanced notice as this kind of notification helps the borough.

PUBLIC WORKS – Councilman Buchanan

- a. Minutes Boards/Commissions
 - ◆ Minutes for Rent Leveling Board – May 10, 2011

Councilman Buchanan reported that the Recycling Commission had a meeting this past week. Their "Green Team", as well as organizations such as the Boy and Girls Scouts is cleaning up some of the parks. They are looking for volunteers for their next event. Thanked the volunteers for all they do.

Councilman Buchanan also reported that the Shade Tree Commission had planted new trees on Arbor Day.

He then thanked the man and women of Public Works for all they do with the limited resources they have.

Progress.

PUBLIC SAFETY – Councilwoman Eicher

- a. Request from Melrose Hose Company No. 1 to hold a canister drive on Saturday, June 25, 2011, between 8 am to 3pm, at the intersection of Washington Rd. and Ernston Rd. (County approval not yet received)
- b. Request from Sayreville Bombers Boys Basketball to hold a canister drive on Saturday, June 18, 2011, from 10am to 2pm, at the intersection of Washington Rd. and Ernston Rd. (County approval not yet received)
- c. Request from Sayreville Bombers Football Touchdown Club to hold a canister drive on Saturday, June 9, 2011, (rain date of July 10th) from 10am to 3pm, at the intersection of Washington Rd. and Ernston Rd. (County approval not yet received)
- d. Request for leave of absence for Iris Koval, School Traffic Guard, on June 15th and 16th to attend the Ladies Auxiliary VFW convention as she is a delegate for the district of New Jersey
- e. Request for Block Party, submitted by Michele Gregory, to be held on Grand St. between South Pine Ave. and Woodland Ave. on August 13, 2011 between 1 pm and 10 pm (Rain date of August 20th) *Approved by PD
- f. Request for Block Party, submitted by Nikki Voccio, to be held on Dunlap Dr., from Albert Pl. to Florence Dr. , on July 30, 2011 between 10 am and 11 pm (Rain dates of July 31st or August 6th) *Approved by PD
- g. Minutes Boards/Commissions
 - ◆ Minutes for the Commission for the Disabled - April 5, 2011

Councilwoman Eicher asked for approval on item d-f. No objections. We will have to wait for county approval to approve items a, b and c.

RECREATION – Councilwoman Eicher

- a. Minutes Boards/Commissions

Cultural Arts Council - May 11, 2011

WATER & SEWER – Councilman Kelly

Progress.

MAYOR – Kennedy O'Brien

- a. Jennifer Kasternakis to the Recreation Advisory Board to expire on 12/31/11

Motion made for appointment by Councilman Kelly . Seconded by Councilman Perrette.

Voice vote: all ayes.

Mayor called forward Eddie Strek to talk about the Memorial Day Parade.

Mr. Strek thanked the governing body for their hard work on the budget and allowing the annual parade to take place. He then went over details of the Parade and festivities for the Memorial Day Weekend. Asked all residents to come out to recognize the US Navy SEALs for the for their successful military operation regarding Bin Laden.

Mayor asked the council to approve a full page ad to be placed in the local Suburban paper.

Motion made by Councilman Kelly. Seconded by Councilman Buchanan.

Roll call: Buchanan; Eicher; Kelly; Perrette; all ayes.

Councilman Kelly reported that the updated Honor Roll will be put in for Monday. He also spoke with Public Works to put new flags in Laurel Park.

Mayor opened the Public Portion for questions or comments on any and all issues.

No one appeared.

Motion to close Public Portion made by Councilman Kelly. Seconded by Councilman Buchanan.

Voice vote: all ayes

ADJOURNMENT

Mayor asked for motion to adjourn the Regular Meeting.

Motion made by Councilman Kelly. Seconded by Councilman Buchanan.

Voice vote: all ayes

Time: 7:16

BUSINESS MEETING

Agenda meeting of the Mayor and Borough Council held on Monday, May 23, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 7:16 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Municipal Clerk Garbowski announced that this business 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:**

Roll Call: Councilpersons Buchanan, Eicher, Kelly, Perrette

Absent: Councilman Bella and Councilman Henry

Others Present: Deputy Municipal Clerk Garbowski
Engineer Cornell
Attorney DuPont
Business Administrator Bertrand
CFO Kronowski

- **BUSINESS ADMINISTRATOR - Jeffrey Bertrand**

Administration & Finance:

- a. Authorization to execute a Host Agency Agreement with Easter Seals of NJ for the continuation of the Senior Community Service Employment Program for the period of July 1, 2011 through June 2012. Under this program, the Borough is provided with an additional support staff member at the Senior Center.
- b. Authorization to extend the PILOT Agreement with ECI Tractabel Urban Renewal Corporation for an additional 6-year period through the year 2017 with no monetary or structural changes to the existing agreement. The annual total of this agreement is \$640,000 before any credits as delineated in the existing agreement.
- c. Authorization to renew the Borough's basic life insurance coverage with CIGNA for certain Borough employees (those in public safety) and most retirees at no increase in cost. The term of this agreement is for the period of June 1, 2011 through May 31, 2013.
- d. Status report on the phone service bid. Bids were received on Thursday May 19, 2011.

Public Works:

- a. Authorization for the Borough Clerk to advertise for the receipt of public bids for maintenance and repairs of elevators in Borough owned structures.

Recreation:

- a. Authorization to contract with Garden State Fireworks as result of competitive quotes for the Independence Day Celebration to be held in Kennedy Park on July 2 with a rain-date of July 3, 2011. The cost for this display has remained unchanged in the last 6 years.

Water & Sewer: none**Public Safety:**

- a. Status report on the red-light camera RFP. Responses were received on Tuesday May 17, 2011.

Planning & Zoning: none**Personnel: none**

Business Administrator Bertrand gave a report on White Oaks intersection project. We have received all our appraisals and will now have to process an Ordinance to purchase the easements. The appraisal ranges are between \$75.00 and \$6,000. Attorney DuPont will prepare the ordinance.

- **C.F.O. - Wayne Kronowski**
 - a) Budget on for next meeting
- **ENGINEER - Jay Cornell**
 - a) Weber Avenue Flood Relief Project – Verbal Report on Status
- **BOROUGH ATTORNEY - Michael DuPont**

Business Administrator reported he spoke with the Shade Tree Commission regarding payment to the secretary. They intend to use the Shade Tree Bank money since the Governing Body has disapproved payment by the Borough directly.

Mayor directed Borough Attorney to review this matter.

Councilman Buchanan added the chair of the Shade Tree Commission stated they spoke with a legal representative regarding this issue.

Mayor opened the Public Portion for any and all comments.

Barbara Kilcomons-22 Schmitt St.

Congratulated the Emergency Squad for 75 years of service.

Stated JCP&L cuts the vegetation every however, each year there is a different company doing it. Asked if they notify the Borough prior to them coming.

Business Admin. replied no.

Mayor instructed Business Administrator, Attorney and Engineer to look into what the other towns get.

Asked if Code Enforcement is allowed to go on properties without notification.

Borough Attorney answered yes with due cause.

Mayor stated he will not listen to anonymous complaints, they must contact the Mayor or Business Administrator directly.

No other comments.

Mayor asked for motion to close the Public Portion.

Motion made by Councilman Kelly. Seconded by Councilman Buchanan.

Voice vote: all ayes

Councilwoman Eicher thanked all the Fishing Derby workers. Reported on numerous upcoming events.

ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman Kelly. Seconded by Councilman Perrette.

Voice vote: all ayes

Time: 7:26

Rebecca Garbowski
Deputy Municipal Clerk

9/26/11
Date Approved

MAY 23, 2011

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**REGULAR MEETING &
BUSINESS SESSION**

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MAY 23, 2011

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REGULAR MEETING &
BUSINESS SESSION

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