

Combined Meeting of the Mayor and Borough Council held on Monday, June 23, 2014 in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien 7:03 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this 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 filing with her office.

- **ROLL CALL:**

Present: Councilpersons McGill, Melendez, Novak, Rittenhouse

Absent: Councilwoman Eicher and Councilman Buchanan

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

Others Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Council President Novak moved the following minutes be approved on Roll Call Vote, subject to correction if necessary.

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| ✍ April 28, 2014 | - Combined Meeting |
| ✍ May 12, 2014 | - Combined Meeting & Executive Session |
| ✍ May 22, 2014 | - Receipt of Bids (Plumbing Work & Repairs and Needed) |
| ✍ June 9, 2014 | - Combined Meeting & Executive Session |

Motion was seconded by Councilman McGill.

- **PROCLAMATION & PRESENTATION:**

PRESENTATION TO:

- Mary Paskell, Owner – Main Street Recording Studio

A Certificate of Appreciation was issued by the Mayor and Council for her Outstanding Civic Contribution of the Video Recording of the Sayreville Memorial Day Tribute of 2014

Mrs. Paskell said that it was a pleasure to give back to the community of Sayreville so at the Memorial Day parade she took pictures, video recordings of the parade and of the veterans and put on DVD.

Mayor explained that it was a lot more than that. He said that Mary Paskell has had a wonderful career as an entertainer. That she was once the opening act for Tony Orlando and Dawn. She has a recording studio up the street which houses many memorabilia. She wanted to do something special so she made this DVD. She had 10 veterans write down their experience as military men. Mayor read the Certificate into record.

Comments made by Council President Novak, thanking her for her contribution.

- Carla Rosen, Public Education Officer for the United States Coast Guard

She said she is here representing the Flotilla Commander Bruce Ohlendorf and invited the Mayor and Council to their Annual Memorial Service on July 10, 2014 at

the Sayreville Boat Ramp where they will be honoring the fallen members from the Coast Guard Auxiliary, the Coast Guard the Army, Navy, Marines and the Air Corp.

- Troy Jankowski, original designer of the Sayreville Skate Park addressed the issues with the Skate park.

Mayor stated that he had heard a rumor that Sayreville did not intend to fix the skate park and that was not true. He said that he was the Mayor when the skate park was built and he applied for a grant to build it as well as Troy and Officer Bellotti and others. He said that the engineer prepared an analysis of the costs for the repair and options. So we are prepared to move forward with the process of repair.

Troy Jankowski said that they were here tonight to basically introduce themselves as the newly reformed Skate Park committee. He said that they have various fund raising efforts in effect, websites, promotional stickers and flyers containing contact information for the new committee. NJ Skate Shop already generated over \$4,000.00 in donations from various sources. Mayor asked how many he had on his committee now and how many they would be looking for. Mr. Jankowski responded four now and would look for ten. Mayor suggested eleven, knowing that they may need that odd number to break a tie decision. Mayor asked if there would be any objections. None made and the Mayor instructed the Attorney to prepare an Ordinance forming the Sayreville Skate Park Committee with three year staggered terms in the beginning made up of Sayreville residents. Under his (Troy Jankowski's) direction.

Mr. Jankowski said that they would like to address short and long term issues of the skate park and how they could make it better, clean the place up and tackle other topics that need to be addressed.

Mayor said that they would be separate from the Recreation Advisory Board but they will still be answering to Jerry Ust, Recreation Director. Skate Board to Jerry Ust, Jerry Ust to the Business Admin., the Business Admin. to the Governing Body.

Mr. Jankowski stated that they were also in the process of forming a Non Profit 501C that we could collect these donations to and continue to collect donations.

The Borough Engineer explained what the damage was or could have been caused by and how much the repairs would cost.

Councilwoman Novak expressed concerns she had and asked if Mr. Jankowski if he would spread the word to keep the people out of that area as it is dangerous and they have been going through barriers.

Mayor asked that Mr. Jankowski forward the names for the committee through the Borough Clerk.

- Betty Dubinin (Sara's Mom)

Explained that she lost her daughter Sara in a traffic accident on Karcher and Pearl Street in 2007. The vehicle went out of control and hit a tree on private property where they had a memorial placed but since the property has been sold and the tree removed as well as the memorial. She said that the town has been so kind and had a garden placed at Kennedy Park in remembrance of Sara but asked for the governing body to have a sign placed by the sharp curve on Karcher Street in remembrance of her daughter lowering the speed limit. Hoping it could help stop someone from making a tragic mistake.

Mayor responded that after receiving her letter he asked the police to review Karcher Street. In their report they indicated that in New Jersey there are no provisions for a memorial to denote that scene of an accident. He said that they (the governing body) did create a memorial garden in Kennedy Park for Sara and all children of Sayreville and in fairness to every parent who has lost a child – it would

become unmanageable to do memorials for each and every child. He reminded her that Councilwoman Paula Siarkiewicz was the one who spearheaded this and received the donations and asked that this be the memorial for Sayreville's children. He also mentioned that other than that incident there has not been any other incident on Karcher.

Councilman McGill asked that Joe Ambrosio speak next regarding the Pilot program - **Joseph Ambrosio, Executive Director SERA appeared regarding the Chase Partner Site / Highview Homes, LLC** and SERA's Resolution recommending the Council consider a Pilot Program for this redevelopment project and understood that the council had some questions. He said that this is a project that has been long in the making. It has had several reiterations. He said that even before his time back in 2009 that it was always anticipated that they would be looking for a Pilot to make this project work. In the form that SERA approved and also approved by the Planning Board which involved the demolition of the club, along with the apartments along with other rental properties. He said that there is an agreement with the developers to renovate part of Old Spye Road, renovate and install 22 parking spaces for the benefit of the firehouse, install decorative light posts to maintain the character of the historical Old Spye Road. There are several amenities that the borough would benefit by this project and this project was going to be in the best interest of the town. So we request that the at the appropriate time, once the plan was approved for the redeveloper to submit certain documents outlining, under the Statute, for the criteria for the financial considerations and after review of that documentation, it has the agencies recommendation to the council that they consider a pilot for this project. They think it is an appropriate consideration. As far as the determination if a pilot is to be issued, the amount and term of the pilot is up to the Council. So he understood the council had some questions so that is why he is here tonight.

Mayor told Joe that if he hears that he (the Mayor) has a question or an issue to call him on the cell phone.

Mayor asked how many apartments will be built on the parking lot.
Joe said 148 market rate, for the most part and a few affordable housing; 68 two bed room and 88 one bedroom, 22 age restricted.

Further discussion on the triangle area.

Mayor said that his concern with regard to the pilot is why the borough, would be giving someone new a price break on taxes and not our seniors on fixed income. And if the borough would be in this as a partner he would need to see what the borough would be getting back.

Joe said that SERA has no authority to grant a Pilot that is at the sole discretion of the council. He also said that the developer also did a financial analysis and thought it had been submitted by the developer.

Councilman McGill made a motion to have the Dan Frankel, Wayne Kronowski and Phoenix Advisors take a look at the analysis and development and let them come up with some ideas.

Mayor asked for an addendum be added to the Motion – that the cost portion for Phoenix Advisors be taken out of or reimbursed by the redevelopment agency.

Motion was seconded by Councilwoman Novak.

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

Mayor asked Councilman Rittenhouse get someone from the School Board look into this also so that they are aware of what is going on.

Mayor asked for the next order of business.

Clerk Farbaniec read the following Ordinances for Public Hearing:

Mayor O'Brien opened the meeting to the public for questions or comments on **Ordinance #262-14.**

There were no appearances.

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

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

ORDINANCE NO. 262-14
BOND ORDINANCE PROVIDING FOR THE RENOVATION OF THE
FORMER BORDENTOWN AVENUE WATER TREATMENT PLANT
IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING
\$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$700,000 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 \$1,400,000, said sum being inclusive of all appropriations heretofore made therefor and including (i) the sum of \$104,000 from the Water Capital Improvement Fund, (ii) the sum of \$257,000 from the Water Capital Fund balance, and (iii) the sum of \$339,000 from proceeds of insurance related to damage to another Water Department building (collectively, the "Available Amounts"). Notwithstanding the contribution of the Available Amounts, no down payment was required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 4(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvements or purposes and to meet the part of said \$1,400,000 appropriation not provided for by application hereunder of the Available Amounts, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$700,000 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 \$700,000 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 is the renovation of the former Bordentown Avenue Water Treatment Plant for office and administrative space by the Water and Sewer Departments of the Borough, 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 improvements or purposes is \$700,000.

(c) The estimated cost of said improvements or purposes is \$1,400,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said Available Amounts.

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

(a) The said improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted 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 an electronic copy thereof has been 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 \$500,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 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 or purposes.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

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 \$700,000. 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/ Daniel Buchanan, Councilman
(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 #263-14.**

There were no appearances.

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

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

ORDINANCE #263-14
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS
IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$1,523,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION

(Co. Buchanan, Admin. & Finance)

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 \$1,600,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$77,000 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 \$1,600,000 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 \$1,523,000 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 \$1,523,000 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) Public Safety Complex parking lot resurfacing; (ii) radio tower improvements, (iii) storage facility at Police Range; (iv) Firehouse improvements; (v) drainage improvements; (vi) Public Works garage doors; (vii) Public Works garage furnace; (viii) Recycling Center sprinkler system; (ix) Library HVAC replacement; and (x) Public Safety and Senior Center roof replacements.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,523,000.

(c) The estimated cost of said purposes is \$1,600,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$77,000 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 18.71 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 \$1,523,000, 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 \$109,000 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 \$1,523,000. 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/ Daniel Buchanan, Councilman
(Admin. & Finance Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on **Ordinance #264-14.**

There were no appearances.

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

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

ORDINANCE #264-14
BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF VEHICLES AND EQUIPMENT IN, BY AND FOR
THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING
\$1,680,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$1,600,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION
(Co. Buchanan, Admin. & Finance)

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 \$1,680,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$80,000 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 \$1,680,000 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 \$1,600,000 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 \$1,600,000 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) emergency notifications equipment, (iii) fire truck and apparatus, (iv) fire department equipment, (v) fire department SUV vehicle, (vi) wood chipper, (vii) broom and auger for multi-purpose equipment, (viii) calcium chloride system and spreader, (ix) pick-up truck with plow, (x) flat-bed trailer, (xi) sewer department utility truck, (xii) replace arm and truck body, (xiii) loader attachment, (xiv) automated refuse container, (xv) roll-off containers, (xvi) tippers for rear loader sanitation vehicles, (xvii) refurbish front end loaders, and (xviii) new front end loader.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,600,000.

(c) The estimated cost of said purposes is \$1,680,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$80,000 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 9.01 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 \$1,600,000, 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 \$37,000 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 \$1,600,000. 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/ Daniel Buchanan, Councilman
(Admin. & Finance Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

Michael DuPont, Esq.
Borough Attorney

• **NEW BUSINESS:**

a) Municipal Clerk reported on having received the Supplemental Debt from our CFO, Mr. Kronowski, effective June 23, 2014.

Councilwoman Novak moved the Supplemental Debt Statement be received and filed. Motion seconded by Councilman McGill.

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

b) Introduction of the following Ordinance(s):

ORDINANCE #265-14
BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS
FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF
THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION
(Co. Buchanan, Admin. & Finance – Public Hearing July 14, 2014)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a public hearing be scheduled for July 14, 2014. Motion was seconded by Councilman McGill.

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

b) Other – (none)

CONSENT AGENDA/RESOLUTIONS

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street

Questioned Resolution #2014-190 and Councilwoman's ability to vote on this issue and discussion in closed session.

Mayor referred the question to the Attorney.

Mr. McGovern replied that he was not familiar with what happened in the closed session but on its face there may be a conflict but not sure that prevents the action that was taken.

Council President asked to be heard and she said that she had received legal opinion and that she just attended a Ethics Class and explained her knowledge and right to vote on items.

No further appearances. Mayor O'Brien called for a motion.

Council President Novak moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call vote. Motion seconded by Councilman McGill.

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

*Council President abstained on Resolutions #2014-190 and #2014-198.

RESOLUTION #2014-172

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

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

/s/ Kennedy O'Brien, Mayor

/s/
Councilman Daniel Buchanan - Absent

/s/ Councilman Ricci Melendez

/s/
Councilwoman Lisa Eicher - Absent

/s/ Councilwoman Mary J. Novak

/s/ Councilman David McGill

/s/ Councilman Arthur Rittenhouse

**Bill list of June 23, 2014, in the amount of \$2,467,036.95
(Bill List – See Appendix 2014-A for this date, in a separate Bill List File for 2014).**

(Pocket License)

RESOLUTION #2014-173
RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE
TO RENEW P.R.C.L. #1219-33-043-005, SHRI HANS, LLC
FOR THE 2012-2013 LICENSE TERMS

WHEREAS, Shri Hans, LLC, is the holder of Plenary Retail Consumption License No. 1219-33-043-005 (the "Licensee"), issued by the Council of the Borough of Sayreville as the Issuing authority (the "Issuing Authority") for a "pocket license" in the Borough of Sayreville, New Jersey for the 2012-2013 license year; and

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

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2010/2011 and 2011/2012 license terms; and

WHEREAS, on January 9, 2012, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 19-11-7259 for a three-year period, covering the 2010/2011, 2011/2012 and 2012/2013 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 2012/2013 license term and to grant or deny said application in the reasonable exercise of its discretion; and

WHEREAS, Tax Clearance Certificate was issued by the Division of Taxation for the 2012/2013 License term on May 30, 2014;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED THAT Plenary Retail Consumption License Number 1219-33-043-005, Shri Hans, LLC (pocket license) is hereby **renewed for the 2012/2013 license year**.

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 this Resolution be forwarded to the licensee and the Division of Alcohol Beverage Control.

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 #2014-174
APPROVING LIQUOR LICENSES
FOR THE CALENDAR YEAR 2014-2015

WHEREAS, applications have been duly filed for renewal of certain liquor licenses in the Borough of Sayreville for the license year July 1, 2013 to June 30, 2014; and

WHEREAS, all of said applicants have complied with the necessary requirements, including filing of applications, payment of fees, etc.

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

1. That Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be and they are hereby approved and authorized to be issued by the Borough Clerk to all parties listed in schedule “A” annexed hereto and made a part hereof, with the following ***exceptions***:

- | | |
|------------------|--|
| 1219-33-001-012 | Ikon at Route 35 Corporation, t/a Ikon Lounge (Conditions) |
| 1219-33-002-007 | Route 9 Associates, LLC t/a Bourbon Street (Conditions) |
| 1219-33-003-007 | Fancy Corner Caterers – Tax Clearance |
| 1219-33-007-005 | Pat’s Pub, Inc. (Conditions) |
| 1219-33-010-005 | 219 Washington Road, LLC, t/a Big Shots (Conditions) |
| 1219-33-011-008 | Ethan H. LLC, t/a Prime Time Sports Bar (Conditions)
Application & Fees |
| 11219-33-012-007 | Pub 35, LLC, t/a the Ale House (Conditions) |
| 1219-33-018-009 | Marullo 2, LLC, - Pocket License – Application & Fees
(Conditions) |
| 1219-33-021-009 | Gianna’s, Inc., t/a Cagney’s Pub & Restaurant
(Tax Clearance 2013/2014; & Special Ruling 2014/2015) |
| 1219-33-022-003 | Stock Enterprise, Inc. - Pocket
(Conditions/SR approved 13/14) |
| 1219-33-024-006 | Tapan Liquors, LLC, t/a Express Liquors
(Tax Clearance & Special Ruling Required for 2014/2015) |
| 1219-33-028-008 | Victory Entertainment, Inc. – Pocket License
(Conditions, TC 12/13 – 13/14;
App. & Fees, TC & Special Ruling Required 2013/2014 & 2014/2015) |
| 1219-33-031-005 | Shiv Akshar, LLC
Special Ruling Required & Approved on 8/30/13 |
| 1219-33-033-007 | AC & VC, Inc. (Anna Covello) (Conditions) |
| 1219-33-043-005 | Shri Hans, LLC – Pocket License
Special Ruling Required 2014/2015) |
| 1219-33-044-006 | F & B Associates of NJ, LLC t/a Starland Ballroom (Conditions) |
| 1219-33-045-006 | PSP Pride Corp., t/a Last Call (Conditions) |
| 1219-33-046-005 | Three P’s, Inc., t/a O’Garrafao Restaurant & Cervejaria (Conditions) |
| 1219-33-052-005 | Flamingo Liquor, LLC, (Inactive License)
(Conditions, Special Ruling Required) |
| 1219-33-056-007 | Marullo 3, LLC (Pocket License) - Not renewed 13/14
(Application & Fees 14/15; Conditions &
Special Ruling Required 2013/2014 & 14/15) |

1219-33-058-007

Shooters, Inc., t/a Club Abys
(Conditions & Special Ruling Required 2013/2014 & 14/15)

2. That the proper Municipal Officials be and they are hereby authorized to execute any and all other instruments necessary to carry out the intent and purpose of this resolution.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

2014 LIQUOR LICENSES RENEWAL LIST
Resolution #2014-174 - Attachment "A"

LICENSE #	LICENSEE	LOCATION
1219-33-004-002	Bailey's Tavern, Inc. Buddies Tavern 721-1952	277 Johnsons Ln Parlin 08859
1219-33-006-008	Ayush & Chandni Corp. Main St. Liquors 732-873-3632	881 Main St. Sayreville
1219-33-013-007	Highway Corp., t/a Road House Bar & Grill	1 Melrose Ave South Amboy 08879
1219-33-019-009	Costa Verde Corp. Costa Verde Restaurant	U.S. Rt. 9 & 35 South Amboy
1219-33-020-003	Yenooc 2, Inc. t/a Cooney's at the Deerfield Inn	50 Deerfield Rd. Parlin 08859
1219-33-023-004	Teddy's Bar Inc., t/a Teddy's Bar	378-381 So. Pine Ave. So. Amboy 08879
1219-33-025-008	Masaniello, LLC t/a Pulcinella Rest & Pizza	3067 Bordentown Ave Parlin 08859
1219-33-027-002	Peterpank Diner	967 Rt. #9 No., So. Amboy
1219-33-030-005	Mayerboys, Inc.	Old Spye Road, Blk 547, Lot 2 So. Amboy 08879
1219-33-032-006	Black Betty's Saloon, Inc.	6290 Route #35, No South Amboy 08879
1219-33-034-009	Camillo's Restaurant & Pizza, Inc.	31 MacArthur Avenue Sayreville, NJ 08872
1219-44-035-003	Mitthu, Inc. South Pine Liquors	467 South Pine Ave South Amboy 08879
1219-33-038-002	Rondesko Properties Inc., t/a Brick House Bar & Grill	267 Washington Road Sayreville 08872
1219-33-039-003	Norman's Tavern, LLC	363 Main St., Sayreville
1219-33-040-007	I & K Shop 1, LLC T J Bar & Liquors	3109 Bordentown Avenue Parlin, 08859
1219-44-041-004	MA Management LLC, t/a Sayreville Bridge Liquors	32 Washington Rd. Sayreville 08872
1219-44-042-005	Kushal Corporation, t/a Express Liquors	499 Ernston Rd. Parlin 08859
1219-44-047-007	P.T. Waterfront, Inc. t/a Sayreville Plaza Wines & Liquors	960 Rt. 9 So. Sayreville Plaza, Unit 111B & 113 South Amboy 08879
1219-33-048-005	Columbian Club Inc	775 Washington Road Parlin, 08859
1219-33-051-004	K & K Beverage, Inc. J. O'Neill's Place	17 Thomas St. Sayreville 08872
1219-33-054-005	Bello's Sports Pub, Inc.	1 Roosevelt Blvd., Parlin, 08859
1219-33-055-003	Fidelity Funding Corp,	4500 Bordentown Avenue

	t/a Brass Monkey Pub	Sayreville 08872
1219-33-057-009	986 Restaurant Corp Arirang Hibachi Steakhouse & Sushi Bar	986 Route 9 So. Parlin 08859
1219-33-059-004	Sayreville Memorial Post 4699 VFW	575 Jernee Mill Road Sayreville 08872
1219-33-060-005	LaMarina, LLC, t/a LaMarina	1776 Hwy. #35 South Amboy 08879
1219-44-061-005	Devta LLC, t/a House of Liquors	2909 Washington Road Parlin 08859
1219-31-063-001	American Legion Lenape Post 211	240 MacArthur Ave Sayreville 08872
1219-31-064-001	Columbus Club Inc	775 Washington Road Parlin 08859
1219-31-065-001	VFW Old Bridge Memorial Post 7508	17 Bordentown Ave., Old Bridge
1219-31-066-001	Sayreville Memorial Post 4699 VFW Inc.	575 Jernee Mill road Sayreville 08872

RESOLUTION #2014-175

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW P.R.C.L. # 1219-33-001-013
IKON AT ROUTE 35 CORP., t/a IKON LOUNGE WITH CONDITIONS FOR THE 2014-2015 LICENSE YEAR**

WHEREAS, Ikon at Route 35 Corp., t/a Ikon Lounge is the holder of plenary retail consumption license number 1219-33-001-013 (the “License”), issued by the Council of the Borough of Sayreville as the Issuing Authority (the “Issuing Authority”), for premises located at 1979 Highway #35 South, Sayreville, New Jersey (the “Licensed Premises”) for license year 2014-2015; 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., t/a Ikon Lounge, is hereby renewed for the 2014-2015 license year, subject to the following conditions remaining on 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 #2014-176

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. # 1219-33-002-007, ROUTE 9 ASSOCIATES, LLC,
t/a BOURBON STREET WITH CONDITIONS FOR THE
2014-2015 LICENSE YEAR**

WHEREAS, Route 9 Associates, LLC t/a Bourbon Street is the holder of plenary retail consumption license number 1219-33-002-007 (the "License"), issued by the Council of the Borough of Sayreville as the Issuing Authority (the "Issuing Authority"), for premises located at 1979 Highway #35 South, Sayreville, New Jersey (the "Licensed Premises") for license year 2014-2015; and

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

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License #1219-33-002-007, 439 Corporation, t/a Bourbon Street, is hereby renewed for the 2014-2015 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 #2014-177

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-007-005, PAT’S PUB,
WITH CONDITIONS FOR THE 2014-2015 LICENSE YEAR**

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 2014-2015; 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 2014-2015 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 #2014-178
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-010-005, 219 WASHINGTON ROAD, LLC,
WITH CONDITIONS FOR THE 2014-2015 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 2014-2015; 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 2014-2015 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 #2014-179
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-012-008, Pub 35, LLC,
WITH CONDITIONS FOR THE 2014-2015 LICENSE YEAR

WHEREAS, Pub 35, 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 in the Borough of Sayreville, New Jersey for the 2014-2015 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, Pub 35, LLC is hereby renewed for the 2014-2015 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

(Pocket License)

RESOLUTION #2014-180
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-022-003, STOCK ENTERPRISE, INC.
T/A COLOSSEUM WITH CONDITIONS FOR
THE 2014-2015 LICENSE YEAR

WHEREAS, Stock Enterprise, Inc. t/a Colosseum is the holder of Plenary Retail Consumption License # 1219-33-022-003 issued by the Council of the Borough of Sayreville as the Issuing Authority for license year 2014-2015; and

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

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2014-2015 license term; and

WHEREAS, on May 6, 2014, Michael I. Halfacre, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 05-14-8462 for a two-year period, covering the 2014/2015 and 2015/2016 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 2014/2015 license term and to grant or deny said application in the reasonable exercise of its discretion;

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License Number 1219-33-022-003, Stock Enterprise, Inc. t/a Colosseum, is hereby renewed for the 2014-2015 license year, subject to the following conditions remaining on the license:

1. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License must close the Licensed Premises for sixty (60) days of continuous operation after the License has been reactivated. Such sixty (60) day suspension will commence on the thirtieth (30th) day after the Licensed Premises has been in operation and open for business.
2. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License will not submit a request to the Director of the New Jersey Division of Alcoholic Beverage Control requesting a monetary payment in lieu of the sixty (60) day suspension or any other offer in compromise of suspension at any time in the future.
3. Licensee will not appeal this sixty (60) day suspension or the terms thereof to the Director of the New Jersey Division of Alcoholic Beverage Control at any time in the future.
4. All current existing conditions already on the License shall remain with the License and will not be affected by Licensee's sixty (60) day suspension. These conditions on the License shall remain with the License for each and every renewal period until further resolution by the Mayor and Council.
5. The License is revocable at any time for failure to comply with these conditions. Any violation of Alcohol Beverage Control Law or the previously mentioned conditions may result in immediate revocation of the License.
6. Licensee shall establish a litter-free zone surrounding the Licensed Premises as well as any littering in the neighborhood which can be directly attributed to the conduct of the business and must assign specific personnel on a daily basis to accomplish the fore-mentioned litter-free zone.
7. Licensee shall implement and 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 Licensed Premises on the same day/evening. This is in recognition of the fact that this activity of re-entering the Licensed Premises by patrons provides the patrons the opportunity to facilitate the use of drug activities inside the Licensed Premises.
8. The employees and staff of Licensee shall be required to obtain photo identification cards prepared by and from the Sayreville Police Department. Said identification card must be kept on their persons at all times while employed at and located on the property of Licensee. The purpose of this requirement is 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 designed to respond to the findings of a previous ABC investigation in which it was determined that some of the employees found on-site during the investigations were not properly entered in the employee records of the License.
9. Licensee shall provide proper trash receptacles in the parking lots and outside the Licensed Premises as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises. This includes all parking lots, Chevalier Avenue from Oak Street to Route 35 and Oak Street from Old Route 4 to Fouratt Avenue, Route 9 & 35 from Chevalier Avenue South to and including the business Beau Monde Furniture, which shall be cleaned of all litter, trash and other discarded items. This cleaning shall be accomplished by 10:00 a.m. each day following the hours of operation of the Licensed Premises. The described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with the operation of the Licensee, to the extent that the residents within the five hundred (500) foot radius consent to permit access to their private property to be cleaned of all litter, trash and other discarded items at the sole cost and expense of Licensee. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, can, bottles, and other debris that is the result from the operation of the Licensed Premises.
10. Licensee shall install "zero tolerance" signs inside the Licensed Premises at or adjacent to the entry to the premises containing language indicating that the 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.

11. Licensee shall install soundproofing equipment and take any other necessary steps to eliminate the emission 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. The bass beat is not to be transmitted to the exterior of the building. The doors to the Licensed Premises will remain closed at all times.

12. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of 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. The Licensed Premises is to be vacated by all patrons by 2:00 a.m.

13. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the Licensed 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), and that patrons age twenty (20) and under shall be stamped with an indelible mark on their hands in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). This measure is designed to prevent violations of the drinking age laws.

14. 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. This condition is included in anticipation of Licensee having a “Teen Night” in the future.

15. 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 will 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 and further to assist police in identifying security personnel when patrolling or responding to complaints or calls.

16. Licensee shall institute a policy of providing minimum 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.

17. Parking attendants, valet parking staff, waitresses, bartenders, and the owner shall not count as “security staff” in calculating the proper ratio of security staff to patrons. Any undercover security will be in addition to the readily identifiable security and not included in the security of one (1) per fifty (50) patrons. This measure is designed to ensure that the security staff employed by 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 Licensed Premises and in the parking lot. All security staff are to expedite the removal of all customers from the premises by 2:00 a.m. and then exit and assist in the dispersal of the customers from the parking lots.

18. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police and notify the Police Department a minimum of two (2) weeks (fourteen days) in advance.

19. 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.

20. 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 ensure 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. “Wave off” will also be put in place when traffic backs up onto Route 9 & 35 North.

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 #2014-181
BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-033-007, AC & VC, INC. T/A COVELLO’S ITALIAN
AND SEAFOOD RESTAURANT WITH CONDITIONS
FOR THE 2014-2015 LICENSE TERM

WHEREAS, application has been made for the renewal of Plenary Retail Consumption License No. 1219-33-033-007, AC & VC, 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 1219-33-033-007, AC & VC, Inc., is hereby renewed for the 2014-2015 license term, subject to the following terms and conditions as hereinbefore imposed and re-stated as follows:

- Licensee shall not engage in the operation of having live dancers or “go-go” dancers.

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 #2014-182
RESOLUTION OF THE COUNCIL OF THE
BOROUGH OF SAYREVILLE TO RENEW
P.R.C.L. #1219-33-044-007, F&B ASSOCIATES OF NJ, LLC,
T/A STARLAND BALLROOM WITH CONDITIONS
FOR THE 2014-2015 LICENSE YEAR

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 Council of the Borough of Sayreville as the Issuing Authority for premises located at 570 Jernee Mill Road, Sayreville, New Jersey for license term 2014-2015; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-044-006 for the 2014-2015 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 2014-2015 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's 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 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 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 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 #2014-183

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE TO RENEW
P.R.C.L. #1219-33-045-006, PSP PRIDE CORP., T/A LAST CALL
WITH CONDITIONS FOR THE 2014-2015 LICENSE YEAR**

WHEREAS, PSP Pride Corporation, t/a Last Call, is the holder of Plenary Retail Consumption License #1219-33-045-006 issued by the Council 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 2014-2015; and

WHEREAS, the Licensee has made application for the renewal of Plenary Retail Consumption License No. 1219-33-045-006 for the 2014-2015 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 2014-2015 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 #2014-184

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE TO RENEW
P.R.C.L. #1219-33-046-005, THREE P's, INC., t/a O'GARRAFAO RESTAURANT &
CERVEJARIA WITH CONDITIONS FOR THE 2014-2015 LICENSE YEAR**

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 Council of the Borough of Sayreville as the Issuing Authority for premises located at 567 Main Street, Sayreville, New Jersey for license term 2014-2015; and

WHEREAS, an application has been made for the 2014-2015 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 2014-2015 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 Boehmhurst 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 #2014-185

WHEREAS, Shiv Akshar, LLC is the holder of Plenary Retail Consumption License #1219-33-031-005 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 2013-2014 and 2014/2015** license term; and

WHEREAS, on August 30, 2013, Michael I. Halfacre, 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, Agency Docket No. 06-13-8180 for a **two-year period**, covering the **2013/2014 and 2014/2015 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 **2014/2015 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. 1219-33-031-005 to the licensee for the 2014/2015** 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 August 30, 2013.

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 #2014 - 186

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. 1:

- Project: Wildland Fire Pumper Apparatus
- Contractor: Pierce Manufacturing Co.
2600 American Drive
PO Box 2017
Appleton, WI 54915-2017
- Net Increase: \$ 4,855.81
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2014 - 187

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, SUPPORTING THE
NEW JERSEY ASSEMBLY BILL NO. 1715 DESIGNATING
SALT WATER TAFFY AS THE NEW JERSEY STATE CANDY**

WHEREAS, Assembly Bill No. 1715 has been introduced to the New Jersey Legislature proposing that Salt Water Taffy be designated as the New Jersey State Candy; and

WHEREAS, New Jersey is the home and birthplace of salt water taffy, and is widely associated with the shore communities in the State of New Jersey, and has been produced, sold and enjoyed in New Jersey for 125 years; and

WHEREAS, the Governing Body of the Borough of Sayreville has agreed that Salt Water Taffy serves as an ideal symbol for the official State candy; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey supports Assembly Bill No. 1715 Designating Salt Water Taffy as the New Jersey State Candy.

/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 #2014 - 188

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
ADOPTING A NEW PERSONNEL POLICY HANDBOOK**

WHEREAS, the Borough of Sayreville has in effect a Personnel Policies Employment Handbook that was adopted by the Governing Body in 1996; and

WHEREAS, the Governing Body of the Borough of Sayreville desires to amend and update the current Personnel Policies Employment Handbook enacted in 1996; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey adopts a New Personnel Policies Employment Handbook to take effect on the passing of this Resolution.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2014 - 189

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY
OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING
MEMBERSHIP IN HGACBuy (HOUSTON-GALVESTON AREA COUNCIL)**

WHEREAS, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") has been informed of the benefits of membership in the Houston-Galveston Area Council (herein after called "HGACBuy"); and

WHEREAS, the Governing Body of the Borough of Sayreville has applied for membership in the HGACBuy in order to purchase services, equipment, etc. from vendors approved by the HGACBuy thus saving in costs for products and administration time; and

WHEREAS, membership in the HGACBuy comes at no cost to the Borough of Sayreville but will result in the Borough of Sayreville saving money while purchasing through the approved vendors; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville approve the Borough's membership in the HGACBuy.

/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 #2014-190

BE IT RESOLVED that the following person is hereby appointed to the following:

NAME OF APPOINTEE: James S. Novak
POSITION: Police Lieutenant
DEPARTMENT: Police
EFFECTIVE: July 1, 2014

BE IT FURTHER RESOLVED that this appointment is made pending the permanent retirement of Police Lieutenant Anthony Donnamaria.

BE IT AND IT IS 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/ Arthur Rittenhouse
Arthur Rittenhouse, Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

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

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

RESOLUTION #2014-191

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for One (1) Monroe or equivalent Ten (10) Yard Salt Spreader with One (1) Calcium Chloride Pre-Wetting System for snow removal.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2014-192

BE IT AND IT IS HEREBY RESOLVED that the Mayor and Council of the Borough of Sayreville hereby approve the request for reducing the park rental fee for Sayreville PBA Local #98's annual picnic

being held at Burkes Park to a negotiated flat rate of \$450.00 and that said PBA Local #98 shall be responsible of all cleanup associated with event scheduled for August 17, 2014.

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

/s/ Ricci Melendez, Councilman
(Recreation Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2014-193

BE IT RESOLVED that the following person is hereby appointed to the following:

NAME OF APPOINTEE: Joshua Misiewicz
POSITION: Laborer
DEPARTMENT: Water & Sewer Department
EFFECTIVE: June 16, 2014

BE IT AND IT IS 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/ Ricci Melendez, Councilman
(Water & Sewer Committee)

ATTEST:

APPROVED:

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

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

RESOLUTION #2014-194

BE IT RESOLVED that the following person is hereby appointed to the following:

NAME OF APPOINTEE: Stephen Noonan
POSITION: Laborer
DEPARTMENT: Water & Sewer Department
EFFECTIVE: June 16, 2014

BE IT AND IT IS 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/ Ricci Melendez, Councilman
(Water & Sewer Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2014-195

WHEREAS, on June 18, 2013 the Borough of Sayreville awarded a contract for “Water Department Chemicals – Sodium Hypochlorite” to Miracle Chemical Company, 1151 B Highway #33, Farmingdale, NJ 07727; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for one (1) year term at no additional increase in price contained therein; and

WHEREAS, Miracle Chemical Company, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Water Department Chemicals – Sodium Hypochlorite” is hereby renewed for one additional year period at no additional increase in price.

/s/ Ricci Melendez, Councilman
(Water/Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2014 – 196

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE AUTHORIZATION FOR MAYOR O’BRIEN TO EXECUTE THE PIPELINE EASEMENT AGREEMENT BETWEEN THE BOROUGH OF SAYREVILLE AND RED OAK POWER, LLC

WHEREAS, the Borough of Sayreville has determined the need for the gas pipeline and has come to an agreement with Red Oak Power, LLC for same; and

WHEREAS, in order to accomplish this the Borough of Sayreville needs to grant an easement to Red Oak Power, LLC; and

WHEREAS, an Easement Agreement between the parties has been completed; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that on June 9, 2014 the Governing Body of the Borough of Sayreville authorized Mayor Kennedy O’Brien to execute the Easement Agreement on behalf of the Borough of Sayreville.

/s/ Mary J. Novak, Council President
(Sponsor)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

Kennedy O’Brien
Mayor

RESOLUTION #2014-197

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A CONTRACT WITH HOMESERVE USA

WHEREAS, the Governing Body of the Borough of Sayreville has the opportunity to provide its residents with the opportunity to purchase a Home Protection Program covering Water and Sewer Lateral breaks through HomeServe USA; and

WHEREAS, the Borough of Sayreville has the opportunity to offer this Home Protection Program to its residents to purchase with no cost to the Borough of Sayreville; and

WHEREAS, the Governing Body of the Borough of Sayreville has reviewed the proposed program and has concluded that its residents would benefit from partaking in the aforesaid program; and

BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute a contract with HomeServe USA.

/s/ Ricci Melendez, Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2014-198
A RESOLUTION OF THE BOROUGH OF SAYREVILLE
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
CONSENTING TO THE MEMORANDUM OF AGREEMENT
BETWEEN PBA LOCAL #98 AND THE BOROUGH OF SAYREVILLE

WHEREAS, there now exists a Collective Bargaining Agreement between the Borough of Sayreville and the PBA Local 98; and

WHEREAS, representatives of PBA Local 98 and the Borough of Sayreville have agreed to certain modifications to the present Collective Bargain Agreement; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey consent to execution of the Memorandum of Agreement between the PBA Local 98 and the Borough of Sayreville.

/s/ Arthur Rittenhouse Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Following the Consent Agenda Resolutions the **Mayor recognized Pastor Vincent Frunzi, Jr. in the audience** and introduced him to the public stating that he is the Pastor of the Methodist Church on Main Street. Councilman Rittenhouse added that he is the Pastor of the first church in the Borough of Sayreville.

Business Session Agenda - June 23 2014
COMMUNICATIONS & COMMITTEE REPORTS

• **ADMINISTRATIVE & FINANCE - Councilman Buchanan**

a) **Minutes & Departmental Reports:**

Council President Novak moved the following Minutes and or Reports be Received & Filed:
- Municipal Clerk's report for the month of May, 2014
- CFO's Investment Activity report for the month of May, 2014.

Motion was seconded by Councilman McGill.

b) Received the following **application(s) for Bingo/Raffle Licenses from:**

1) **St Stan's Senior Citizen Club** to conduct on Premise 50/50 drawings

on Aug. 19; Sept. 16; Oct. 21; Nov. 18; Dec. 16, 2014 (RA1881)
at 423 Main Street.

- Approved

c) Committee Reports – 1) Progress.

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

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

- Construction Code Official and Zoning/Code Enforcement Reports for the month of May, 2014.
- Sayreville Housing Authority minutes of May 13, 2014
- County Planning Board minutes of May 13, 2014
- Sayreville Planning Board minutes of May 21, 2014
- Fire Prevention covering Sayreville & South Amboy for the month of May, 2014.

-Receive & File

b) **Notice regarding the Sale of Public Property** received from the County of Monmouth to the County of Middlesex. Property known as Hoffman Station Rd., Block 32, Lot 10 in the Twp of Monroe. Monmouth acquired it by way of civil forfeiture proceeding. (Further information can be obtained in the Clerk's Office).

-Receive & File

c) Committee Report: 1) Reported on his attendance of the Library Barbeque this past Saturday and found it to be very imformative and he had a very nice time.

• **PUBLIC SAFETY – Councilman Rittenhouse**

a) **Minutes & Departmental Reports:**

Councilman Rittenhouse moved the following reports/minutes be received and filed:

- Court Administrator's report for the month of May, 2014
- Board of Health Registrar's and County report the month of May, 2014
- Police Chief's report for the month of May, 2014.

-Receive & File

b) Request for a block party received from residents of Haven Terrace from Campbell to the cul de sac on August 16, 2014 with a rain date of August 23, 2014 between the hours of 12Noon and 11pm.

- Approved.

c) Letters received from Sayreville Engine Co. regarding :

- 1) Transfer of Firefighter Keith Scheetz from President Park Firehouse to Engine Co. No. 1, effective June 1, 2014.
- 2) Four month leave of absence of firefighter Joseph Tripod, effective May 1, 2014.

d) 1&2 Receive & File

d) Application of Mathew R. Lasko as a (regular member) firefighter in Melrose Hose Co. No. 1 was accepted at their June 2, 2014 meeting.

- Approved

f) Request for banner placement received from the Sayreville Police Dept. announcing their "National Night Out" event on August 5, 2014 at Kennedy Park. Banners to be placed at: Washington & Bissett Pole #JC19SE and Washington & parkway overpass Pole #NBT1944/BT5SAR.

- Approved

g) Committee Reports-

- 1) Congratulated the Sayreville Middle School Students on their graduation tonight and the students of Sayreville War Memorial High School on their graduation tomorrow night.
- 2) Attended the Samsel Upper Elementary School's Tribute to America.
- 3) Tomorrow is the 350th Anniversary of the State of New Jersey so tomorrow at 12 noon you may hear bells and sirens that is when Berkley and Carteret designated the State as

East and West Jersey.

• **RECREATION – Councilwoman Eicher**

a) Minutes & Departmental Reports:

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

- Recreation Director's report for the month of May, 2014
- Cultural Arts Council minutes of June 11, 2014

Motion seconded by Councilman McGill.

b) Committee Reports:

- 1) Councilman Melendez reported on the various Recreation sponsored events.
- 2) Councilman Melendez made a motion to extend the deadline for the Municipally Sponsored Organizations had to file their reports in accordance with Ordinance #252-14 until August 20, 2014.

Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons McGill, Melendez, Novak, Rittenhouse. All ayes. Carried.

• **WATER & SEWER/ENVIRONMENTAL – Councilman Melendez**

a) Minutes & Departmental Reports: None

b) Committee Reports- 1) _____

• **PUBLIC WORKS – Council President Novak**

a) Minutes & Departmental Reports:

Councilwoman Novak made a motion to have the following reports/minutes be received & filed:

- Public Works Reports covering Bldg. & Grounds, Parks, Recycling, Garage Services & Sanitation for the month of May, 2014.
- Office on Aging report for the month of May, 2014.

Seconded by Councilman McGill.

b) Committee Reports:

- 1) Reported on the passing of the ordinance for road repairs.
- 2) Soccer Event Attendance.
- 3) Library Event Attendance.
- 4) Sayreville Athletic Association Picnic.

• **MAYOR – Kennedy O'Brien**

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

- **Administrative . & Finance**

- **Public Safety**

- I) Request for a leave of absence from Communication Operator Angela Moat, from Aug. 1, 2014 to Feb. 1, 2015 due to a Conditional Offer of Employment from the Middlesex County Sheriff's Office (see attached documentation)

- No objection/Resolution.

- **Public Works**

- I) Authorization for the placement of a street light at the end of Rosinski Place. See recommendation from the Police Dept.

- No objection.

- II) Discussion of efforts to raise funds for Skate park repairs.

- III) Authorization for a lateral title change of a Laborer to Truck Driver as recommended by the Municipal Dept. Head.

- No objection/Resolution.

- IV) Authorization to purchase One (1) 624K Wheel Loader through the HGAC Buy

Co-Op Purchasing program.
- No objection/Resolution.

V) Authorization for the Clerk to advertise for the receipt of bids for the Furnishing and Delivery of Treated Rock Salt for Snow Removal.
- No objection/Resolution.

VI) Authorization to award contract for 95 Gallon Refuse Containers to Schaefer Systems for their low bid of \$54.77 Average price per container.
- No objection/Resolution.

VII) Authorization to reject all bids received on May 22, 2014 for Plumbing work and Repairs and requesting authorization to re-advertise upon the receipt of amended specifications.
- No objection/Resolution.

- Recreation

- Water & Sewer

I) Received notification of the retirement of Gregory Hickman, effective immediately.
- Receive & File.

- Personnel

• **C.F.O.- Wayne Kronowski**

I. Bill List Resolution

• **BOROUGH ENGINEER -Jay Cornell**

I. Improvements to Glenwood Avenue, Greenhill Avenue, Horseshoe Road and Modzelewski Terrace – Closeout of Contract and Change Order (Report Attached).
- No objection/Resolutions.

2. Water & Sewer Director has indicated that the State has advised him that their mapping needs to be updated. So he would need authorization to prepare GIS Mapping as required by the NJDEP for the Water/Sewer Dept..
- No objection/Resolution.

• **BOROUGH ATTORNEY - Michael DuPont**

• **PUBLIC PORTION**

At this time the Mayor opened the meeting up to the public for any and all questions or comments. Those appearing were:

• Michael D'Addio, 12 Zaleski Drive.

SERA Agency Chairman addressed the Governing Body on some of the ways SERA does things in regards to the Pilot Program and what may happen to the Chase project if not approved. Also commented on COAH is Sayreville.

• Jim Sissick, President Baseball – Sayreville Athletic Association.

Sayreville AA is looking to start s Street Hockey program and it could utilize the basketball courts at the end of Woodland Avenue in Morgan as it would fit with little repairs. He said that Sayreville AA would run the program and it would be a 8-10 week fall league only on Saturdays with practice once a week at \$40.00 per child. The repairs needed would be replacing of two sections of fencing, gates added to each end of the court, cracks in the asphalt that would need to be filled, tighten up some other parts of the fencing and lines painted on the court and some benches for the players. He said that they have some extra sets of bleachers that could be brought in. There is already a port-a-john on site as well as a storage shed for the equipment. They would be responsible for the day to day upkeep of

the facility. Looking for authorization of these minor repairs and he would work with the Recreation Dept. and Dept. of Public Works to pull this together.

Mayor stated that the budget has already been set for the year but asked the Borough Engineer to give a preliminary cost estimate to make the repairs requested and see if they have the money this year if not it will go into next year's budget.

Councilman McGill asked how many kids would be involved and he replied that they were estimating 60-80 kids the first year.

- Margaret Tropp, No. Ernston Road
Said that she appeared here a few years ago about paving No. Ernston Road and last year a portion was paved to Beth Ann Way. Now with the new site the dump trucks are utilizing this roadway.

Mayor asked the Business Admin. to contact the Police Chief for an ordinance on truck traffic in this area and asked the engineer to look at the condition of that roadway.

- Rita Liguigli, Corner Gerard Place
Commented on the truck traffic on No. Ernston Road and the condition of the remainder of the roadway.

Mayor responded that they are now looking to address the truck traffic.

- Julius Lee, Gerard Place
Addressed the truck traffic on No. Ernston Road and water mains breaking.

Mayor asked the engineer to look into the water main breaking issue.

- Ted Kobstad, Marsh Avenue
He said that he is a member of the South Amboy Elks and would like to help with fund raising for the skate park. As long as they obtain all permits necessary there facility is there for their use.

No further questions or comments.

Councilwoman Novak made a motion to close the public portion. Motion seconded by Councilman McGill.

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION –**
Mayor O'Brien announced that the Council will be going into Closed Session.

Municipal Clerk Farbaniec 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:

- 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/ Mary Novak, Council President

APPROVED:

/s/ Kennedy O'Brien
Mayor

Council President Novak moved the Executive Session Resolution be adopted on Roll Call Vote. Seconded by Councilman McGill.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 8:25 PM.

- **RECONVENE**

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

Time: 8:30 PM

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:30 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved