

Mayor O'Brien opened the Council Meeting at 7:02 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Assistant Clerk Morelos announced that this June 13, 2016 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: None

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

Others Absent: None

- **Moment of Silence called by Mayor O'Brien for all of the victims and their families of the tragedy in Orlando, Fla.**

- **PROCLAMATION & PRESENTATION:**

- Presentation to the Our Lady of Victories Varsity Cheer Team for winning First Place in the Junior High Cheer Division at the US Finals in Rhode Island and First Place in the Best of the Best Competition for 2016.

- Morgan Brennan	- Amanda Mozden
- Emily Calantoni	- Elizabeth O'Connor
- Gabby Ferrigno	- Riley O'Keefe
- Kaitlyn Fritz	- Jessica Redding
- Elena Jastzebski	- Haley Redding
- Emily Fedor	- Marisa Rader
- Michele Lennan	- Morgan Schuck
- Alison McLaughlin	- Hannah Vioria

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL:**

Council President Buchanan moved the following minutes be approved on roll call vote, subject to correction if necessary:

☞ May 10, 2016 - Receipt of Bids
(Camden St. Water System Improvements and Repairs to Kennedy Park Skate Park)

Motion was seconded by Councilman Buchanan and seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION: LITIGATION & PERSONNEL**

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

- 10 minutes / Litigation & Personnel

Mr. DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

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

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

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

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

**Litigation
Personnel**

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

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

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

/s/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse, all Ayes. Carried. Time: 7:11 PM

• **RECONVENE – 7:16 PM**

Councilman Buchanan made a motion to reconvene. Motion seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Borough Attorney stated that at this point and following the Closed Session we have the following Resolution to be Read In Full:

TO BE READ IN FULL

**RESOLUTION #2016 - 197
RESOLUTION BY THE BOROUGH COUNCIL
IN SUPPORT OF SAYREVILLE PROPOSED AFFORDABLE HOUSING COMPLIANCE PLAN**

WHEREAS, the Borough of Sayreville and the Intervening and Participating Defendants have agreed to settle this litigation by entering into a Settlement Agreement and have requested that the Superior Court, Middlesex County, find that the Agreement, and the approach to meeting the Borough's Prior Round and Third Round Mount Laurel obligations, as detailed in the proposed Settlement Agreement is fair to the interests of lower income residents of New Jersey and entitles the Borough to protection from Mount Laurel litigation for the period of ten years from the date of the order entered by the court approving this Settlement Agreement; and

WHEREAS, it is also recognized that the proposed Settlement Agreement and proposed Housing Element and Fair Share Plan must be reviewed by the Court in accordance with the requirements of Morris County Fair Housing Council v. Boonton Township, 197 N.J. Super. 359, 364(Law Div. 1984), aff'd o.b., 209 N.J. Super, 108 (App Div. 1996), and East/West Venture v. Borough of Fort Lee, 286 N.J. Super, 311, 328 (App. Div. 1996), and that, in order to approve the settlement, the court must find that the Settlement Agreement and proposed Housing Element and Fair Share Plan adequately protects the interests of lower – income persons for whom the affordable units proposed by the settlement are to be built; and

WHEREAS, Sayreville has prepared a proposed Housing Element and Fair Share Plan which demonstrates that it has actually met its entire Prior Round obligation and significant portion of its Third Round obligation, and identified specific sites and mechanisms for the remainder of its Third Round obligation that present a realistic opportunity for the development of its regional fair share of housing affordable to lower income households, including families, people with special needs, very low income households including very low income families and seniors; and

WHEREAS, at this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement of those obligations using a mutually agreed upon process for determining those obligations in the context of a settlement rather than litigating a full resolution of those obligations; and

WHEREAS, on May 23, 2016, the Borough Council approved and endorsed a Housing Element and Fair Share Plan dated April 20, 2016 and at the present time, a revised Housing Element and Fair Share Plan dated

May 28, 2016, revised June 10, 2016 needs to be reviewed by the Borough Council for approval and endorsement; and

WHEREAS, the Borough Council has been briefed on this process, including the proposed Settlement and

WHEREAS, after consultation with the Borough's Special Counsel and Planner regarding the proposed settlement and housing plan, the Borough Council believes it is in the best interests of the Borough of Sayreville to settle the existing litigation with the intervening parties and to endorse and proceed with the proposed Housing Element and Fair Share Plan dated May 28, 2016, revised June 10, 2016, subject to final approval by the Court, including fairness hearing related to same.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sayreville that it does approve hereby of the proposed Housing Element and Fair Share Plan presented at its June 13, 2016 Council meeting and further approves and endorses the proposed Housing Element and Fair Share Plan dated May 28, 2016, revised June 10, 2016 with amendments thereto, which is on file with the Borough Clerk and available for public viewing, subject to the Borough finally negotiating a complete and final Settlement Agreement and Housing element and Fair Share Plan approved by the court and subsequent formal adoption of a Master Plan Amendment.

Dated: June 13, 2016

/s/ Steven Grillo, Councilwoman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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

Appearing Were:

Michael D'Addio, SERA Chairman

- Questioned the number of units and if the Point development was included.

Mr. DuPont responded the The Point was included and that without having the notes in front of him he believes the number of units were roughly around 714.

No further questions.

Councilman Grillo moved the Public Hearing be closed and the resolution be approved on Roll Call Vote. Seconded by Councilwoman Novak.

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

Mayor said that a resident by the name of Mr. Paul Salas, 67 Scarlett Dr., Parlin requested permission to conduct a Block Party on July 2nd with a rain date of the 3rd contingent upon him submitting all necessary and proper paperwork. Mayor asked Councilwoman Novak if she specifically had any issue with it inasmuch as she lives on Scarlett Drive. She said that she has not issue with it just so long as all residents sign off and agree.

Motion to approve subject to all the necessary paperwork was made by Councilman Lembo. Seconded by Councilwoman Kilpatrick.

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

- **OLD BUSINESS**

a) Public Hearing on the following Ordinance(s):

ORDINANCE #332-16
**BOND ORDINANCE PROVIDING FOR THE ACQUISITION
OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH
OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$1,922,000
THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$1,830,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,922,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$92,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,922,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,830,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,830,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the acquisition of the following equipment and vehicles: (i) police SUV vehicles, (ii) trailer mounted LED message boards, (iii) police vehicle video systems, (iv) fire department apparatus, (v) fire department sport utility vehicle, (vi) fire department turnout gear, (vii) code enforcement sport utility vehicles, (viii) calcium chloride system and spreader, (ix) vehicles for the Buildings and Ground Department, (x) snow plows, (xi) asphalt hot patcher, (xii) vehicles for the Sewer Department, (xiii) tire machines, (xiv) air compressor, (xv) vehicle and equipment refurbishing, (xvi) automated refuse containers, (xvii) rear loader replacement blades, (xviii) rear loader sanitation truck, and (xix) vehicles for the Parks Department.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,830,000.

(c) The estimated cost of said purposes is \$1,922,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$92,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 9.58 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross

debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,830,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$21,500 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,830,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #332-16.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street

Commented on the excessive spending in this ordinance and requested a "No Vote" on this Ordinance. She felt there is wasteful spending on the multiple vehicles and equipment in this ordinance.

- Ted Petersen, Crestview Apartments

Asked if this was an ordinance which needed a vote and if it would be upheld. Mayor responded that this is a Bonding Ordinance.

Attorney Mike DuPont stated that once the ordinance was adopted it calls for spending.

Mr. Petersen asked if an Ordinance was a law and once passed.

Mr. DuPont stated that was correct.

- Vinnie Waranowicz, Fire Chief

Commented that the fire trucks are replaced every 20 years and this one that is funded in the ordinance is replacing one that is 21 years old and he said that during the budget meetings no one said anything and now there is an issue. He also commented that his Chief's truck has 100,000 miles on it and its purpose was to get the Fire Chief to the scene to direct the men.

There were no further questions or comments.

Councilwoman Novak moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE #333-16
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$1,520,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$1,447,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance Committee – Public Hearing June 13, 2016)

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,520,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$73,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,520,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,447,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,447,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the following: (i) Senior Center improvements; (ii) Public Safety Complex parking lot improvements; (iii) Public Safety boiler replacement; (iv) Public Works Complex improvements; (v) Public Safety Complex improvements; (vi) technology improvements; (vii) equipment for Municipal Court; (viii) equipment for Code Enforcement; (ix) various drainage improvements; and (x) pump station upgrades.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,447,000.

(c) The estimated cost of said purposes is \$1,520,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$73,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 13.28 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,447,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$364,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum

principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,447,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #333-16.

There were no appearances.

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

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

ORDINANCE #334-16
**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS
PARKS IN THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$420,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$400,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing June 13, 2016)

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$420,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$20,000 as the down payment for

said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$420,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$400,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$400,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are various park improvements, including without limitation, Kennedy Park, various ball field upgrades, and other miscellaneous improvements, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$400,000.

(c) The estimated cost of said purposes is \$420,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$20,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not a current expense and are a property or improvement which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$400,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$70,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$400,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #334-16.

There were no appearances.

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

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

ORDINANCE #335-16
AN ORDINANCE FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES FOR THE YEARS 2013, 2014, 2015 AND 2016

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are hereby established for the following Borough Officials, Officers and Employees as per Schedules annexed hereto and made a part hereof.

Borough of Sayreville – AFSCME Salary & Wage Schedule
FIELD REPRESENTATIVE SENIOR CITIZENS

2016

A	B	1	2	3	4	5	6	7	8
45,746	48,150	50,685	57,189	58,619	60,085	61,100	63,703	66,306	68,137

Section 2. All ordinance or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

/s/ Mary J. Novak, Councilwoman
(Office on Aging Liaison)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

At this time the Mayor opened the meeting to the public for questions or comments on Ordinance #335-16.

Those appearing were:

- Ted Petersen, Crestview Apartments

Questioned if there were figures associated with this ordinance and if so if the borough would have to adhere to those amounts.

The borough attorney responded that is correct.

Councilwoman Novak told Mr. Peterson that there are two types of Ordinances and the one he questioned earlier was a Bond Ordinance which puts money in place for spending.

Mr. Peterson asked if there is an ordinance such a salary or noise which has fixed numbers that would have to be adhered to.

Councilwoman Novak said yes.

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

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

NEW BUSINESS:

a) Discussion - Vendor Selection Radio Communications System

At this time Mayor O'Brien called forward the Police Chief John Zebrowski.

Chief Zebrowski said that he does not have any additional information other than what was presented on Monday night. But the consultants are here to answer the questions that were presented at that time.

Representative Dominic Vellecco from V-Comm Telecommunications stated that at last Monday's Special meeting they discussed the system and the recommendations made by V-Comm still stand. He said that the Mayor had asked for clarification. He said that he put those apples to apples clarifications together and gave it to purchasing and legal and have not heard anything back.

Mayor asked that he state his recommendation back for the record.

Mr. Vellecco said that their recommendation was to install a stand-alone system for the reasons of greater redundancy and of the two vendors who submitted sales contract quotes they recommend Motorola Solutions as the lower of the two vendors because of the missing items from Tactical Public Safety Harris.

Mayor asked him if he had concurrence with this recommendation with the Police Chief and the Fire Chief of the Borough of Sayreville. He said yes.

Mayor asked if there were any questions from the governing body.

Councilwoman Novak asked the Borough Attorney about the two letters they received during the week. One was from Harris stating that those numbers were included so therefore, adding the extra made their quote higher. She asked if legally that was sufficient. Mr. DuPont said that the representation made on Monday together with their correspondence of June 7, 2016 reiterates their position that all of the three items that were added in by V-Comm were included in their bid and that their total bid remains fixed at \$1,860,001.77.

Council President Buchanan stated he had a question for our IT Director.

-Appearing was:

Tom Bracken, IT Director

Council President asked that if we were to go to the Stand Alone System would the fail over or transition to the County be more compatible if it were the same manufacture.

Mr. Bracken said that is an interoperability concern that he did bring up before and was referred to the Radio Consultant and he said that since both systems are P-25 Phase II that the fail over should be seamless. Mayor asked if the concerns early on were resolved and if there was still any issues. Mr. Bracken said yes the concerns were resolved and that there are no issues. He said

functionally would be the same because we are dealing with both P-25 Phase II Systems, so again the fail over should be seamless.

With no further comments Mayor asked for the introduction of the Ordinance.

b) - Clerk reported having received the Supplemental Debt Statement from our CFO, Wayne Kronowski, effective June 13, 2016. Motion was seconded by Council President Buchanan.

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

- Assistant Clerk Morelos read the following ordinance for Introduction of the following for funding of the Radio Communication System:

ORDINANCE #336-16
**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF THE EXISTING
RADIO COMMUNICATION SYSTEM AND THE ACQUISITION OF NEW
EQUIPMENT AND SITE UPGRADES THEREFORE IN, BY AND FOR THE
BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,300,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,190,000 BONDS OR
NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

Councilman Buchanan moved the Ordinance be introduced on first reading, advertised according to law and a public hearing be held on June 27, 2016. Motion was seconded by Councilman Lembo.

Roll Call: Ayes - Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Rittenhouse.

Nays – Councilwoman Novak.

Mayor called for a motion authorizing the contract with a vendor for the police radio communication system recommended by the consultant, the police chief and the fire chief that we go with a Stand-Alone System using Motorola.

Council President interrupted stating that there have been a lot of discussions and contradictions and the amount which have been clarified and made a Motion to award a Stand-Alone System with TPS Harris Radio Co. Motion was seconded by Councilwoman Kilpatrick.

Councilman Rittenhouse stated that he moved the Mayors Nomination.

It was further clarified that there was no second to Councilman Rittenhouse's Motion.

The Borough Attorney clarified for the record that the Motion which was seconded is what should be voted on.

Mayor asked the Clerk to restate the Motion and the Clerk asked Council President to restate his motion for the record.

Councilman Rittenhouse called for a Point of Order on Council President Buchanan. That he recused himself from the last vote/discussion on this matter because of a conflict and now he is making a motion on it. Has something changed?

Council President said that something has changed and that is why he was at the last meeting as well.

Council President Buchanan restated his motion. Moving that the borough go with the Stand-Alone System with TPS Harris Radio System. It was clarified that Councilwoman Kilpatrick seconded the motion.

Councilman Rittenhouse called for discussion stating that he is concerned with this because the Police Chief, the Fire Chief, the consultant all recommended the Standalone Motorola System and Motorola has been the system that we have had. He said he spoke

with people in different county agencies and they are not overly happy with the Harris System. He said that this matter has been studied for 18 months and now your changing the radio they want to go with and that he will be voting No.

Councilwoman Kilpatrick said that she wanted Harris to come up for discussion but it was made clear that there is no need for any further discussion. She said that she seconded the motion and outlined her reasons.

Council President Buchanan explained why he made the motion to go with TPS Harris stating that he felt more comfortable with the Stand-Alone with Harris because this is the same system as our back-up would use.

Councilman Grillo said that after the meeting last Monday there were clarifications that needed to be made with the proposals and when that was made Harris System is \$100,000. Cheaper at an apples to apples comparison.

Councilwoman Novak explained the important factors why she made the decision to award to Harris such as roaming coverage, 24/7 monitoring.

Councilman Lembo stated that he would support the recommendation of the consultant, the Police Chief, Lt. Batko as they all have been reviewing this for a long time and will be voting No on this award.

Mayor commented that in no other issue or item has he ever had the number of phone calls as he has had on this radio system to go with the County's System and he recommended these callers call the Chief of Police and Fire Chief because he will be supporting their research and recommendation. He recommended to the governing body not to adopt this as it is not in the best interest to Sayreville.

Councilwoman Kilpatrick stated that we are not contracting with the County and further commented that she had additional questions of Harris but was not allowed to ask them.

Councilwoman Novak commented that the consultant stated that there was no difference between Motorola and Harris except for the money. She also said that after the last meeting the fire department stated that they were not getting the radios that they requested and that request went unheated.

Mayor said that they were in the middle of a Motion and called for a Roll Call.

	<u>Ayes</u>	<u>Nays</u>
<u>Roll Call:</u>	Buchanan	Lembo
	Grillo	Rittenhouse
	Kilpatrick	
	Novak	

Clerk announced a 4 Ayes and 2 Nays

CONSENT AGENDA/RESOLUTIONS

At this time Mayor O'Brien opened the meeting to the public for questions or comments on the consent agenda items.

Before moving forward with the Resolutions, Councilman Rittenhouse recognized people from Lockwood Boatworks and others in the audience and asked the Mayor if they could come forward and make a presentation about one of the Resolutions listed on the agenda tonight.

Appearing were:

- Robert Lockwood, Lockwood Boatworks.

Here to speak on the Cheesequake Creek dredging and the Superfund Site.

He said that many of the marina business owners, charter boat captain and pleasure boaters have been dealing with the shoaling and no water issue since Superstorm

Sandy. He said that Lockwood Boatworks has written many letters to Gov. Chris Christie, Lt. Governor Guadano, Senator Pallone, the EPA, the Army Corp. and the Marine Trades Assoc. He said that this correspondence is not getting the job done and all appear here tonight asking for the help of the governing body. The Resolution that is presented tonight touches on many important points. He also pointed out the lack of maneuverability in the small area of water entering and exiting the marinas. Some boats have relocated causing a lack of revenue for the marinas and charter boat captains placing many in jeopardy of closing as described in paragraph four of the resolution. He explained that after Superstorm Sandy a section known as Stump Creek was dredged and the material was pumped into Laurence Harbor and after the first North Easter all the material were washed back and eventually ending up into the Cheesequake Channel. Expressing the need for dredging as absolutely imperative. He said they have over 400 names on a signed petition and are requesting the help of the council.

Councilman Rittenhouse said that he went down to the location and the fishing boat the Misty Morn at low tide sits on the bottom. He said that there are four marinas in jeopardy of going out of business. Three here in Sayreville and one in Old Bridge. He also reported that he spoke with Old Bridge Mayor Owen Henry and Assemblyman Coughlin who are awaiting for copies of the resolution. He said with the petition, resolution and support of the towns and Assembly they will re-evaluate the creek and adjust the ranking from a 2 to a 3, a three being most critical. It needs to be re-dredged. The sail boats cannot go out. They are limited on the number of boats that can go out and in. Councilman Rittenhouse explained who the resolution will be sent out to.

Mayor said he just had the pleasure of presenting Lockwood with a certificate on their 70th Anniversary and would like them to stay for another 70.

- Bill Schultz, Raritan River Keeper

Said that the creek is being impacted by the events that have occurred after the last evaluation that being the last dredging and after the events the sediment has flushed back in almost blocking off the end of the creek. He said that there is a Superfund Site that is adjacent to the creek and the movement along the shoreline has been documented. He said that the Corp of Engineers can also agree that the flow of sediment is also impacting the creek. He said that they would appreciate any letters, etc. that the council can get up to the Federal and State level will be very helpful. He said that there are very viable businesses that are being impacted.

- Simon Zorovich, Old Bridge

Avid sailor and would love to continue to use Cheesequake Creek but can't get in except for high tide. Tide goes out boat leans over – problem. Stated that the Corp of Engineers are doing a lot of dredging in the Port of New York. He said his profession is a Harbor Pilot bringing ships in and out of port so he is very accustomed to what he does but is very anxious coming in and out of Cheesequake Creek. Asked for the help of the governing body.

Mayor stated that the State just spend a fortune rebuilding the drawbridge on Rt. 35 and if we don't get this channel dredged this could be all for nothing.

- Philip Bouchard, 157 Oak Street, Owner & Operator of the Misty Morn

He said that the creek is bad when they go out sometimes have to extend the trip for hours waiting to get in. He has been in business there for thirty years in a business his father started and would like to stay but it has to be dredged.

- Joe Walter, Morgan Marina

Stated that every marina is behind what the Lockwood's are doing. That they are all small, Sayreville family run businesses and without boats they have nothing. Stated they appreciate anything the governing body can do.

Discussion closed.

CONSENT AGENDA RESOLUTIONS

Mayor asked if there were any other questions on the Consent Agenda.

There being none.

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

Roll Call on Consent Agenda Resolutions:

Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse, all Ayes.

RESOLUTION #2016-146

WHEREAS, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

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

/s/Daniel Buchanan
Councilman

/s/Pasquale Lembo
Councilman

/s/Steven Grillo
Councilman

/s/Mary J. Novak
Councilwoman

/s/Victoria Kilpatrick
Councilwoman

/s/Arthur Rittenhouse
Councilman

Bill list of June 13, 2016 in the amount of \$7,737,120.17 in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).

RESOLUTION #2016-147

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, 2016 to June 30, 2017.

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-148

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING
THE BOROUGH OF SAYREVILLE TO SUBMIT THE
2016 APPLICATION AND ANNUAL ACTION PLAN TO HUD**

WHEREAS, the CDBG Committee proposes to use the 2016 allocation of \$195,421.00 from HUD for the following purposes:

- a) Smith Street Reconstruction in the amount of \$166,421.00
- b) Housing Authority/Gillette Manor ADA Rear Door in the amount of \$29,000.00

WHEREAS, the Governing Body of the Borough of Sayreville has reviewed the plan and has agreed that it is the best and highest use of the available funds; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville authorizes the CDBG Coordinator to submit the 2016 Application and Annual Action Plan to HUD as soon as convenient.

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-149

BE IT RESOLVED that the following person is hereby permanently appointed to the following title and department as per NJDOP Promotional Procedures:

NAME OF APPOINTEE:	Jeanne Monte
POSITION:	Field Representative Senior Citizens
DEPARTMENT:	Office on Aging
EFFECTIVE:	June 14, 2016

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 Department of Personnel.

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-150

BE IT AND IT IS HEREBY RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to advertise for Snow Plowing and Snow Removal Services.

/s/ Victoria Kilpatrick, Councilwoman
(Department of Public Works)

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016 - 151

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, REQUESTING THAT
GRANDFATHERING PROVISIONS BE INCLUDED IN NATIONAL
FLOOD INSURANCE LAWS TO PROTECT HOMEOWNERS WHOSE
HOMES ARE BUILT TO ELEVATIONS ACCEPTABLE AT THE TIME
OF CONSTRUCTION OR RECONSTRUCTION**

WHEREAS, Super Storm Sandy struck the State of New Jersey, inflicting unprecedented damage throughout the State and causing catastrophic flooding and damage to communities across the State, including the Borough of Sayreville; and

WHEREAS, as a result of the disaster, many homes were substantially damaged, requiring them to be rebuilt; and

WHEREAS, as a result of the disaster, the Federal Emergency Management Agency ("FEMA") released Base Flood Elevations (BFE) to aid communities in rebuilding; and

WHEREAS, these BFEs have dictated how substantially damaged homes were rebuilt, requiring not only certain building materials and designs, but structural elevations as well through National Flood Insurance Laws; and

WHEREAS, Super Storm Sandy also impacted homes not substantially damaged, placing them in new zones following the adoption of FEMA's maps, which now require them to be at higher elevations and built to a different code; and

WHEREAS, these homeowners, because their homes were not substantially damaged, do not qualify for State and Federal programs to raise their homes to the levels consistent with the BFEs or rebuild to current building standards; and

WHEREAS, by not including a grandfathering provision in the National Flood Insurance Laws, these homeowners are either forced to elevate and remodel, or pay increased flood insurance premiums or will lose value in their homes upon resale as their homes will be valued less by potential buyers who will be forced to elevate them; and

WHEREAS, this results in a reality that is unfair given the inability for these homeowners to qualify for programs to assist them in bringing their homes into compliance; and

WHEREAS, the only way to ameliorate this injustice is to insert a grandfathering provision into National flood insurance laws to permit those homes not substantially damaged to be deemed compliant, provided they were appropriately constructed or reconstructed to standards at that time; and

WHEREAS, due to the projected thousands of individuals who will be affected unfairly by these provisions in flood insurance laws, the Mayor and Borough Council of the Borough of Sayreville requests that a grandfathering provisions be included in applicable flood insurance laws to protect homeowners whose homes were not substantially

impacted by Super Storm Sandy but will be substantially impacted by the requirements of these laws.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. That the Mayor and Borough Council request a grandfathering provision be included in flood insurance laws to protect homes that were not substantially damaged from Hurricane Sandy as the National Flood Laws will significantly impact the financial health of homeowners in the Borough of Sayreville.

2. That upon the adoption of this resolution, the Borough Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, Lieutenant Governor of the State of New Jersey, New Jersey Senate President, New Jersey Assembly Speaker, Commissioner of the Department of Community Affairs, Middlesex County Freeholders, and the Legislators of the 19th Assembly District.

/s/ Arthur Rittenhouse, Councilman
(Sponsor)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-152
BOROUGH OF SAYREVILLE RESOLUTION TO
RENEW P.R.C.L. # 1219-33-001-013,
IKON AT ROUTE 35 CORP., WITH CONDITIONS
FOR THE 2016-2017 LICENSE YEAR

WHEREAS, Ikon at Route 35 Corp is the holder of plenary retail consumption license number 1219-33-001-013, issued by the Council of the Borough of Sayreville as the Issuing Authority, for license year 2016-2017; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-001-013, Ikon at Route 35 Corp., (pocket license), is hereby renewed for the 2016-2017 license year, subject to the following conditions that remain as part of the license:

1. Licensee shall continue to implement and provide valet parking for its patrons on all nights of operation. The Chief of Police may grant a waiver, on occasion, of the requirement that valet parking be provided if the Licensee demonstrates, to the reasonable satisfaction of the Chief of Police, that Licensee's level of occupancy on such specific occasion is anticipated to be significantly less than the legal occupancy so as to satisfy the Chief that valet parking will not be necessary on such specific occasion. The granting of any such waiver on one occasion shall not entitle Licensee to such a waiver on any other occasion.
2. The above-described valet parking requirement shall remain in effect unless and until a recommendation for other appropriate traffic control procedures, developed by a licensed traffic or civil engineer or consultant at Licensee's expense, is received and approved by the Mayor and Council as a substitute measure.
3. Licensee shall institute a policy and instruct its parking lot attendants and employees to abide by a policy that requires that, when the parking facilities used by the Licensed Premises are at full capacity, any additional cars seeking to enter the parking lots shall be "waved off" by parking lot attendants in order to insure that traffic jams do not occur but that such traffic continues to move through and out of the area of the Licensed Premises when there are no legal spaces available in the Licensed Premises parking lots to accommodate additional cars.

4. Licensee shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This measure is intended to address the Mayor and Council's previous finding that drug activity was noted on the Licensed Premises and in recognition of the fact that a practice of allowing patrons to exit and then re-enter the Licensed Premises facilitates drug activities by providing an opportunity for such persons to retrieve contraband from their vehicles for use and/or distribution inside and adjacent to the Licensed Premises. Additionally, this measure is intended to alleviate the problem of patrons loitering in and around the parking lot during Licensee's operating hours and engaging in illegal, disorderly or nuisance causing behaviors.

5. Licensee's security staff shall be required to obtain photo identification cards, prepared by the Sayreville Police Department, that must be kept on their persons at all times while employed at or located on Licensee's property. This measure is intended to alleviate difficulties encountered by police investigating complaints on the premises, in which members of the security staff are identified as either potential witnesses or suspects and is also designed in response to the findings of a previous ABC investigation in which it was discovered that some of the employees found on-site during the investigation were not properly entered in Licensee's employee records.

6. Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and outside premises, as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10:00 a.m.) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with Licensee's operation. To the extent that residents within such five hundred (500) foot radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problem associated with the accumulation of empty beverage containers, cans, bottles and other debris that results from the operation of the Licensed Premises.

7. Licensee shall install "zero tolerance" signs inside the Licensed Premises, at or adjacent to the entry to the premises, containing language indicating that patrons will be prosecuted to the fullest extent of the law for any possession, sale or distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.

8. Licensee shall install soundproofing equipment and/or take any other necessary steps to limit the escape of sound and vibration from the Licensed Premises, sufficient to ensure that no audible sound is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaints received by members of the Council pertaining to the Licensed Premises.

9. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of all music at 1:45 a.m. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed Premises at the same time, resulting in loitering around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area.

10. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the premises along with patrons aged twenty-one (21) and over, such patrons over the age of twenty-one (21) shall be required to wear secure wristbands of a color differentiated from any wristbands required to be worn by patrons under the age of twenty-one (21). All such wristbands shall be incapable of being re-attached once removed, in order to prevent violations of laws prohibiting sales of alcohol to persons under twenty-one (21). This measure is designed to prevent violations of drinking age laws, as noted by the Council in previous findings of fact related to a prior disciplinary action.

11. Licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that Licensee provides access to teenagers under the legal drinking age at events commonly referred to as "Teen Nights". During such events, all

alcoholic beverages shall be removed from the bar areas and secured. This measure is designed to prevent violations of drinking age laws as noted by the Council in previous findings related to a prior disciplinary action.

12. Licensee shall require all security staff, except for undercover security staff employed by Licensee, to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block letters stating "SECURITY". This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot to further assist police in identifying security personnel when patrolling or responding to complaints or calls.

13. Licensee shall institute a policy of providing security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the Licensed Premises. Parking attendants and valet parking staff shall not count as "security staff" in calculating the proper ratio of security staff to patrons. The ratio of one (1) security employee for every fifty (50) patrons is only for those security personnel who are being identified and/or are in uniform. Any undercover personnel that Licensee wishes to employ are in addition to the one per fifty patron security ratio. This measure is designed to ensure that the security staff employed by Licensee is sufficient to handle the numbers of patrons in attendance on a given night so as to constitute a visible, identifiable and adequate security presence, to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot.

14. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police.

15. Licensee shall strictly enforce a policy to bar admittance to any patron who is not wearing a non removable wristband, that has been provided to such patron by Licensee's valet parking attendant or parking supervisor, as evidence that the vehicle in which such patron arrived at the Licensed Premises has been parked in Licensee's parking lot. The only exception to this policy shall be for those patrons who demonstrate to Licensee before admittance that they hold a valid New Jersey motor vehicle license indicating that they reside within five hundred (500) feet of the Licensed Premises and have not arrived at the Licensed Premises in a motor vehicle. This condition is intended to restrict admittance to the Licensed Premises to only those patrons whose vehicles, as a driver or occupant thereof, are lawfully parked in Licensee's parking lot, in order to address issues raised by an Objector and her witnesses regarding illegal parking, property trespass, loitering and related nuisances.

16. Licensee shall institute a policy requiring its security staff to immediately report to the Sayreville Police Department any violations of Title 39 observed by such staff in and around the Licensed Premises, and to provide the Borough clerk, on a monthly basis, with a list of all such reports made by Licensee's security staff to police within the prior month.

17. On a weekly basis, Licensee will deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Police Department. DJs, dancers, and other entertainers are to be included as employees, as per ABC rules.

18. Licensee shall provide a list of entertainers who are booked prior to the scheduled date. The information shall be delivered to the Sayreville Police Department at the time a contract is executed and signed and the information shall be delivered to the Sayreville Police Department as to the name of the outside entertainer employees.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-153
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. # 1219-33-002-008, ROUTE 9 ASSOCIATES, LLC,
t/a BOURBON STREET WITH CONDITIONS FOR THE
2016-2017 LICENSE YEAR

WHEREAS, Route 9 Associates, LLC t/a Bourbon Street is the holder of plenary retail consumption license number 1219-33-002-008 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 927 Route #9, South Amboy, NJ 08879 (the "Licensed Premises") for license year 2016-2017; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-002-008, Route 9 Associates, LLC t/a Bourbon Street, is hereby renewed for the 2016-2017 license year, subject to the following conditions remaining on the license:

1. Licensee shall require all security staff, except for undercover security staff employed by Licensee, to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block letters stating "SECURITY". This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot to further assist police in identifying security personnel when patrolling or responding to complaints or calls.
2. "Security surveillance videos shall be made available to the Sayreville Police Department within three (3) business days of the Police Department's request for same."

WHEREAS, the Mayor and Council of the Borough of Sayreville deem the above conditions necessary and proper to accomplish the objectives of Title 33 of New Jersey's Revised Statutes;

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street, P. O. Box 087
Trenton, New Jersey 08625-0087
- b. Chief, Sayreville Police Department

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-154

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Distribution License No. **1219-44-003-007 Fancy Corner Caterers**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Distribution License No. **1219-44-003-007, Fancy Corner Caterers**, located at 508-510, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-155

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. **1219-33-004-002 Bailey's Tavern Inc., t/a Buddies Tavern**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-004-002 Bailey's Tavern Inc., t/a Buddies Tavern**, located at 277 Johnsons Lane, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

(Inactive License)

RESOLUTION #2016-156

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Consumption License No. **1219-33-006-003 Ayush & Chandni Corp. t/a Main St. Liquors**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-006-003 Ayush & Chandni Corp. t/a Main St. Liquors (Inactive)**, in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-157

WHEREAS, Pat's Pub, LLC is the holder of Plenary Retail Consumption License number **1219-33-007-005**, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 367 Washington Road, Sayreville, New Jersey for license year 2015-2016; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED that Plenary Retail Consumption License number **1219-33-007-005, Pat's Pub, LLC** is hereby **renewed for the 2016-2017** license year, subject to the following conditions as contained in the Stipulation of Settlement Agreement approved by Resolution #2008-132, adopted on May 27, 2008 and remaining on the license:

1. At least at ½ hourly intervals between the hours of 6:00 PM and closing time (currently 2:00 AM under municipal ordinance), Licensee shall monitor and supervise its patrons as they exit the licensed premises to insure against littering and disorderly conduct, including but not limited to littering on and disorderly conduct affecting neighboring properties . After the licensed Premises closes each night under its regulated hours of operation, Licensee shall have at least one employee or agent inspect the surrounding premises and nearby parcels of property for any refuse, litter, or debris left behind by Licensee's patrons and shall remove all such refuse, litter or debris. Licensee, prior to opening for business on a daily basis, shall inspect the immediate vicinity of the Licensed Premises and remove all litter found in the immediate vicinity.
2. In order to avoid excessive noise emanating from the building, and with the goal of avoiding nuisance to the surrounding neighbors, the Licensee shall take appropriate care to:
 - Keep its windows and doors closed at all times when open for business, especially when music is being played inside the licensed premises.
 - Set and maintain any jukeboxes, sound systems, or any other audio enhancement devices (audio devices) on a low to moderate level.
 - Use available consumer electronic decibel meters, electronic noise limiters or any other sound volume filters in order to measure and limit the audio device sound volume emanating from the Licensed Premises.
3. The Licensee shall make periodic observations of the location of vehicles parked in the immediate vicinity of the licensed premises and announce to and advise its patrons of any vehicles which are improperly parked, giving patrons notice and opportunity to move such vehicles.
4. Licensee will use its reasonable efforts to avoid patrons from loitering on or about the Licensed Premises and/or on nearby residential properties immediately surrounding the Licensed premises. Licensee will not allow patrons to congregate or loiter in front of its establishment and, if necessary to accomplish that goal, shall post signs indicating "No Loitering" "Loitering" shall not include patrons standing outside the bar for the purposes of smoking, but will include any patrons standing outside the bar, for any purpose, after closing time.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

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

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-158
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-010-005, 219 WASHINGTON ROAD, LLC,
WITH CONDITIONS FOR THE 2016-2017 LICENSE YEAR

WHEREAS, 219 Washington Road, LLC, t/a Big Shots, is the holder of plenary retail consumption license number 1219-33-010-005, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 2047 Route 35 in the Borough of Sayreville, New Jersey for license year 2016-2017; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED THAT plenary retail consumption license number 1219-33-010-005, 219 Washington Road, LLC is hereby renewed for the 2016-2017 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-138, adopted on June 28, 2010 (conditions c & d) and Resolution #2009-162 adopted on July 6, 2009 (conditions a & b) and remaining on the license:

- (a) The licensee shall be required to employ at least one individual who is solely responsible for security of the licensed premises on Fridays and Saturdays between the hours of 7:00 p.m. and 2:00 a.m. or until closing. The licensee shall require all security staff (except for undercover security staff employed by the licensee) to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block lettering stating "SECURITY." This measure is designed to ensure that security staffers constitute a visible, identifiable, and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the licensed premises and in the parking lot, to further assist police in identifying security personnel when patrolling or responding to complaints or calls.
- (b) The licensee shall be responsible for ensuring that there will be no parking of motorcycles on the sidewalks adjacent to the licensed premises."
- (c) Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and outside premises, as well as all residential areas within a five hundred (500') feet radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10 AM) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all litter, trash and other discarded items as may be generated by and/or associated with the Licensee's operation. To the extent that residents within such five hundred (500') feet radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, cans, bottles and other debris that result from the operation of the Licensed Premises.

(d) Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:45AM. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed premises at the same time, resulting in loitering in and around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area;

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

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

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-159

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-012-008, THE ALE HOUSE TAVERN & TAP, LLC,
WITH CONDITIONS FOR THE 2016-2017 LICENSE YEAR**

WHEREAS, The Ale House Tavern & Tap, LLC, t/a The Ale House, is the holder of Plenary Retail Consumption License No. 1219-33-012-008 issued by the Council of the Borough of Sayreville as the Issuing authority for premises located at 1899 Highway No. 35, South Amboy, NJ 08879 for the 2016-2017 license year; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED THAT plenary retail consumption license number 1219-33-012-008, The Ale House Tavern & Tap, LLC is hereby renewed for the 2016-2017 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-140, adopted on June 28, 2010 and remaining on the license:

- Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and outside premises, as well as all residential areas within a five hundred (500') feet radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10 AM) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all litter, trash and other discarded items as may be generated by and/or associated with the Licensee's operation. To the extent that residents within such five hundred (500') feet radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, cans, bottles and other debris that result from the operation of the Licensed Premises.

- Licensee shall install soundproofing equipment and/or take any other necessary steps to limit the escape of sound and vibration from the Licensed Premises, sufficient to ensure that no audible sound is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaints received by members of the council pertaining to the Licensed Premises.
- Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:30AM. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed premises at the same time, resulting in loitering in and around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

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

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-160

WHEREAS, Highway Corporation, t/a Road House Bar & Grill, is the holder of Plenary Retail Consumption License # **1219-33-013-007** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 1 Melrose Avenue, South Amboy, New Jersey for a license term of 2015-2016; and

WHEREAS, an application has been made for the **2016-2017** renewal term of Plenary Retail Consumption License No. 1219-33-013-007, Highway Corporation, t/a Road House Bar & Grill; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-013-007, Highway Corporation**, located at 1 Melrose Avenue, South Amboy, NJ 08879 located in the Borough of Sayreville be and the same is hereby **renewed for the 2016-2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-161

WHEREAS, Marullo 2, LLC is the holder of Plenary Retail Consumption License #1219-33-018-009 in the Borough of Sayreville; and

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its **renewal application for the 2016-2017** license term; and

WHEREAS, on June 3, 2016, Johnathan A. Orsen, Acting Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Docket No. 05-16-130.728089 for a **two-year period**, covering the **2016/2017 and 2017/2018 license terms**; and

WHEREAS, the said Special Ruling of the Acting Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the **2016/2017 license term** and to grant or deny said application in the reasonable exercise of its discretion;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption **License No. 1219-33-018-009 to the licensee for the 2016/2017** license term, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on June 3, 2016.

BE IT FURTHER RESOLVED THAT the following Special Conditions remain in effect on the license term 2016/2017.

- (a) That this license has the restriction limiting the purpose of said license for consumption only, and not for the sale of packaged alcoholic beverages.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-162

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-019-009 Costa Verde Corporation, t/a Costa Verde Restaurant**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-019-009, Costa Verde Corporation, t/a Costa Verde Restaurant**, located at U.S. Routes 9 & 35, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-163

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-020-004 Yenooc 2, Inc., t/a Cooney's** at the Deerfield Inn; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-020-004, Yenooc 2, Inc., t/a Cooney's** at the Deerfield Inn, located at 50 Deerfield Inn, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-164

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-023-004 Teddy's Bar, Inc., t/a Teddy's Bar**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-023-004 Teddy's Bar, Inc., t/a Teddy's Bar**, located at 378-381 South Pine Avenue, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-165

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-024-006 Tappan Liquors, LLC, t/a Express Liquors**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-024-006 Tappan Liquors, LLC, t/a Express Liquors**, located at 404 Washington Road, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-166

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-025-010 Arlecchino, Inc., t/a Pulcinella Italian Restaurant & Pizza**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-025-010 Arlecchino, Inc., t/a Pulcinella Italian Restaurant**, located at 3067 Bordentown Avenue, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-167

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-027-003 Peterpank Diner**, and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-027-003 Peterpank Diner**, a "pocket" license in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-168

WHEREAS, Mayerboys, LLC is the holder of Plenary Retail Consumption License # **1219-33-030-005** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at Old Spye Road, Block 247, Lot 2, South Amboy, New Jersey for a license term of **2016-2017**; and

WHEREAS, an application has been made for the 2016-2017 renewal term of Plenary Retail Consumption License No. 1219-33-030-005, Mayerboys, LLC; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-030-005**, **Mayerboys, LLC**, located at Old Spye Road, Block 247, Lot 2, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby **renewed for the 2016-2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-169

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-032-006 Black Betty's Saloon LLC**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-032-006**, **Black Betty's Saloon LLC**, located at Route 35, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-170

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016-2017 renewal of Plenary Retail Consumption License No. **1219-33-034-009 Camillo's Restaurant & Pizza, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-034-009 Camillo's Restaurant & Pizza, Inc.**, located at 31 MacArthur Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-171

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-44-035-003 Mitthu, Inc., t/a South Pine Liquors**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-44-035-003 Mitthu, Inc., t/a South Pine Liquors**, located at 467 South Pine Avenue, South Amboy, NJ 08879 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-172

WHEREAS, Rondesko Properties, Inc., is the holder of Plenary Retail Consumption License # 1219-33-038-003 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 267 Washington Road, Parlin, NJ 08859; and

WHEREAS, an application has been made for the 2016/2017 renewal term of Plenary Retail Consumption License No., **1219-33-038-003 Rondesko Properties, Inc., t/a Brick House**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-038-003, Rondesko Properties, Inc.**, located at 267 Washington Road, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-173

WHEREAS, Tap & Growler, LLC is the holder of Plenary Retail Consumption License # 1219-33-039-003 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 361-363 Main Street, Sayreville, NJ 08872; and

WHEREAS, an application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-039-003, Tap & Growler, LLC;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-039-003 Tap & Growler** located at 361-363 Main Street, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-174

WHEREAS, I & K Shop 1, LLC, t/a TJ's Bar & Liquor is the holder of Plenary Retail Consumption License # 1219-33-040-007 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 3109 Bordentown Avenue, Parlin, NJ 08859; and

WHEREAS, an application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-040-007, I & K Shop 1, LLC, t/a TJ's Bar & Liquor;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-040-007 I & K Shop1, LLC, t/a TJ's Bar & Liquor** located at 3109 Bordentown Avenue, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-175

WHEREAS, Bridge Liquors, LLC is the holder of Plenary Retail Consumption License # 1219-44-041-005 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 32 Washington Road, Sayreville, NJ 08872; and

WHEREAS, an application has been made for the 2016/2017 renewal term of Plenary Retail Consumption License No., **1219-44-041-005, Bridge Liquors, LLC;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-44-041-005 Bridge Liquors, LLC,** located at 32 Washington Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-176

WHEREAS, Snookers, LLC is the holder of Plenary Retail Consumption License number 1219-33-043-006, issued by the Governing Body of the Borough of Sayreville as the Issuing Authority, for license year 2016/2017; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED that Plenary Retail Consumption License #**1219-33-043-006, Snookers, Inc., (pocket license),** is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-177

WHEREAS, F&B Associates of New Jersey, LLC, t/a Starland Ballroom is the holder of Plenary Retail Consumption License Number 1219-33-044-006 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 570 Jernee Mill Road, Sayreville, New Jersey for license term 2015/2016; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-044-006 for the 2016/2017 license term; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.;

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

1. That Plenary Retail Consumption License No. 1219-33-044-006, F & B Associates of New Jersey, LLC is hereby renewed for the 2016/2017 license term, subject to the following terms and conditions as contained in the Settlement Agreement approved by Resolution #2010-145, adopted on June 28, 2010 and remaining on the license:

a. The licensee shall continue to implement and provide valet parking and or managed or supervised parking for its patrons on all nights of operation. The Chief of Police may grant a waiver, on occasion, of the requirement that valet parking and/or managed or supervised parking be provided, if the licensee demonstrates to the reasonable satisfaction of the Chief of Police, that the licensee's level of occupancy on such special occasion is anticipated to be significantly less than the legal occupancy so as to satisfy the Chief that valet parking will not be necessary on such specific occasion. The granting of any such waiver on one occasion shall not entitle the licensee to such a waiver on any other occasion.

b. The licensee shall institute a policy and instruct its attendants and employees to abide by a policy that requires that, when the parking facilities used by the licensed premises are at full capacity, any additional cars seeking to enter the parking lots shall be "waved off" by parking lot attendants in order to diminish the likelihood that traffic jams occur, and to insure that such traffic continues to move through and out of the area of the licensed premises when there are no legal spaces available in the licensed premises' parking lots to accommodate additional cars.

c. The licensee shall strictly enforce a policy that patrons who have been admitted to enter the licensed premises and who subsequently exit the licensed premises will not be permitted to re-enter the licenses premises on the same day/evening. This measure is intended to alleviate the problem of patrons loitering in and around the parking lot during licensee's operating hours and engaging in illegal, disorderly or nuisance causing behaviors.

d. The licensee's security staff shall be required to obtain photo identification cards, prepared by the Sayreville Police Department that must be kept on their persons at all times while employed at or located on the licensee's property. This measure is intended to alleviate difficulties encountered by police investigating complaints on the premises, in which members of the security staff are identified as either potential witnesses or suspects.

e. The licensee shall cause its parking lots and outside premises, as well as all areas within a 200 ft. radius of the licensed premises to be clean of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10:00 am) each day following the hours of operation of the licensed premises, such that the above-described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with licensee's operations.

f. The licensee shall install "zero tolerance" signs inside its premises and at or adjacent to the entry to the premises, containing language indicating that patrons will be prosecuted to the fullest extent of the law for any possession, sale or distributions of any drugs, controlled substance or drug paraphernalia.

This is designed to discourage drug activity occurring at or on the licensed premises.

g. The licensee shall cease all sales of alcohol at 1:30 am and shall cease the playing of all music at 1:45 am.

This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the licensee premises at the same time, resulting in loitering around the licensed premises and in the street blocking traffic and inhibiting the dispersal of other patrons from the licensed premises and from the area.

h. The licensee shall install a policy that on nights when patrons ages eighteen years of age (18) through twenty years of age (20) may be admitted to the premises along with patrons aged twenty-one years (21) and over, such patrons over the age of twenty-one years (21) shall be required to wear secure wrist bands of a color differentiated from wrist bands required to be worn by patrons under the age of twenty-one years (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of law prohibiting sales of alcohol to persons under twenty-one years of age (21).

i. The licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that the licensee provides access to teenagers under the legal drinking age at events commonly referred to as "teen nights." During such events, all alcohol shall be removed from the bar areas and secured.

j. The licensee shall require all security staff, except for undercover security staff employed by licensee, to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block letters stating "SECURITY." This measure is designed to ensure that security staff constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the licensed premises and in the parking lot to further assist police in identifying personnel when patrolling or responding to complaints or calls.

k. The licensee shall institute a policy of providing security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the licensed premises. Parking attendants and valet parking staff shall not count as "security staff" in calculating the proper ratio of security staff to patrons. The ratio of one (1) security employee for every fifty (50) patrons is only for those security personnel who are being identified and/or are in uniform. Any undercover personnel the licensee wishes to employ are in addition to the one per fifty patron security ratio. This measure is designed to ensure that the security staff employed by the licensee is sufficient to handle the number of patrons in attendance on a given night so as to constitute a visible, identifiable, and adequate security presence, to discourage unlawful, disorderly, or hazardous activities within the premises and in the parking lot.

l. On promotional nights, licensee will coordinate with the Sayreville Police.

m. On a weekly basis, licensee will deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Sayreville Police Department. DJ's, dancers, and other entertainers are to be included as employees, as per ABC rules.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau, Division of ABC
140 East Front Street, P. O. Box 087
Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-178

WHEREAS, PSP Pride Corporation, t/a Last Call, is the holder of Plenary Retail Consumption License #1219-33-045-006 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 219 Washington Rd., Sayreville, New Jersey (the "Licensed Premises") for license term 2015-2016; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-045-006 for the **2016/2017 license term**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.;

BE IT AND IT IS HEREBY RESOLVED that Plenary Retail Consumption License Number 1219-33-045-006, PSP Pride Corp is hereby **renewed for the 2016/2017 license year**, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-141, adopted on June 28, 2010 and remaining on the license:

- Licensee shall be required to employ at least one individual who is solely responsible for security of the Licensed Premises on Fridays and Saturdays between the hours of 7PM and 2AM or until closing. The Licensee shall require all security staff (except for undercover security staff employed by the Licensee) to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block lettering stating "SECURITY." This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot, to further assist police in identifying security personnel when patrolling or responding to complaints or calls.
- During the period of June 15 through September 15, the Licensee shall be required to employ at least one individual who is solely responsible for security of the Licensed Premises on Fridays and Saturdays between the hours of 9PM and 2AM or until closing. The Licensee shall require all security staff (except for undercover security staff employed by the Licensee) to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block lettering stating "SECURITY." This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot, to further assist police in identifying security personnel when patrolling or responding to complaints or calls.
- Licensee shall be responsible for ensuring that there will be no parking of motorcycles on the sidewalks adjacent to the Licensed Premises.
- A sign shall be prominently displayed to prohibit parking of any vehicles on the sidewalk near the Licensed Premises.
- Licensee shall maintain in good condition security cameras, lighting and there must be more than one (1) employee present at the licensed premises while in operation.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau

Division of Alcohol Beverage Control
140 East Front Street
P. O. Box 087
Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-179

WHEREAS, Three P's Inc., t/a O'Garrafao Restaurant & Cervejaria, is the holder of Plenary Retail Consumption License #1219-33-046-005 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 567 Main Street, Sayreville, New Jersey for license term 2015-2016; and

WHEREAS, an application has been made for the 2016/2017 renewal term of Plenary Retail Consumption License No. 1219-33-046-005, Three P's, Inc., t/a O'Garrafao Rest. & Cervejaria; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.;

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

1. That Plenary Retail Consumption License No. 1219-33-046-005, Three P's, Inc., t/a O'Garrafao Rest. & Cervejaria, is hereby **renewed for the 2016/2017 license term**, subject to the following terms and conditions as hereinbefore imposed and re-stated as follows:

(a) During hours of operation, the windows and doors of the premises are to be kept closed, provided that music, whether it be from a juke box or radio is in use inside the license premises and that the doors to the establishment may be opened and closed to allow ingress and egress;

(b) At or about the time at which the licensed premises is opened for business in the morning and at or about the time of closing, the licensee shall cause for the property and both sides of Main Street from Boehmurst Avenue to Marsh Avenue to be cleaned of all discarded liquor bottles, packages, recyclables and such other litter as may have been generated by patrons of the licensed premises; and

(c) A sign shall be prominently displayed to prohibit parking of any vehicles on the sidewalk near the premises.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

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

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-180

WHEREAS, P.T. Waterfront, Inc., t/a Sayreville Plaza Wines & Liquors, is the holder of Plenary Retail Consumption License #1219-44-047-007 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 960 Rt. 9 So., Sayreville Plaza, South Amboy, NJ 08879 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-44-047-007 P.T. Waterfront, Inc., t/a Sayreville Plaza Wines & Liquors**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-44-047-007 P.T. Waterfront, Inc., t/a Sayreville Plaza Wines & Liquors**, located at 960 Route 9 So., Sayreville Plaza, Unit 111B, 1113, South Amboy, NJ in the Borough of Sayreville be and the same is hereby renewed for the **2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-181

WHEREAS, Columbian Club, Inc., is the holder of Plenary Retail Consumption License #1219-33-048-005 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 775 Washington Road, Parlin, NJ 08859 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-048-005, Columbian Club, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-048-005 Columbian Club, Inc.**, located at 775 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-182

WHEREAS, Bello's Sports Pub, Inc., is the holder of Plenary Retail Consumption License #**1219-33-054-005** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 1 Roosevelt Blvd., Parlin, NJ 08859 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-054-005, Bello's Sports Pub.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-33-054-005 Bello's Sports Pub, Inc.**, located at 1 Roosevelt Blvd., Parlin, NJ in the Borough of Sayreville be and the same is hereby renewed for the **2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-183

WHEREAS, Fidelity Funding Corporation, t/a Brass Monkey Pub, is the holder of Plenary Retail Consumption License #**1219-33-055-003** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 4500 Bordentown Avenue, Sayreville, NJ 08872 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-055-003, Fidelity Funding Corporation, t/a Brass Monkey Pub**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-055-003 Fidelity Funding Corporation, t/a Brass Monkey Pub**, located at Bordentown Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby renewed for the 2015/2016 license term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-184

WHEREAS, Marullo 3, LLC is the holder of Plenary Retail Consumption License #**1219-33-056-008** in the Borough of Sayreville; and

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2016/2017 license term; and

WHEREAS, on June 3, 2016, Jonathan A. Orsen, Acting Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Docket No. 05-16-118.71752 for a **two year period**, covering the **2016/2017, and 2017/2018 license terms**; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the **2016/2017** license term and to grant or deny said application in the reasonable exercise of its discretion;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-056-008 to the licensee for the **2016/2017 license term**, pursuant to special conditions as contained in the Special Ruling issued by the Acting Director of the State Division of Alcoholic Beverage Control issued on June 3, 2016.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and/or as required by law.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-185

WHEREAS, Arirang Hibachi Steakhouse & Sushi Bar, is the holder of Plenary Retail Consumption License #**1219-33-057-009** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 986 Route 9 South, Parlin, NJ 08859 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-057-009, Arirang Hibachi Steakhouse & Sushi Bar;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-33-057-009 Arirang Hibachi Steakhouse & Sushi Bar,** located at 986 Rt. 9 So., Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

Renewal of Plenary Retail Consumption License

RESOLUTION 2016-186

WHEREAS, an application has been received by the Licensing Authority for a Renewal of a Plenary Retail Consumption License No. **1219-33-058-007**, heretofore issued to **Pure Event Center, Inc.**, in the Borough of Sayreville, New Jersey; and

WHEREAS, the corporation listed below has submitted its renewal application and fees to the Municipal Clerk's Office in accordance with the State Statute.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that this governing body hereby gives approval for the renewal of the Plenary Retail Consumption License with conditions as contained in Appendix A, License No. 1219-33-058-007, for the year **July 1, 2016 through June 30, 2017**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-186
EXHIBIT A

CONDITIONS ON P.R.C.L. #1219-33-058-007
PURE EVENT CENTER, INC.

1. Licensee shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This measure is intended to address the Mayor and Council's previous finding that drug activity was noted on the Licensed Premises and in recognition of the fact that a practice of allowing patrons to exit and then re-enter the Licensed Premises facilitates drug activities by providing an opportunity for such persons to retrieve contraband from their vehicles for use and/or distribution inside and adjacent to the Licensed Premises. Additionally, this measure is intended to alleviate the problem of patrons loitering in and around the parking lot during Licensee's operating hours and engaging in illegal, disorderly or nuisance causing behaviors.
2. Licensee's security staff shall be required to obtain photo identification cards, prepared by the Sayreville Police Department, that must be kept on their persons at all times while employed at or located on Licensee's property. This measure is intended to alleviate difficulties encountered by police investigation complaints on the premises, in which members of the security staff are identified as either potential witnesses or suspects and is also designed in response to the findings of a previous ABC investigation in which it was discovered that some of the employees found on-

site during the investigation were not properly entered in Licensee's employee records.

3. Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and other outside premises, as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10:00 a.m.) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with Licensee's operation. To the extent that residents within such five hundred (500) foot radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problem associated with the accumulation of empty beverage containers, cans, bottles and other debris that results from the operation of the Licensed Premises. .
4. Licensee shall construct and maintain an 8' high solid fence at the rear property line mandated by the Planning Board Resolution dated March 2, 2016, before conducting any public event.
5. Licensee shall install "zero tolerance" signs inside the Licensed Premises, at or adjacent to the entry to the premises, containing language indicating that patrons will be prosecuted to the fullest extent of the law for any possession, sale or distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.
6. Licensee shall install soundproofing equipment and/or take any other necessary steps to limit the escape of sound and vibration from the Licensed Premises, sufficient to ensure that no audible sounds is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaint received by members of the Council pertaining to the Licensed Premises.
7. Licensee shall keep all doors at the rear of the building closed.
8. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of all music at 1:45 a.m. This measure is designated to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed Premises at the same time, resulting in loitering around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area.
9. Licensee shall require security staff, except for undercover security staff employed by Licensee, to wear clothing or uniforms which are highly visible and well-marked on the front and rear. This shall include orange shirts with black block letters stating "SECURITY". This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot to further assist police in identifying security personnel when patrolling or responding to complaints or calls.

10. Licensee shall institute a policy of providing security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the Licensed Premises. Licensee shall post a security guard in the rear parking lot during its hours of operation. Parking attendants and valet parking staff shall not count as "security staff" in calculating the proper ratio of security staff to patrons. The ratio of one (1) security employee for every fifty (50) patrons is only for those security personnel who are being identified and/or are in uniform. Any undercover personnel that Licensee wishes to employ are in addition to the one per fifty patron security ratio. This measure is designed to ensure that the security staff employed by Licensee is sufficient to handle the numbers of patrons in attendance on a given night so as to constitute a visible, identifiable and adequate security presence, to discourage unlawful, disorderly or hazardous activities within the Licensed Premises and in the parking lot.
11. Licensee shall strictly enforce a policy to bar admittance to any patron who is not wearing a non-removable wristband, that has been provided to such patron by Licensee's valet parking attendant or parking supervisor, as evidence that the vehicle in which such patron arrived at the Licensed Premises has been parked in Licensee's parking lot. The only exception to this policy shall be for those patrons who demonstrate to Licensee before admittance that they hold a valid New Jersey motor vehicle license indicating that they reside within five hundred (500) feet of the Licensed Premises and have not arrived at the Licensed Premises in a motor vehicle. This condition is intended to restrict admittance to the Licensed Premises to only those patrons whose vehicles, as a driver or occupant thereof, are lawfully parked in Licensee's parking lot, in order to address issues raised by at the Planning Board regarding illegal parking, property trespass, loitering, and related nuisances.
12. Licensee shall institute a policy requiring its security staff to immediately report to the Sayreville Police Department any violations of Title 39 observed by such staff in and around the Licensed Premises, and to provide the Borough Clerk, on a monthly basis, with a list of all such reports made by the Licensee's security staff to police within the prior month.
13. On a weekly basis, Licensee shall deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Police Department. DJs, dancers and other entertainers are to be included as employees as per ABC rules.
14. Licensee shall provide a list of entertainers who are booked prior to the scheduled date. The information shall be delivered to the Sayreville Police Department at the time a contract is executed and signed and the information shall be delivered to the Sayreville Police Department as to the name of the outside entertainer employees.
15. Teen nights are prohibited.
16. All patrons will have their vehicles valet parked, and upon presenting proper ID, will receive a wristband. Once a person exits the premises, they cannot re-enter.
17. Occupancy shall be limited to six hundred (600) persons and only the upstairs floor shall be utilized.

18. During the six months following June 30, 2016, no more than five (5) public events shall be permitted on the premises. Thereafter, no public events may be conducted without Planning Board Approval and subsequent amendment of this Condition.
19. Notice of all public events shall be provided to the Sayreville Police Department at least seventy two (72) hours in advance of any public event scheduled on the premises. Licensee shall participate in community meetings if requested by the Police Department.
20. During public events, the licensee shall submit to random noise level readings by the Sayreville Police Department.
21. Licensee shall provide independent noise level readings for every public event for review by the Police Department within 72 hours after the event. Noise levels must meet the State standards contained in N.J.A.C. 7:29-1, *et seq.*
22. All public events must be managed by the Licensee and not by a third party.
23. The applicant shall provide a security guard at the rear parking lot in order to prevent trespassing on the adjacent residential lots.

Dated: July 1, 2016
By Order of the Mayor and Council

RESOLUTION #2016-187

WHEREAS, Sayreville Memorial Post 4699 VFW of the United States, Inc., is the holder of Plenary Retail Consumption License #**1219-33-059-004** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 575 Jernee Mill Road, Sayreville, NJ for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-059-004, Sayreville Memorial Post 4699 VFW of the United States, Inc.;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-33-059-004 Sayreville Memorial Post 4699 VFW of the United States, Inc.,** located at 575 Jernee Mill Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-188

WHEREAS, La Marina, LLC, t/a Fernandes 3, is the holder of Plenary Retail Consumption License #**1219-33-060-008** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 1776 Highway #35, South Amboy, NJ 08879 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-33-060-008, La Marina, LLC, t/a Fernandes 3.**; and

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

1. That Plenary Retail Consumption License **1219-33-060-008 La Marina, LLC, t/a Fernandes 3**, located at 1776 Highway #35, South Amboy, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-189

WHEREAS, Devta, LLC, t/a House of Liquors, is the holder of Plenary Retail Consumption License #**1219-44-061-005** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 2909 Washington Road, Parlin, NJ 08859 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-44-061-005, Devta, LLC, t/a House of Liquors;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-44-061-005 Devta, LLC, t/a House of Liquors**, located at 2909 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-190

WHEREAS, American Legion Lenape Post #211, is the holder of Plenary Retail Consumption License #**1219-31-063-001** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 240 MacArthur Avenue, Sayreville, NJ 08872 for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-31-063-001, American Legion Lenape Post #211**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-31-063-001 American Legion Lenape Post #211**, located at 240 MacArthur Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-191

WHEREAS, Columbus Club, Inc., is the holder of Plenary Retail Consumption License #**1219-31-064-001** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at **775 Washington Road, Parlin, NJ 08859** for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-31-064-001, Columbus Club, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-31-064-001 Columbus Club, Inc.**, located at 775 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-192

WHEREAS, Sayreville Memorial Post 4699 VFW, Inc., is the holder of Plenary Retail Consumption License #**1219-31-066-001** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at **575 Jernee Mill Road, Sayreville, NJ 08872** for license term 2015-2016; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-31-066-001, Sayreville Memorial Post 4699 VFW, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-31-066-001 Sayreville Memorial Post 4699 VFW, Inc.**, located at 575 Jernee Mill Road, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term.**

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION NO. 2016-193

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
SAYREVILLE VOIDING LICENSE No. 1219-33-011-010**

WHEREAS, on July 28, 2014, by Resolution No. 2014-242, the Sayreville Borough Council, acting as the issuing authority, revoked Plenary Retail License No. 1219-33-011-010 (the "License") held by Kevin Seltzer and Ethan H, LLC (together, "Licensee"); and

WHEREAS, the Council allowed Licensee a period of twelve months to transfer the License to a licensee acceptable to the Borough; and

WHEREAS, the Borough Clerk has advised the Council that no transfer application has been filed with her office;

NOW, THEREFORE, BE IT RESOLVED that License No. 1219-33-011-010 is hereby permanently revoked.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-194

WHEREAS, **Sayreville Engine Company No. 1** has applied for a Special Event Permit for permission from the Mayor and Council of the Borough of Sayreville to conduct their 100th Anniversary Parade and Picnic on June 25, 2016 as well as the borough waiving all fees associated with this event; and

WHEREAS, they have also requested permission to use the Borough's portable Stage for this event; and

WHEREAS, it is the belief of the Mayor and Council that such an event provides activities which are family and community oriented and will enhance community spirit; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Mayor and Council of the Borough of Sayreville hereby approve and authorize a permit to be issued to Sayreville Engine Company No. 1 to hold their 100th Anniversary Parade and Picnic and that all fees associated with this event are hereby waived; and

BE IT FURTHER RESOLVED that their request to use the Borough's portable stage for the event also be approved.

/s/Daniel Buchanan, Councilman
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016- 195

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, REQUESTING THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION (NJDOT) RECONSIDER
THE CLASSIFICATION OF CHEESEQUAKE CHANNEL**

WHEREAS, since the Raritan Bay area was inhabited by the Lenni Lenape Indian tribe, the waterfront has been used for residential, commercial, navigational and recreational purposes; and

WHEREAS, when Super Storm Sandy hit Sayreville and the surrounding Raritan Bay area in October 2012, it left in its wake enough silt and debris as to make the Cheesequake Creek entrance channel, from the breakwater, past the highway and train bridges to the New Jersey Parkway overpass nearly impossible to navigate with almost one mile of waterway having virtually no water during the low tide; and

WHEREAS, for over seventy-five (75) years, many marinas and boat works have been created in Sayreville and Old Bridge; including, but not limited to, Lockwood Boat Works, Browns Marina, and Morgan Marina, Inc.; and

WHEREAS, these marinas are not only family-owned, but employ many residents of the Borough of Sayreville and provide residents with opportunities for relaxation and recreation in their hometown, but these businesses are now in jeopardy of closing as a result of the condition of Cheesequake Channel. The lack of tide and the fact that the Route 35 Highway Bridge only opens hourly between the hours of 7:00 a.m. and 7:00 p.m. has caused boaters to explore other options in order to avoid coming in/out of the channel. The lack of boaters docking at the area marinas will cause these businesses to close and will result in lost jobs and recreation areas for the residents of Sayreville and surrounding municipalities; and

WHEREAS, the New Jersey DOT is the agency responsible for the dredging of this area, and has currently classified the site as a Level 2 priority site and the NJ DOT is currently only dredging Level 3 priority sites; and

WHEREAS, the Governing Body of the Borough of Sayreville; in conjunction with the Borough's Environmental Commission is requesting that the NJ DOT reconsider the Level of the Cheesequake Channel dredging to a Level 3 priority:

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville does hereby request that the New Jersey DOT reconsider the classification of Cheesequake Channel to a Level 3 priority:

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified copy of this Resolution to:

Governor Chris Christie
Congressman Frank Pallone
Susan Dietrick of the NJ Dept of Dredging and Sediment Technology
Assemblyman John Wisniewski
Assemblyman Craig Coughlin
Senator Joe Vitale
Mayor Owen Henry, Twp. of Old Bridge
Middlesex Board of Chosen Freeholders

/s/Arthur Rittenhouse
Arthur Rittenhouse, Councilman
Sponsor

ATTEST:

BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2016-196

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 by Contract Change Order No. 2:

- Project: Ernston Road Tank Repainting
- Contractor: RML Construction, Inc.
500 13th Street
Carlstadt, NJ 07072
- Net Increase: \$76,539.73
- Reason: Perform Emergency Repairs in response to a recently discovered leak which modifies the original contract amount from \$1,044,500.00 to \$1,121,039.73.

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

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.

/s/ Arthur Rittenhouse
Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

TO BE READ IN FULL

RESOLUTION #2016 - 197
RESOLUTION BY THE BOROUGH COUNCIL
IN SUPPORT OF SAYREVILLE PROPOSED AFFORDABLE HOUSING COMPLIANCE PLAN

WHEREAS, the Borough of Sayreville and the Intervening and Participating Defendants have agreed to settle this litigation by entering into a Settlement Agreement and have requested that the Superior Court, Middlesex County, find that the Agreement, and the approach to meeting the Borough's Prior Round and Third Round Mount Laurel obligations, as detailed in the proposed Settlement Agreement is fair to the interests of lower income residents of New Jersey and entitles the Borough to protection from Mount Laurel litigation for the period of ten years from the date of the order entered by the court approving this Settlement Agreement; and

WHEREAS, it is also recognized that the proposed Settlement Agreement and proposed Housing Element and Fair Share Plan must be reviewed by the Court in accordance with the requirements of Morris County Fair Housing Council v. Boonton Township, 197 N.J. Super. 359, 364(Law Div. 1984), aff'd o.b., 209 N.J. Super, 108 (App Div. 1996), and East/West Venture v. Borough of Fort Lee, 286 N.J. Super, 311, 328 (App. Div. 1996), and that, in order to approve the settlement, the court must find that the Settlement Agreement and proposed Housing Element and Fair Share Plan adequately protects the interests of lower – income persons for whom the affordable units proposed by the settlement are to be built; and

WHEREAS, Sayreville has prepared a proposed Housing Element and Fair Share Plan which demonstrates that it has actually met its entire Prior Round obligation and significant portion of its Third Round obligation, and identified specific sites and mechanisms for the remainder of its Third Round obligation that present a realistic opportunity for the development of its regional fair share of housing affordable to lower income households, including families, people with special needs, very low income households including very low income families and seniors; and

WHEREAS, at this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement of those obligations using a mutually agreed upon process for determining those obligations in the context of a settlement rather than litigating a full resolution of those obligations; and

WHEREAS, on May 23, 2016, the Borough Council approved and endorsed a Housing Element and Fair Share Plan dated April 20, 2016 and at the present time, a revised Housing Element and Fair Share Plan dated May 28, 2016, revised June 10, 2016 needs to be reviewed by the Borough Council for approval and endorsement; and

WHEREAS, the Borough Council has been briefed on this process, including the proposed Settlement and

WHEREAS, after consultation with the Borough's Special Counsel and Planner regarding the proposed settlement and housing plan, the Borough Council believes it is in the best interests of the Borough of Sayreville to settle the existing litigation with the intervening parties and to endorse and proceed with the proposed Housing Element and Fair Share Plan dated May 28, 2016, revised June 10, 2016, subject to final approval by the Court, including fairness hearing related to same.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sayreville that it does approve hereby of the proposed Housing Element and Fair Share Plan presented at its June 13, 2016 Council meeting and further approves and endorses the proposed Housing Element and Fair Share Plan dated May 28, 2016, revised June 10, 2016 with amendments thereto, which is on file with the Borough Clerk and available for public viewing, subject to the Borough finally negotiating a complete and final Settlement Agreement and Housing element and Fair Share Plan approved by the court and subsequent formal adoption of a Master Plan Amendment.

Dated: June 13, 2016

/s/ Steven Grillo, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

• **PUBLIC PORTION**

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

Those appearing were:

Charlie Lukie, Oak Street

- Thanked the Mayor and Council for a job well done on lower Oak Street.
- Informed the Council that the lighthouse on River Road at the boat ramp does not work.

Mayor said that he will send out a crew to check it out.

- Requested another bench be installed at the River Road Waterfront park.

Vincent Waranowicz, Fire Chief

- Expressed that he was greatly disappointed that the governing body did not listen to the word of the experts about the police radios as they did extensive investigation and time spent before their recommendation was made.

Larry Gates, 33 Creamer Drive

- After Superstorm Sandy they bought a home in Oak Tree West he said since then he has found out that there was constant speeding which is affecting their quality of life and is creating many dangerous situations.

Suggested: Ticketing; elongated speed humps; new speed limit signs; paint streets.

Mayor asked Police Chief to have the traffic bureau review especially during rush hour and forward their recommendation to the council.

Rene Tischler, 20 Hampton Way

- Commented about the person mentioned in Resolution 2016-149 asking is this was a promotion because Jeannie Monte was a very helpful person and it is well deserved.

Title explained by the Business Administrator.

Ed Strek, 58 Nickel Ave.

- Commented on the Radios and did not understand why the borough did not agree with the recommendation of the consultant.
- Agreed with Mr. Luckie about the lighthouse at River Road park.
- Questioned why we used a contractors bucket truck to put up our flags.

Mr. Frankel responded that our truck was in for repairs.

- Questioned why there were three area wide transportation vehicles parked down by the Sr. Center and are plugged into the Historical Society building.

Mayor said that he would have to find out.

Frank Cardilla, 36 Creamer Drive

- Commented about the speeding on Creamer Drive. Cars going in excess of 50 MPH, cars passing stopped busses. He asked for the council's help.

Mayor responded that it would be addressed.

Bob Damato, 31 Creamer Drive

- Commented on the speeding on Creamer Drive and drag racing on Jensen St.

Joe Squak, Hensler Lane

Rich Prusarczyk, Albert St.

- Speeding on Hensler Lane.

Joe Squak, Hensler Lane

Rich Prusarczyk, Albert St.

Speeding on Hensler Lane, requested speed humps.

Mayor asked the Police Chief to include Hensler Lane in the police traffic report.

Mr. Prusarczyk, further explained his concern with the speeding and he is on a tight corner and that a car would end up in his living room.

- Acknowledged the work of Gary Aich and Joe McCoy when he experienced a problem after the street was paved.

They requested if they could be kept updated to the reports and progress.

Bob Damato, 31 Creamer Drive

- Asked if they could get signs from the County that read "Slow Down in Our Town". He said he spoke with a resident in South River who has one and that there is where they got it from.

George Gawron, 1st Ass't Fire Chief, Borough of Sayreville

- Commented that he felt that they voted on a system which will not enable them to communicate with their mutual aid companies coming into our town or us leaving. Firemen to talk with other towns for coverage.

Barbara Kilcomons, 22 Schmitt Street

- Commented on Councilwomen Kilpatrick and Novak's votes with regards to the police radios and felt that the whole issue was stalled. Said that the radios are important to the community and that the money is in the budget and should have gone with the police dept. the consultant and the fire dept.

Response by Councilwoman Novak and Kilpatrick.

Followed by a heated discussion on the postponement of meetings.

Police Chief further commented on four issues Councilwoman Kilpatrick had in the past.

Mike D'Addio, 13 Zaleski Drive

- Commented/questioned if the system they voted on tonight was a stand alone system with nothing to do with the County.

Response was that he is correct.

- He said the Harris radios are used by the US military in combat and it is just happens to be the same vendor the County uses.

Phil Bouchard, 157 Oak Street

- Asked that the property across the street from him get cleaned up.

Mayor said he will have it looked into.

Ted Petersen, Crestview Apartments

- Handed the Mayor and Council documents for them to follow along.

Read a letter to the Mayor and Council about his complaints, evictions, increases, landlords, ordinances, and his ongoing matter with the Rent Leveling Board etc.

Response by Mayor O'Brien.

Questions by Councilman Lembo, if the landlord always operated like this or became this way after hurricane Sandy.

Mr. Petersen responded that they have always operated in this fashion.

Mayor advised Mr. Petersen that this conversation should cease because of his litigation.

Mayor asked if there were any further questions or comments.
There were none.

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

Roll Call: Voice Vote, all Ayes. Carried.

- **ADJOURNMENT**
No further discussion and No further business.

Mayor O'Brien called for a motion to adjourn.

Councilman Rittenhouse made a motion to adjourn. Motion seconded by Council President Buchanan.

Roll Call: Voice Vote, all Ayes.
Time: 9:17 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved