

MAY 10, 2012
BUDGET WORKSHOP
MINUTES – MAYOR AND COUNCIL
MAY 29, 2012
MAY 29, 2012
COMBINED MEETING

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Combined Meeting of the Mayor and Borough Council held on Tuesday, May 29, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:30 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

- Councilwoman Novak was excused at 7:25 after giving her report.

Absent: None

Others Present: Mayor O'Brien
CFO/Acting Business Admin. Wayne Kronowski
Municipal Clerk Farbaniec
Engineer Cornell
Attorney Mike DuPont

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES – (None)**

- **OLD BUSINESS**

a. Public Hearing on 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)

At this time Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #183-12.

No one appeared.

Councilman Bella moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Buchanan.

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

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ORDINANCE #183-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND

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SECTION 7-30.4(3) TO INCLUDE SECTION F

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, State of New Jersey, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

Section 7-30.4. This Ordinance amends Chapter 7 of the Revised General Ordinances of the Borough of Sayreville by adding Section to 7-30.4 entitled, "Enforcement of Traffic Regulations on Private Property: as follows:

Section 7-30.4

Enforcement of traffic regulations on private property.

Where a request in accordance with N.J.S.A. 39:5A-1 has been made by a property owner and approved by the Borough Engineer, all of the provisions of Subtitle 1, Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq. shall apply, together with any approved regulations specifically appropriate to the property. All properties for which such a request has been approved, with or without regulations specifically appropriate to the property, shall be set forth as listed below:

(1) General Regulations.

a. The owner of any property which is open to the public or to which the public is invited may request, pursuant to N.J.S.A. 39:5A-1, that the provisions of Subtitle 1, of Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq.) be made applicable to such property. Such request shall be in writing and shall be accompanied by a site plan detailing the location of all applicable traffic control devices, no stopping or standing areas, parking stalls, handicapped parking stalls, parking time limits, one-way traffic aisles, and any other regulations specifically appropriate to control of traffic on the property. Any such request shall be accompanied by \$750.00.

b. Enforcement by the borough shall commence upon approval of the request by the borough engineer and adoption of an appropriate ordinance by the borough. The approved regulations as to any such property shall be set forth as listed below, and shall be enforced in accordance with subsection a. of this section.

c. General

1. In accordance with the provisions of Section 110, Subtitle 1, Title 39, of the Revised Statutes (N.J.S.A. 39:1-1 et seq.) shall be enforced by the Borough of Sayreville Police Department on the properties designated in this section, together with the specific regulations set forth as to each property.
2. All vehicles shall park in designated areas and between the lines provided.

d. **Reserved parking.** All vehicles that are granted specialty parking in this subsection such as police vehicles, ambulances, teachers, etc., must be properly identified and the reserved parking spaces must be shown on the enclosed site plan.

e. **Tow-away zones.** Any vehicle parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit-ways, loading zones, oil fills, any grassy area, pedestrian walkways or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

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f. Penalty. Unless another penalty is expressly provided by statute, every person convicted of a violation of this section or any supplement thereto shall be liable to a penalty as prescribed by section 7-39 of the General Ordinances of the Borough of Sayreville.

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(2) Signs, pavement markings, installation and maintenance.

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a. The owners of the premises referred to in this section shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the Manual on Uniform Traffic Control Devices (current edition). The cost for the procurement and installation of signs and pavement markings shall be the responsibility of the owner of said property. The owner shall subsequent to the initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Sayreville. The owner shall be responsible for the repair and restoration or replacement of same.

b. Penalty. Unless another penalty is expressly provided by statute, every person convicted of a violation of this subsection or any supplement thereto shall be liable to a penalty as prescribed by section 7-39 of the General Ordinances of the Borough of Sayreville.

(3) Properties.

a. **La Mer III A and La Mer III B Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer III A & B Condominiums in accordance with Section 7-30A of the General Ordinances of the Borough of Sayreville.

b. **La Mer III A Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II A Condominiums in accordance with Section 7-30B of the General Ordinances of the Borough of Sayreville.

c. **La Mer II B Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II B Condominiums in accordance with Section 7-30C of the General Ordinances of the Borough of Sayreville.

d. **La Mer II C Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer II C Condominiums in accordance with Section 7-30D of the General Ordinances of the Borough of Sayreville.

e. **Colony Club.** The Borough of Sayreville shall enforce specific regulations for the private property of Colony Club in accordance with Section 7-30E of the General Ordinances of the Borough of Sayreville.

*f. **La Mer III C Condominiums.** The Borough of Sayreville shall enforce specific regulations for the private property of La Mer III C Condominiums in accordance with section 7-30F of the General Ordinances of the Borough of Sayreville.*

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter VII**, entitled **Traffic**, of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect such change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

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ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

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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)

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At this time Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #184-12.

No one appeared.

Before closing the public portion the Mayor commented about a peddler who was a veteran wished to sell his license and the ordinance prevented him from doing so. He also commented about the pavilion at the River Road Waterfront Park which was built for the express purpose of providing these types of services and strongly objects to this ordinance being passed. He then called for a motion.

Councilwoman Eicher moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

Comments:

Councilwoman Eicher said that in the four terms that the Mayor has been seated no one has ever applied to run the stand and now there is an issue and wants the property to be utilized.

Councilwoman Novak said that selling bait at the River Road Waterfront Park is a no brainer...

Councilman Perrette commented that he hopes this is going to be done is a way that it will be beneficial to apply and to be brought before the council.

Mayor said ~~that the that there was a~~ Boat Ramp Committee ~~which~~ was disbanded ~~by the council and that one of their duties, and one of their jobs was~~ to run the boat ramp at a profit and ~~they were working on an sent out~~ RFP for the pavilion which was

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never done because it was disbanded. And ~~would now like to recommend that the borough issue an RFP for the pavilion and this is what the council chooses.~~ ~~now he did recommend that we sent RFP's for the pavilion and this is what the council chooses.~~ ~~happened.~~

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Roll Call: Councilpersons Bella and Perrette, Nay;
Buchanan, Eicher, Henry, Novak, Ayes.

Ayes – 4
Nay – 2
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 TO ADD "BAIT & TACKLE AT RIVER
ROAD WATERFRONT PARK"

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BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

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8.3 PEDDLERS AND HAWKERS*

8-3.1 Definitions. As used in this section:

Food/Beverage shall mean edible items that are normally consumed by human beings.

Merchandise shall mean items other than food/beverage.

Motor Vehicle shall be defined as set forth in N.J.S.A. 39:1-1.

Peddler shall include any person, whether or not a resident of the Borough, traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house, or from street to street carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, food, ice cream, fruit ices, soda, water, garden farm products or provisions offering and exposing the same for sale, or making sales and delivering articles to purchasers. "Peddler" shall also mean and include any person offering and exposing for sale, or making sales of food items, ice cream, fruit ices, soda, water and other consumable food products which are sold for the purpose of immediate consumption from a vehicle on wheels located in a permanent location on a daily basis, the vehicle capable of being moved either under its own power or being towed by a motor vehicle. "Peddler" shall mean and include the works "hawker" and "huckster".

Special Event shall mean a temporary event occurring within the Borough of Sayreville, such as a circus, fair, parade, carnival or similar event having a temporary duration which does not exceed two (2) weeks.

Specific Location shall mean the presence of a peddler at a single location for more than one (1) hour for the purpose of selling or distributing the peddler's product(s).

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8-3.2 License Required. It shall be unlawful for any person to engage in the business of peddler within the corporate limits of the Borough without first obtaining an appropriate permit and license as provided by subsection 8-3.3. Such license shall only be issued in the name of the individual who actually engages in the activity for which the license is issued and no such license may be transferred to another individual.

8-3.3 Type of License. Each and every peddler shall be required to obtain one (1) of the following licenses which shall conform to the actual activity of each peddler:

a. **P-1 – Food/Beverage Peddler – Mobile.** Each and every peddler who engages, in whole or in part, in the activity or business of selling or distributing food/beverage using a motor vehicle shall first obtain a P-1 (Food/Beverage Peddler – Mobile) license. Such a license holder shall nevertheless be prohibited from engaging in such activity or business at a specific location as defined in subsection 8-3.1.

b. **P-2 – Food/Beverage Peddler – Site Specific.** Each and every peddler who engages, in whole or in part, in the activity or business of selling or distributing food/beverage at a specific location shall first obtain a P-2 (Food/Beverage Peddler – Site Specific) license.

c. **P-3 – Bait & Tackle at River Road Waterfront Park.** Each and every peddler who engages in whole or in part in the activity of selling or distributing bait and tackle at the River Road Waterfront Park shall first obtain a P-3 (Bait & Tackle Peddler) license. This license shall be limited to the sale of bait, tackle and water. There shall be a limit of two (2) licenses, issued on a first come/first serve basis only at the River Road Waterfront Park. The hours of operation shall be from dawn to dusk and expiring on December 31st of the licensed year.

Any other provision of this section or any other provision of Section 8-3, subsections 8-3.1 or 8-3.2 of the Revised General Ordinances of the Borough of Sayreville to the contrary notwithstanding, no P-2 license shall be issued to any peddler unless the peddler had a valid P-2 license on the effective date of this subsection.

A peddler holding a valid P-2 license, or the legal representative for the estate of a peddler which held a valid P-2 license on the effective date of this subsection, may apply for a limited transfer of the P-2 license. The limited transfer of a P-2 license shall be permitted from the license holder or the estate of the license holder, to a spouse, sibling, child or parent of the P-2 license holder. An application for limited transfer of a P-2 license shall be processed in the same manner as an application for limited transfer of a P-2 license shall be processed in the same manner as an application for a new license. No P-2 license shall be issued to an applicant who does not hold a valid peddler's license which was in effect on the effective date of this subsection. In the event that a peddler holding a P-2 license fails to renew his license in a timely manner prior to the expiration of the license, the license shall be deemed to have been abandoned and such licenses shall no longer be renewed nor reissued.

8-3.4 Sale of Merchandise Prohibited. Peddlers shall be prohibited from selling or distributing merchandise within the Borough of Sayreville, except that peddlers who currently possess a valid peddlers license may sell merchandise until said license expires, provided that in no event shall said license be renewed.

#184-12

8-3.5 Special Event Permit. Any other provision in this section notwithstanding a permit may be issued to a peddler for the sole purpose of selling merchandise or

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food/beverage at a special event. The duration of such special event permit shall not exceed two (2) weeks or the actual duration of the special event, whichever is less.

8-3.6 Fees. The following fees shall be established for a Peddlers or Hawkers License issued in the Borough:

- a. Annual Peddlers P1 Mobile license: \$125.00
- b. Annual Peddlers P2 Site license: \$100.00
- c. Annual Peddlers P3 Bait & Tackle license: \$125.00
- d. Annual Peddlers license (after 7/1) surcharge:
\$ 50.00 if 30 days late;
\$100.00 if 60 days late;
\$200.00 if 90 days late
- e. Peddlers special permit license \$35.00

8-3.7 Use of Streets. No peddler shall have an exclusive right to any location, nor shall the peddler be permitted to operate in any congested area where the operations might impede or inconvenience the public. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

8-3.8 Time Restrictions. No person shall sell, offer for sale, hawk or peddle in the Borough any of the items listed in subsection 8-3.1 of the Revised General Ordinances of the Borough of Sayreville before 9:00 a.m. on weekdays and 12:00 noon on Sundays and after 6:00 p.m. from November 1 to March 31, and 8:00 p.m. from April 1 to October 31, except at and in conjunction with a special event.

8-3.9 Enforcement. The provisions of this section may be enforced by the Zoning Officer of the Borough of Sayreville or by any police officer of the Borough of Sayreville. It shall be the duty of any peddler who holds a license issued pursuant to this section to maintain the license on their person whenever transacting business. Upon request of an enforcement officer, the peddler shall be required to produce a valid license. Any person found to be in violation of this ordinance shall be subject to the general penalty provisions in Section 1-5 of the Revised General Ordinances of the Borough of Sayreville.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Eight General Licensing**, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ Lisa Eicher, Councilwoman
(Recreation Committee)

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ATTEST:

APPROVED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Mayor Vetoed
Kennedy O'Brien
Mayor

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b. Other

• **NEW BUSINESS:**

a. Clerk to Report -

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b. Introduction of the following Ordinance(s):

ORDINANCE # 185-12

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXXVI OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
CHAPTER 36-5 "PERMITTED WEAPONS AND HUNTING METHODS
AND CHAPTER 36-6 "BOROUGH PERMITS
REQUIRED FOR HUNTING AND FISHING**

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~~(Co. Eicher, Recreation Committee — Public Hearing June 11, 2012)~~

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Councilwoman Eicher moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on June 11, 2012. Seconded by Councilwoman Novak.

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

ORDINANCE #186-11

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN
REAL PROPERTY, DESIGNATED AS BLOCK 457, LOTS 46
AND 47, AT PRIVATE SALE TO THE HIGHEST BIDDER
FROM AMONG THE OWNERS OF REAL PROPERTY
CONTIGUOUS TO EITHER LOT, OR, IN THE ALTERNATE,
OFFERING THE PROPERTIES FOR PUBLIC SALE TO THE
HIGHEST BIDDER**

~~(Co. Perrette, Admin. & Executive Committee — Public Hearing June 11, 2012)~~

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Councilman Perrette moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on June 11, 2012. Seconded by Councilwoman Novak.

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

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

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• Amendment to the 2012 Municipal Budget

C.F.O. Kronowski updated the council and residents on the Municipal Budget, explaining that the budget has been cut from the previous 6.8 cents to 5.2 cents and that if the Resolution is approved tonight it would be advertised and the Public Hearing on the amendment is scheduled to be held at the next meeting.

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Councilman Henry asked what would be the absolute last day that we could adopt this budget with keeping within the law.

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He said the date was back in May, but because we had planned on amending the budget the state allows that period to become extended but now we need to adopt the budget to avoid sending out estimated tax bills.

Councilman Perrette said that this amends the budget from the 6.8 to 5.2 and can still be looked at from there.

Discussion followed regarding filling positions, staffing and which were included in this budget and which were cut.

Resolution will be read in full under that portion of the meeting.

At this time Mayor O'Brien opened the meeting to the public for questions or comments on Consent Agenda Resolutions.

No appearances.

Councilwoman Eicher moved the Consent Agenda Resolutions be approved on Roll Call Vote. Seconded by Councilwoman Novak.

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

CONSENT AGENDA/RESOLUTIONS

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RESOLUTION #2012-136

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

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/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan

/s/ Mary J. Novak

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Councilman

Councilwoman

/s/ Lisa Eicher,

/s/ Nicholas J. Perrette

Councilwoman

Councilman

Bill list of May 29, 2012, in the amount of \$ 2,957,541.68
(Bill List – See Appendix 2012-A for this date, in a separate Bill List File for 2012).

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RESOLUTION #2012-137

WHEREAS, Metro PCS New York, LLC posted a Performance Bond #022028510 dated March 26, 2010, in the amount of \$15,000.00 covering the installation of antennae and construction of telecommunication facilities at the Pulaski Avenue Water Tank; and

WHEREAS, the Borough Engineer's Office reported that the Water and Sewer Director/Superintendent as well as the Zoning Official are not aware of any existing problems at the site and has recommended the Performance Bond and be released.

BE IT FURTHER RESOLVED that the proper borough officials are hereby authorized and directed to release said Performance Bond #022028510 in the amount of \$15,000.00 and covering Metro PCS New York, LLC.

/s/ Nicholas J. Perrette, Councilman

(Admin. & Finance Committee)

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ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec

/s/ Kennedy O'Brien

Municipal Clerk

Mayor

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RESOLUTION #2011-138

BE IT AND IT IS HEREBY RESOLVED that the Borough of Sayreville hereby grants a waiver of all municipal fees associated with Special Event Permits and Food Handlers permits for the June 30, 2012 Independence Day Celebration and that these fees are hereby incorporated into one general "Special Permit/Fee" which will be issued by the Recreation Department for this event and that said fee will be in the amount of \$300.00.

BE IT FURTHER RESOLVED this action does not eliminate the requirement for each vendor to file the necessary applications and obtain permits from the Board of Health and the Municipal Clerk.

BE IT FURTHER RESOLVED that the Recreation Department must supply the Board of Health, Municipal Clerk and the Police Chief with a list of all vendors in order to insure that the proper permits are obtained from their respective departments, if necessary.

/s/ Lisa Eicher, Councilwoman

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(Recreation Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien,
Mayor

RESOLUTION #2012-139
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
May 14, 2012 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the May 14, 2012 Council Meeting approving the following:

- a) Approving Coin Toss requests from Sayreville River Dogs Travel Baseball Team on July 28, 2012 at the intersection of Washington & Ernston Roads.

Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-140

BE IT RESOLVED, that the appropriate Borough Officials are hereby authorized and directed to execute a Host Agency Agreement between the Easter Seals of New Jersey and the Borough of Sayreville to participate in a Senior Community Service Employment Program for a period of July 1, 2012 to June 30, 2012.

BE IT FURTHER RESOLVED that the Sayreville Office on Aging shall provide the necessary signature and documented time sheets as required in said agreement.

/s/ Councilman Nicholas J. Perrette

(Admin. & Finance Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec

/s/ Kennedy O'Brien

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Municipal Clerk

Mayor

RESOLUTION # 2012-141

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**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
MEMORIALIZING AUTHORIZATION
FOR THE TRUMAN SCHOOL'S FREE MOVIE NIGHT**

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WHEREAS, the Truman School's PTO applied for a Special Event; namely, a free movie night for the families of the Truman School at Kennedy Park; and

WHEREAS, the Mayor and Council wish the Borough of Sayreville to support the families of our school children; and

WHEREAS, the Mayor and Council approved the request of the Truman School PTO at the regular Borough Council meeting on May 14, 2012; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that on May 19, 2012 the Truman School PTO will host a free family movie night for the students and families of the Truman School.

/s/ Lisa Eicher, Councilwoman
(Recreation Committee)

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ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2012-142

WHEREAS, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear in Contract Change Order No. 1:

- Project: Weber Avenue Storm Sewer Improvements
- Contractor: Black Rock Enterprises, LLC
1316 Englishtown Road
Old Bridge, NJ 08857
- Net Decrease: \$7,895.99
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

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

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

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

ATTEST: _____ BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2012-143

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WHEREAS, on May 1, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the "Improvements to Marsh Avenue"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 29th day of May, 2012 that:

1. Contract for the "Improvements to Marsh Avenue" be awarded to Laneha Lanchow

Construction Corp of South River, NJ on their bid price of \$325,261.20 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities and the concurrence of the award of contract by the New Jersey Department of Transportation.

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

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ATTEST: _____ BOROUGH OF SAYREVILLE

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/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

_____/s/ Kennedy O'Brien
Mayor

RESOLUTION #2012-144

**AUTHORIZING STERN & DRAGOSET APPRAISAL GROUP
TO PROVIDE APPRAISAL SERVICES TO THE BOROUGH OF SAYREVILLE IN
CONNECTION WITH MATTERS INVOLVING REAL PROPERTY**

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WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an appraiser to provide an appraisal covering Block 356, Lot 51 & 52 in the Borough of Sayreville; and

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WHEREAS, the Laws of New Jersey provide for such services and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A11-5(1)(a) requires that the resolution authorizing such services without competitive bids must be publicly advertised; and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Sayreville as follows;

1. Stern Dragoset Appraisal Group is hereby appointed to provide an appraisal covering Block 356, Lots 51 & 52 in the Borough of Sayreville and that he be paid for said services at a fee not to exceed \$950.00.
2. This appointment is made without competitive bidding as a “professional service” under the provisions of N.J.S.A. 40A11-1, et seq.
3. That a copy of this resolution shall be kept on file with the Borough Clerk.
4. That a copy of this, certified copy be a true copy by the Borough Clerk, shall be published as required by law within ten (10) days from the date of adoption.

BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk be and is hereby authorized to forward a true copy of this resolution to Stern Dragoset Appraisal Group, 109 Green Street, Woodbridge, NJ 07095.

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

Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION READ IN FULL BY C.F.O KRONOWSKI:

RESOLUTION #2012-145
Borough of Sayreville - Budget Amendment

WHEREAS, the Local Municipal Budget for the year 2012 was approved on the 12th day of March, 2012; and

WHEREAS, the Public Hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved Budget.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Sayreville, County of Middlesex that the attached amendments to the approved Budget of 2012 be made:

<u>AYES</u>	<u>NAYS</u>	<u>RECORDED VOTES</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Bella				

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Buchanan None None None
 Eicher
 Henry
 Novak
 Perrette

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for the Certification of 2012 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this amendment, in accordance with the provision of N.J.S. 40A:4-9, be published in the Home News Tribune in the issue of June 1, 2012 and that said publication contain notice of public hearing on said amendment.

				<u>From</u>	<u>To</u>
3.	Miscellaneous Revenues				
	Section A: Local Revenues				
	Sewer User Fees			4,088,000.00	4,288,000.00
	Total Section A: Local Revenues			6,940,100.00	7,140,100.00
	Section F: Special Items of General Revenue Anticipated with Prior				
	Written Consent of Director of Local Government Services-Public and Private Revenue Offset with Appropriations				
	Safe and Secure Grant			0.00	60,000.00
	Clean Communities Grant			59,205.89	58,066.84
	Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government				
	Services-Public and Private Revenue Offset with Appropriations:			261,992.89	320,853.84
	Section G: Special Items of general Revenues Anticipated with Prior				
	Written Consent of Director of Local Government Services - Other Special Items:				
	Total Miscellaneous Revenues			20,563,148.89	20,822,009.84

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5.	Sub Total General Revenues (Item 1,2,3 and 4)		24,697,148.89	24,956,009.84
6.	Amount to be raised by Taxes for Support of Municipal Budget			
	a) Local Tax for Municipal Purposes including Reserve for			
	Uncollected Taxes		26,128,889.59	25,759,501.59
	b) Addition to Local District School Tax		0.00	0.00
	c) Minimum Library Tax		1,663,740.94	1,663,740.94
	Total Amount to be raised by Taxes for Support of Municipal Budget		27,792,630.53	27,423,242.53
7.	Total General Revenues		52,489,779.42	52,379,252.37

<u>2012 Budget Amendment</u>					
				<u>From</u>	<u>To</u>
A.	Operation Within "CAPS"				
	Police				
	Salaries & Wages			11,179,000.00	11,119,000.00
	Celebration of Public Events				
	Memorial Day Parade			11,000.00	13,000.00
	Utility Expenses and Bulk Purchases				
	Electricity			560,000.00	535,000.00
	Natural Gas			224,000.00	174,000.00
	Total Operation (Item 8(A)) within "CAPS"			34,967,087.00	34,834,087.00
	Total Operations Including Contingent - Within "CAPS"			35,001,087.00	34,868,087.00
	Detail:				
	Salaries and Wages			19,665,087.00	19,605,087.00
	Other Expenses			15,336,000.00	15,263,000.00
	(H-1) Total General Appropriations for Municipal Purposes within "CAPS"			38,951,223.50	38,818,223.50
	(A) Operations -				

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Excluded from "CAPS"				
Public & Private Programs Offset by Revenues				
	Private Revenue Offset with Appropriations			
	Safe & Secure Grant		0.00	60,000.00
	Clean Communities Grant		59,205.89	58,066.84
	Total Public & Private Programs Offset by Revenues		271,103.89	329,964.84
	Total Operations - Excluded from "CAPS"		5,382,297.89	5,441,158.84
	Detail:			
	Salaries and Wages		0.00	60,000.00
	Other Expenses		5,382,297.89	5,381,158.84
	(d) Municipal Debt Service-Excluded from "CAPS"			
	Payment of Bond Principal		4,430,000.00	4,510,000.00
	Interest on Bonds		815,000.00	706,000.00
	Total Municipal Debt Service-Excluded from "CAPS"		5,505,029.00	5,476,029.00
	(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"		11,458,629.92	11,488,490.87
	(O) Total General Appropriations- Excluded from "CAPS"		11,458,629.92	11,488,490.87
	(L) Subtotal General Appropriations (Items (H-1) and (O))		50,409,853.42	50,306,714.37
	(M) Reserve for Uncollected Taxes		2,079,926.00	2,072,538.00
	9. Total General Appropriations		52,489,779.42	52,379,252.37

2012 Budget Amendment						
					From	To
	11. Appropriation for Water Utility					
	Debt Service					
	Payment of Bond Principal					

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		Interest on Bonds			585,000.00	600,000.00
					120,905.00	105,905.00
		Total Water Utility Appropriations			8,877,000.00	8,877,000.00

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

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ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Mr. Kronowski ~~explained~~ informed everyone that the Public Hearing on the Budget Amendment will be held at the next meeting.

Councilman Perrette moved this Budget Amendment Resolution be approved on Roll Call Vote. Seconded by Councilman Novak.

Comments:

Councilman Bella asked how much more would be needed to get this budget down to 4 cents and asked that we continue to do that stating that he was not comfortable passing a budget with more than a 4 cent increase. He said that he supports this amendment but still wants more.

Councilman Henry agreed with Councilman Bella, wanting the budget to be further reduced.

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

• **PRESENTATIONS**
- IT Proposal Presentation to the Governing Body

Presentation made by:

- Chris _____ from Maxus Group, New York

He gave a power point on the status of where the borough's IT System stands and would put together a brief assessment of the system.

Councilman Bella asked what this assessment would cost.

Response – approximately \$2,750.00, 3 days of walk through and

Mayor asked if he did any work in New Jersey or any municipal police work.

He responded that they do not. They work for the City of New York with similar jobs.

Discussion of the types of service he provides and could provide to the borough and how the services would be implemented. He gave the hardware and application standpoint.

Councilwoman Eicher asked what would happen after the assessment and proposal were presented.

He explained that would depend on what is needs would be ed and gave examples.

In closing the Mayor explained the borough's budget issues.

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Councilman Bella stated that as much as he wants to see the budget cut by another \$300,000.00 he believes this is a very important component that needs to be put into the budget.

Mayor asked if the governing body wanted to discuss this more.

Councilwoman Eicher stated that everyone should review this proposal more and discuss it further at their next meeting.

The Mayor thanked him for coming out.

BUSINESS SESSION

COMMUNICATIONS/COMMITTEE REPORTS

• **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Minutes-

Councilman Perrette moved the following minutes be received and filed.

- Board of Education - May 1, 2012
Seconded by Councilman Buchanan.

b) TAX ASSESSMENT APPEAL(S)

Received the following 2012 Tax Appeals from:

Plaintiff/Petitioner	Block	Lot	Address
Timothy Eppinger	350	24	5 Wilbur Terrace
MacknowskiMakowski , Robert & Karen	524	11	67 Morris Court

- **Refer to Tax Counsel**

c) Resolution received from the Borough of Spotswood & Borough of South River for NJLM for Municipal Enlistment in Military Initiative .

- **Sayreville already support program in place.**

d) Committee Reports:

Councilman Perrette moved the following report(s) be received and filed.

- Municipal Clerk’s Report for the months of March & April, 2012.

Seconded by Councilman Novak.

Councilman Perrette gave a shout out to the Sayreville War Memorial High School Baseball team who is presently ranked second in the state and is playing Huntington Central today who is ranked tenth in the state.

He then reminded everyone to get out and vote next Tuesday.

Progress.

• **PLANNING & ZONING** – Councilman Henry

a) Minutes-

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

- Planning Board - April 18, 2012
- Zoning Board of Adjustment – April 25, 2012

Motion seconded by Councilman Perrette.

b) Notice to Adjacent Property owner of an application received from attorney for

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Riverside Supply Co., Inc. appearing before the Planning Board on June 6, 2012 for site plan approval with bulk variance relief for premises known as block 62, Lot 1.01, 2 & 17 Jernee Mill Rd. to establish a rebar bending and fabrication and office & storage yard for a trucking business.

- Receive & File.

c) Committee Reports:

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

- Construction Official's report for the months of March & April, 2012

Motion seconded by Councilman Buchanan.

Councilman Henry commented to the Mayor about statements he made at the last meeting regarding appointments to SERA. He also commented to the Mayor about the responsibilities of Acting Mayor and about accusations he made to the borough attorney. He then talked about the process taken by Councilwoman Eicher in an open public council meeting for the hiring of the business administrator and the comments the Mayor made in the suburban and at the last council meeting.

• PUBLIC WORKS – Councilwoman Novak

a) Minutes- (none)

b) Request for a Block party received from the residents of Haven Terrace (from Campbell Drive to the cul de sac) on Sat. Aug 18, 2012 (rain date Aug. 25th) from 12 noon until 11pm.

- Approved.

c) Authorization for Resolution to advertise for the receipt of bids for:

-One (1) Conventional Rear Loader Sanitation Truck

-One (1) Automated Refuse Loader Body and Arm Replacement

- Approved for Resolution.

d) Authorization for Girl Scouts to conduct a car wash on June 23, 2012 at the Sayreville Emergency Squad, pending the proper certificate of insurance.

- Approved.

e) Recommendation for the approval of Change Order #1 for the Boiler Replacement at the

— Sr. Center for Estock Piping LLC as recommended by Peter Campisano of USA Architects

—(Report enclosed).

- Approved for Resolution.

f) Committee Reports:

Councilwoman Novak made a motion to receive and file the following departmental reports:

-Buildings & Grounds report for the months of Jan. thru April, 2012.

-Parks for the month of March, 2012.

-Recycling Coordinator for the month of March, 2012;

-Roads Division for the months of Feb. & March, 2012.

-Garage Services for the month of March & April, 2012.

- Sanitation Department for the month of Jan. & April, 2012.

-Office on Aging for the month of February, 2012.

Motion seconded by Councilman Perrette.

Councilwoman Novak then reported on pot hole repairs.

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• **PUBLIC SAFETY** – Councilman Bella

a) **Minutes-**

b) **Committee Reports:**

~~Councilman Bella made a motion to receive and file the following departmental reports:~~

~~Councilman Bella made a motion to receive and file the following departmental reports:~~

- Fire Prevention report for the months of March & April, 2012.
 - Municipal Court Administrator's Report for the month March, 2012.
 - Board of Health, County & Registrar's reports for the Months of March & April, 2012.
- Motion seconded by Councilman Buchanan.

Councilman Bella reported that SERA has recently settled litigation on National Lead Parcel B and the transaction has occurred. SERA has now acquired title to all three tracts of land, Parcels A, B & C of the National Lead Site. He read from a summary provided by Mr. Ambrosio, SERA Executive Director. As of this date about 60,000 tons of radioactive soil has been removed from the site and that work is continuing. Groundwater remediation is expected to begin after the soil remedial program is done and is expected to be completed by the end of 2012. So we are at a point now where all of the litigation seems to be behind us and things are going to be moving forward.

Progress.

• **WATER & SEWER** – Councilman Buchanan

a) **Minutes (none)**

b) **Committee Reports:**

Councilman Buchanan made a motion to receive and file the following departmental reports:

- Water & Sewer Director's Report for the months of March & April, 2012.
- Motion seconded by Councilman Henry.

Councilman Buchanan thanked the Veteran's Alliance Committee for a great job on the Memorial Day Parade yesterday. He also thanked the Public works Department as the parade route looked wonderful.

Progress.

• **RECREATION** – Councilwoman Eicher

a) **Minutes:**

Councilwoman Eicher made a motion to receive and file the following minutes:

- Cultural Arts Council – April 11, 2012.

Motion seconded by Councilman Henry.

~~(move to) **Receive & File**~~

~~**b) Committee Report –**~~

~~_____ Councilman Buchanan made a motion to receive and file the following departmental _____ reports:~~

- ~~_____ - Recreation Department report for the months of March & April, 2012.~~

~~Motion seconded by Councilman Henry.~~

~~Councilwoman Eicher then reported on various Recreation programs and apologized for not being at the Memorial Day Parade as she was not feeling well.~~

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• **MAYOR** – Kennedy O'Brien

a) **Appointments**

b) **Other Business**

Mayor thanked Frank Straczynski the Commander of the VFW on the good work he and the VFW did putting the parade together this year. Former Councilman Ken Kelly was the MC and he did a terrific job.

Mayor told Councilman Henry that the borough attorney did review the appointments that were made at the last meeting to SERA and the Zoning Board and found that they were done correctly and he was in error, they were legal and said the he sincerely apologized to the borough council and any member sitting up there who took offence. He went on to talk about the Business Admin. and if there was an e-mail dated May 4th he apologized as he had over 800 e-mails in his in-box that we was reviewing today and it may have been missed and for that he apologized. Mayor O'Brien asked that we use the same process that we have for the past twelve years that he has served as Mayor and the three years prior to that. He said that the elected officials are officially the business administrator boss and that it would be important that all seven be involved in the hiring process. He said that this process was handled differently, which de does not agree with.

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Mayor read the following response to Ethics Complaint #LFB-10-017 Notice of dismissal.

The Honorable Kennedy O'Brien
Mayor, Borough of Sayreville
6 Marcia Street
Parlin, NJ 08859

Re: Local Government Ethics Law
Complaint #LFB-1 0-017
Notice of Dismissal

Dear Mayor O'Brien:

As you are aware, the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., (LGEL) provides the Local Finance Board (Board) with the power to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established, and determine if a complaint against a local government officer or employee is within its jurisdiction, frivolous, or without a reasonable factual basis, prior to conducting an investigation. You are hereby notified that a complaint was filed against you and dismissed.

Complaint #LFB-1 0-017 alleged that you unexpectedly attended a meeting between Bob Kaye and Deborah Lee, a recent appointee as second alternate to the Planning Board, in January 2010 with the intent of discussing PRC Group's plans to submit an application to the planning board to convert an approved development from age-restricted to market rate construction. The complaint also alleged that the tapes of the February 3, 2010 planning board meeting were tampered with to delete a portion of Deborah Lee's testimony regarding this January meeting.

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The complaint specifically cited the following provisions of the LGEL: N.J.S.A. 40A: 9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A: 9-22.5(h) No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before, any agency in the local government in which he serves. This provision shall not be deemed to **prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;**

Following a preliminary investigation of the facts and circumstances relevant to this complaint, the Board determined that there is no evidence to indicate that you were representing Bob Kaye or the PRC Group at the January 2010 meeting, nor was the matter currently pending before any agency (including the Planning Board) in the Borough of Sayreville. There is also no evidence to indicate that you were attempting to use your official position to secure an unwarranted privilege for Bob Kaye or the PRC Group, as Ms. Lee indicated to LFB staff that she did not feel you were trying to influence or intimidate her as a recent appointee to the Planning Board. Therefore, the Board voted to dismiss the complaint as having no reasonable factual basis.

Pursuant to NJ.S.A. 40A:9-22.9, the local government officer or employee against whom the complaint was filed must be notified of the Board's conclusion regarding the complaint. No action is required on your part. This letter is a notification that the above mentioned complaint was filed against you and subsequently dismissed.

This case is now closed.

If you have any questions regarding this matter, please feel free to contact Patricia Parkin McNamara at (609) 292-0479.

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Sincerely,

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Thomas H. Neff, Chair
Local Finance Board

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Mayor made comments that at the last campaign there was a tremendous amount of money spent to perpetuate these allegations it is offensive and does not serve the people of Sayreville. The Mayor explained his position as the Mayor of the Borough of Sayreville and after further comments he asked to move on to the Business Admin. agenda.

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• **NEW BUSINESS –**

• **BUSINESS ADMINISTRATOR –**

I. Middlesex County E-Waste Subsidy Program – Resolution required for participation.
- **Approved for Resolution.**

II. Middlesex County to provide second Automatic License Plate Reader to the Borough
a—at no cost. Resolution authorizing Memorandum of Understanding.

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- Approved for Resolution.

III. Personnel – Public Works
- Municipal Court

(Items for closed session)

• **C.F.O.- Wayne Kronowski**

- I. Bill List Resolution
- II. Public Hearing on Amendment to 2012 Local Municipal Budget
- III. Adoption of 2012 Local Municipal Budget

• **ENGINEER -Jay Cornell**

- I. Borough Hall Roof and Cupola Repairs – Change Order (Report Attached)
- Approved for Resolution.
- II. Department of Public Works Building Repairs and Alterations – Change Order (Report Attached)
- Approved for Resolution.
- III. Underground Storage Tank Removal Program – NJDEP Clean-Up Requirements (Report Attached)
- Approved for Resolution.
- IV. Ernston Road/Bordentown Avenue Intersection Improvements – Status of Project (Verbal Report).

Councilman Perrette commented on these items and for the council to keep in mind that these monies are needed and as projects progress come up from time to time and to remember that when discussing the budget.

Councilman Perrette then commented on remarks made by councilman Henry made earlier regarding his tardiness in not being available for certain meetings that pertained to the business administrator and not having his recommendations in on time and explained why. Then when they were supposed to meet as an entire council to review the applications there was not quorum.

Councilman Henry stated that he did supply to the clerk his choice of five. Councilman Henry further commented on the letter the Mayor read into record from the Local Finance Board regarding the allegations against the Mayor being dropped and why the charges were filed against him in the first place.

The Mayor then outlined the chain of command from the business administrator down to the employees of the Borough of Sayreville and did not agree with a business administrator being chosen by sub-committees.

• **BOROUGH ATTORNEY - Michael DuPont**

- I. Closed Session – Heirs of Charlotte M. Quaid

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7. PUBLIC PORTION

Mayor will open to public.

Motion to close public portion.

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

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Those appearing were:

• Ed Streck, 58 Nickel Avenue

He thanked the governing body on behalf of the American Legion Post for their support in this year's Memorial Day Parade and the public works department for their outstanding job in preparation for the parade. He commented about the Mayor and his support of the veterans and the Veteran's Alliance over the number of years.

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Mayor also recognized and thanked the police department who also worked diligently planning for this event as well as all events Sayreville has.

• John Rucki, Hendricks Court

Made comments about SERA and how quickly things moved forward in the past and since the legislation has changed the makeup of SERA and the Mayor can no longer serve on SERA things have slowed. He requested that the director of SERA come before the council from time to time and report on their progress. He then questioned Councilman Henry's comments regarding the Mayor and that he could "sit on SERA".

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-Councilman Henry responded that the Mayor could be a member of SERA but this council chooses not to appoint him.

• Mike D'Addio, 13 Zaleski Drive and Commissioner of SERA

Commented about the lack of progress of the NL project when the Mayor sat on SERA. He went on to say that the past director was a full time director and the director now is part time who makes less than half of his predecessor and it is not in his realm of responsibilities to report to the council it is up to SERA if they want to send him.

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• John Corrigan, 17 Hemlock Drive, Dist. 13 Committeeman

Thanked the police chief and the police department for the increased vigilance in Laurel Park due to the increased traffic with the ongoing Ernston Road project.

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Mayor O'Brien gave history on the NL Project and how it started when Jim Zagata was Mayor and convinced National lead to enter into a redevelopment agreement with the borough and that gave the borough tremendous power in how that land was developed. He explained his friendship with the late Freeholder-Director Dave Crabiell and how instrumental he was in bringing O'Neill Properties to the table and how he helped Sayreville begin funding this project.

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No further questions or comments. Councilwoman Eicher made a motion to close the public portion. Seconded by Councilman Buchanan.

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Roll Call: Voice Vote, all Ayes.

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• EXECUTIVE SESSION ITEMS

Mayor O'Brien announced that the Council will be going into Closed Session and do not expect any action to be taken when we reconvene.

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Attorney DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

Personnel
and
Litigation

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

NOW, THEREFORE BE IT RESOLVED that the public be excluded and this resolution shall take effect immediately.

/s/ Lisa Eicher, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

Councilman Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman Perrette.

Roll Call: Voice vote, all Ayes. Carried.

Time: 8:05 PM

RECONVENE

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

Roll Call: Voice Vote, all Ayes.

Time: 8:29 P.M.

ADJOURNMENT

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MAY 10, 2012
BUDGET WORKSHOP
MINUTES – MAYOR AND COUNCIL
MAY 29, 2012
MAY 29, 2012
COMBINED MEETING

4

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No further business.

Councilman Buchanan made a motion to adjourn. Motion seconded by Councilwoman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 8:29P.M.

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SIGNED:

Theresa A. Farbaniec, Municipal Clerk

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Date Approved

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8. EXECUTIVE SESSION

Motion to Enter into Closed Session / Roll Call

Motion to Reconvene Time / Roll Call

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9. ADJOURNMENT

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