

Mayor Kennedy O'Brien opened the Agenda Meeting at 7:28PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, June 22, 2015 had 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, Kilpatrick, McGill,
Melendez, 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
Jay Cornell, P.E., Borough Engineer
Michael DuPont, Esq., Borough Attorney

Others Absent: None

- **OLD BUSINESS**

a. The following Ordinance were introduced at the Council meeting and will be listed for Public Hearing and Adoption on June 22, 2015.

ORDINANCE #294-15

**AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION",
SUBSECTION 2-31, "SHADE TREE COMMISSION"
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO ADD SECTION 6A "PERMIT
PROCEDURE" AND 6B "RESPONSIBILITY TO MAINTAIN"
(Co. Kilpatrick, Public Works Committee - Public Hearing July 13, 2015)**

ORDINANCE #295-15

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS
TO THE INTERSECTION OF MAIN STREET AND WHITE OAKS DRIVE IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

NEW BUSINESS:

a) Ordinances for Discussion

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE - Councilwoman Novak**

a) **Minutes & Departmental Reports:**

Councilwoman Novak moved the following Minutes/Reports be Received & Filed:

- 1) Board of Education minutes of June 2, 2015.
- 2) Municipal Clerk's report for the month of May, 2015
- 3) CFO's Investment Activity report for the months of May, 2015
- Motion was seconded by Councilman Buchanan.

b) Tax Complaint received from Verizon New Jersey, Inc., Block 9999, Lot 1.

- Refer to Tax Counsel

c) Committee Reports

1) Progress.

• **PLANNING & ZONING – Councilman Buchanan**

a) **Minutes & Departmental Reports:**

Councilman Buchanan moved the following Minutes/Reports be Received & Filed:

- 1) Construction Official, Zoning/Code Enforcement & Fire Prevention reports for the month of May, 2015
- 2) Middlesex County Planning Board minutes of May 12, 2015

- Seconded by Councilwoman Novak.

b) Received the following **Planning Board Resolutions** which were **Memorialized on May 6, 2015:**

- Ioannis G. Hatzigeorgiou (Sunnyside Up Restaurant)
109-111 Main Street (Proposed off-street parking lot)
- Pure Event Center, Inc., 1970 Route 35 N. (Change in Bulk Use Variance)

- Receive & File.

c) Received **2015 Master Plan Reexamination Report**

from the Twp. of **East Brunswick** (report is on file in Clerk's Office)

- Receive & File.

d) Committee Reports-Councilman Buchanan:

1) Congratulated the Sayreville Softball team for their win. He said he remembers some of these girls when they were on t-ball and they have made this alumni proud.

• **PUBLIC WORKS – Councilwoman Kilpatrick**

a) **Minutes & Departmental Reports:**

Councilwoman Kilpatrick moved the following Minutes/Reports be Received & Filed:

- 1) Building & Grounds, Parks, Recycling, Roads, Garage Services & Sanitations reports for the month of May, 2015
- 2) Rent Leveling Board Minutes of June 9, 2015

- Seconded by Councilwoman Novak.

b) Committee Reports-Councilwoman Kilpatrick.

1) **Made a motion** to authorize the Business Administrator to negotiate an Inter-local Services agreement with the Twp. of Woodbridge for Public Works Services. Motion seconded by Councilwoman Novak.

Mayor asked what type of services. Councilwoman Kilpatrick said that it would be for all types of Public Works services, similar to other inter-local services Woodbridge has on an as needed basis.

Mayor suggested that before we entertain an inter-local services contract that the Business Administrator reach out to Woodbridge and clarify the type of services and cost figures.

Councilwomen Novak and Kilpatrick both stated that this authorization would be to basically try to broker some type of an agreement with Woodbridge.

Clerk announced that a motion was made and seconded. Mayor called for a Roll Call:

Roll Call: Councilpersons Buchanan, Kilpatrick, McGill, Melendez, Novak, Rittenhouse, all Ayes.

Mayor stated that he was trying to stay consistent with the whole reason why the meetings were separated. That the first meeting – the Council meeting is for action and the

second meeting – the Agenda session is for discussion and further action taken at the next council meeting.

Councilwoman Kilpatrick also echoed the sentiments to the girls' softball team on their winning.

- **RECREATION – Councilman Melendez**

- a) **Minutes & Departmental Reports:**

Councilman Melendez moved the Recreation Director's report for the month of May, 2015 be received and filed.

- Seconded by Councilman Novak.

- b) At the request of the Instructor for the Be Active-Get Healthy recreation program, she is reducing membership from \$80 to \$60, to be effective with the July schedule.

- Approved / Resolution.

- c) Committee Reports-Co. Melendez:

- 1) Reported on various recreation sponsored programs.

- 2) IT Report

- a) Radio System upgrade still underway with research and development and it looks like a September timeframe for the bidding process.

- b) Security Camera project is underway and when complete it will be expanded to other facilities.

- 3) 2014 Library Report

- 4) Request for authorization to support Assembly Bill A3500, requiring all municipally sponsored youth leagues to have defibrillator on site with training beginning on Sept. 1, 2015. He also asked the Business Admin. to look into funding.

Mayor asked that the Sayreville and Morgan First Aid Squads help provide training. Councilwoman Novak suggested reaching out to the business organizations for donations.

- **WATER & SEWER/ENVIRONMENTAL – Councilman Rittenhouse**

- a) **Minutes & Departmental Reports:**

Councilman Rittenhouse moved the following Minutes/Reports be Received & Filed:

- 1) Water & Sewer Director's Report for the month of May, 2015.

- Seconded by Councilwoman Novak.

- b) Committee Reports-Councilman Rittenhouse

- 1) Reported on a water leak at the Buchanan Park boat dock in the area where the boats are washed down and requested the council make a decision on who should make the repair.

-Business Administrator stated that it was his understanding that it would be repaired on Wednesday or Thursday of this week.

- 2) Progress.

- **PUBLIC SAFETY – Council President McGill**

- a) **Minutes & Departmental Reports:**

Council President McGill moved the following Minutes/Reports be Received & Filed:

- 1) Court Administrator's report for the month of May, 2015

- 2) Board of Health Registrar and County Reports for the month of May 2015

- 3) Police Chief's report for the month of May, 2015

- 4) Board of Health minutes of April 2, 2015

- Motion was seconded by Councilman Buchanan.

- b) **Request to Travel** received from:

- 1) **Sayreville Engine Co. No. 1** to display its new Wildland Urban Interface Engine at the 2015 Firemen's Convention and Parade from September 17-20, 2015. Insurance would be provided by Pierce Manufacturing Co. and Fire and Safety Services.

- 2) **Melrose Hose Co. No. 1** to attend a Parade on July 4, 2015 in the Borough of Milltown and a Wetdown on Aug. 15, 2015 in the Twp. of Clark.
- 3) **Sayreville Engine Co. No. 1**
 - Notice of a change in status of Joseph Tripod from a Regular to an Associate Member.
 - Approving a six month +/- leave of absence for Curtis Beckham.

-1-3) Approved.

- c) Request for coin toss at the intersection of Washington & Ernston Roads received from:
- Sayreville War Memorial High School Marching Band on September 13, 2015.
 - Sayreville Recreation Wrestling on October 10, 2015.

- Approved.

d) Committee Reports – Council President McGill:

- 1) St. Stan's carnival.
- 2) Reported on burglaries in his area and the outstanding work by the police in arresting the suspects.
- 3) Support of Assembly Bill A3500 for defibrillators at municipally sponsored sports leagues.
- 4) Progress.

• **MAYOR – Kennedy O'Brien**

1) Mayor O'Brien reported that an elderly widow of a WWII Veteran who resides on Elizabeth Street bought their home in 1955 and reported that the water valve for the lock box is located in the street and is raised above the pavement and has been for the past 60 years was told years ago that . Mayor said that if there were no objections he would like to authorize it be moved.

-Mr. Frankel said that before we give authorization that he would like to do some research because he knows there are other situations like this that the borough did not support and this may become an issue.

- Mayor asked if there were any objections to this.

None made. Mayor asked that Councilman Rittenhouse instruct his crew to move on this.

- 2) Mayor announced that the water issues on Lee Avenue would be taken care of.

• **BUSINESS ADMINISTRATOR – Daniel E. Frankel**

- Admin. & Finance

- a) Request for authorization to execute an Access Agreement with Ecolsciences, Inc. to access borough property known as Block 446, Lot 2, 340 Ernston Road in order for the contractor (for the Housing Authority) to perform work and site inspection and collect environmental samples.

- Approved/resolution.

- Planning & Zoning

- a) Authorization to purchase through State Contract #T-2007/A83011 three (3) Jeep Patriots from Hertrich Fleet Services, Inc. of Melford, DE for an amount not to exceed \$19,211.50 each for the Construction/Code Enforcement office.

- Approved/resolution.

- Public Safety

- a) Request from Police Chief for authorization to call for Police Officer Certification to hire two (2) additional police officers to attend academy in August.
 - CFO to check budget.
 - Council President stated that he would like the patrol division increased and move forward with two additional officers.
 - Personnel Clerk to call for a list of Certified Eligibles if the budget allows.

- Public Works

a) Authorization to appoint Matt Johnson, Anthony Sesely, Michael Plumacker, Richard Poplowski and Christopher Owsik to the title of **Truck Driver** (from Laborer) in the Dept. of Public Works.

- Approved/resolution.

b) Authorization to execute a **Shared Services Agreement** between the Borough of Sayreville and the Twp. of Woodbridge Department of Public Works for various services on an as needed basis.

- Approved/resolution

c) Authorization to award contract for **Gasoline & Diesel Fuel** to Rachels/Michele's Oil Company of Clifton, NJ on their low bid on delivery charges, as per attached bid documents.

- Approved/resolution

d) Authorization to purchase one (1) **Heil Automated Side Loader** through the National Joint Powers Alliance Cooperative Pricing System Contract #112014-THC from Midlantic Waste Systems of Cheswick, PA in an amount not to exceed \$256,047.05.

- Councilman Rittenhouse requested that this item and the next be held over until the next meeting so that the Director of DPW can address these items.

Mr. Frankel stated that he could give the details on these items.

Councilman Rittenhouse stated he wanted the DPW Director at the next meeting to address the items.

Councilwoman Kilpatrick stated that she would like to hear Mr. Frankel's explanation.

Mayor stated that Mr. Frankel could respond to Co. Kilpatrick but would like Mr. Bailey at the next meeting.

-Mr. Frankel said that the Automated Side Loader would be replacing truck 423, a 2003 Model Year automated trash vehicle. Once replaced the old vehicle will be cannibalized for parts for other vehicles than auctioned.

Councilwoman Novak stated that this item should be listed on the Consent Agenda at the next meeting because all of the equipment and vehicles discussed were previously approved during the budget process.

Mayor still wants the DPW Director to attend the next meeting.

Councilwoman Novak made a motion to place these two items on the Consent Agenda at the next meeting. If we all agree with the Directors explanation at the next meeting it will be a done deal if not it will be removed.

Motion seconded by Councilwoman Kilpatrick.

Councilman Rittenhouse said that there are motions being made and passed at agenda meetings where no action was to be taken.

Councilwoman Novak said that these are items to be placed on the next agenda which is what the Agenda Session is for.

Further discussion ---

Roll Call: Councilpersons, Buchanan, Kilpatrick McGill, Melendez, Novak, All Ayes.

Councilman Rittenhouse, Nay.

- Approved/resolution

e) Authorization to purchase one (1) **Bobcat Skid Steer Machine with Attachments** and warranty through the Middlesex County Regional Education Services Commission (MRESC) Cooperative Pricing Program, MCESCCPS #65, Contract #14/15-04 from Central Jersey Bobcat of Freehold, NJ in an amount not to exceed \$101,798.43.

- Approved/resolution

f) Authorization to purchase additional 95-Gallon Universal **Waste Containers** from Schaeffer Systems of Charlotte, No. Carolina in an amount not to exceed

\$26,672.99.

- Approved/resolution

- g) Authorization to purchase One **Trackless MT6 Articulated Multi-Purpose Trackless Machine** through Houston Galveston Area Council Cooperative Pricing System, HGAC Buy Contract #GR101-6 in an amount not to exceed \$183,679.00.

- Approved/resolution

- j) Authorization for the use of propriety goods in specifications for **Hook Lift Truck** in accordance with NJSA 40A:11-12(d) and NJAC 5-34-9.1.

- Approved/resolution

- k) (added) Announced that it is National Mosquito Month.

- Office on Aging

- a) Letter of resignation received from Michael DeRisi as a full time Bus Driver in the Office on Aging and requesting to serve as a per diem/replacement driver when necessary.

- Personnel Clerk to Post & Advertise.

- Recreation

- a) Authorizing the appointment of Linda Costa to the position of Clerk II.

- b) Authorization to appoint Jeffrey Schnitzer to the title of Clerk III.

- a & b) Approved/resolution.

- Water & Sewer

- a) Authorization to purchase One (1) 2016 Ford Explorer through NJ State Contract T2007/A83013 from Beyer Ford of Morristown, NJ at an amount not to exceed \$28,760.00.

- Approved/resolution

- b) Authorization to purchase Two (2) 2016 Ford F-250 Utility Body through NJ State Contract #T2100/A88727 FROM Beyer Ford of Morristown, NJ at an amount not to exceed \$31,375.00 each.

- Approved/resolution

- Closed Session Items - Litigation

○ C.F.O. - Wayne Kronowski

- a) Water Rate Increase – Discussion

- Comparison of Revenues handed out and discussed.

- Ordinance for introduction and Water & Sewer Director Bob Smith to attend.

- Processing Waste Water Expenses.
- Different Capital Items / Lee Avenue
- Camden Street Water Main
- Washington Rd to Main St. Transmission Main.
- Hercules Village

- recommending a 5% increase at this time followed by an additional 5% in 2016.

● BOROUGH ENGINEER -Jay Cornell

- a) Green Acres Open Space Acquisition – Review of Block 32.03, Lot 83, Cheesequake Road (Report Attached)

- At the last meeting there was a discussion of the possibility of purchasing a piece of property on Cheesequake Road it was asked that he provide the Council with a map of the property, which is included in the packet.

Mayor stated that Green Acres does not get involved in encumbered property and that 43% of this property has encroachments. He also indicated that the governing body went through this a number of years ago.

He then asked the engineer for a larger map for a clearer view of properties and encumbrances. The Mayor indicated that there are a significant number of

encroachments on the property and it is a problem that is not ours and does not want to make it ours.

The engineer indicated that the first time this was discussed it was put back on the property owner and that the property owner should attempt to resolve the encroachments and to his knowledge had not.

Councilwoman Novak said that if we do not purchase the property, it would be sold to a developer but if the owner can transfer a clean title to the borough it would behoove us not to purchase it.

Further lengthily discussion followed as to the procedure and if the property can or cannot be purchased with encroachments using Open Space Funds and the unknown legal costs that may be associated with the purchase, ingress and egress of the property.

The Borough attorney indicated that Mr. Kolodziej's attorney-Mr. Boehm is researching costs and if the property owners have been notified.

Mayor moved on to the rest of the engineer's report.

- b) Towne Lake West Major Subdivision – Bond Release Request (Report Attached)
- Resolution refunding money.
- c) 2014 Roadway Paving & Reconstruction Project – Phase I – Receipt of Bids (Report Attached).
- Action taken at the public meeting.
- d) 2014 Roadway Paving & Reconstruction Project – Phase II – Receipt of Bids (Verbal Report)
- Bids being received tomorrow, so a bond ordinance may be necessary.

- **BOROUGH ATTORNEY - Michael DuPont**

PUBLIC PORTION

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

- Ed Strek, 58 Nickel Avenue
 - Commented on the purchase price of the vehicles.
Response by the CFO
 - Questioned what a Trackless Tractor is.
Response by Co. Kilpatrick and the Business Administrator.
 - Thought it would be a good idea for the DPW Director to attend a meeting for a detailed explanation.
Response by Co. Kilpatrick and Novak that he did attend the budget meetings where he gave detailed explanations for every purchase.
 - Commented on the purchase of property and improper spending of money
 - Leaking HVAC System at the Historical Society Museum.
 - Reported on student visits.

No further questions or comments.

Councilwoman Novak made a motion to close the public portion. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. Carried.

Before going into closed session Councilwoman Novak asked again about the monies that the Skate Park Committee is collecting. According to Facebook they have collected approximately \$6,000.

Mayor asked Mr. Kronowski to reach out to Troy Jankowski to get a response.

EXECUTIVE SESSION – Litigation and Possibly Personnel

Mayor O'Brien announced that the Council will be going into Closed Session and council action may be taken after.

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 5 minutes to discuss the following matters:

- Potential Litigation
- Possible 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, Councilman

APPROVED:

/s/ Kennedy O'Brien
Mayor

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

Roll Call: Voice Vote, all Ayes. Carried. Time: 8:38 PM

• **RECONVENE – 8:46 PM**

Councilman Buchanan moved to reconvene the meeting. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

ADJOURNMENT

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:46 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved