

Mayor O'Brien opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this July 11, 2016 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: Councilwoman Kilpatrick

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

Others Absent: None

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL: (none)**

- **SWEARING IN**

Before Police Chief Zebrowski introduced the new police officers he said that he had a number of phone calls from members of our faith based organizations and proposed an opportunity for us to get together as "neighbors" to talk about some commonalities, issues and get to know one another he said they will be discussing a neighbor get together day and invitations will be going out on Face Book, web site, etc. He encouraged everyone to come out and take part and see what is going on.

At this point he introduced the two new police officers and gave some back ground on each.

Clerk administered the Oaths of Office to:

-Police Officer Christina Burt
-Police Officer Victoria Puccio

Mayor called for the next order of business.

Clerk Farbaniec announced:

- **OLD BUSINESS**

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

ORDINANCE #337-16

**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT
OF THE WINDING WOOD WASTEWATER PUMP STATION IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing July 11, 2016)

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,000,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$50,000 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 \$1,000,000 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 \$950,000 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 \$950,000 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 replacement of the existing Winding Wood Wastewater Pump Station, together with all other work, equipment, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$950,000.

(c) The estimated cost of said purposes is \$1,000,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$50,000 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 40 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 \$950,000, 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 \$100,000 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 \$950,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

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

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #337-16.

There being none, Councilwoman Novak moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilman Grillo.

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

b) Discussion on Police Radios.

Mayor called Police Chief Zebrowski and Fire Chief Waranowicz forward and asked if there was a representative from the emergency squad.

Mayor addressed the Chiefs stating that this was a State Contract with exact specifications and if so if the specification were being met. Chief Zebrowski said that it is a State Contract and that one of the vendors met the specifications but there may be a

question with regards to the other vendors contract pricing. He said that our consultants, V-Comm did the analysis on this project. The Chief asked that Doninic Villecco from V-Comm come forward to address the council.

Mayor said that it has come up that a member of V-Comm had worked for Motorola many years ago. He said that it is his understanding that Motorola is the largest in municipal first responder radios and that many up and coming people in the industry worked for Motorola in the past. He asked if V-Comm had concealed that a partner had worked for Motorola in the past.

V-Comm responded that that has never been concealed that the information has been in the proposal when the council first awarded them the contract for consulting services.

Mayor asked that he go over the specifications that were sent out in the State Contract and where we are today.

V-Comm again reviewed and explained as was discussed at the June 6th meeting the Specifications that were put together for purchase under State Contract T-0109.

Mayor asked who meets the specification and who does not.

V-Comm said that Motorola was recommended as the compliant proposal. He said that Tactical Public Safety is an agent of Harris who also submitted proposals and there were a few things that were noted that were not included in subsequent proposal submittals although they indicated in a letter that these items were included. But the most complete proposal that has the specific line items is that of Motorola and that has been the basis of their recommendation all along.

Mayor asked if there were any questions from the governing body. None heard.

Mayor asked both the police chief and fire chief if their recommendation was still the same and for which vendor. Both stated yes and Motorola. Mayor asked Kevit Ott from Sayreville Emergency Squad if he felt the same, from the audience he stated yes.

Mayor then told Tactical Public Safety/Harris if they wished to address the council about meeting the State Contract that now is the time to do so.

Appearing was:

Timothy Sage from Tactical Public Safety. He addressed the council that their proposal was inclusive of every item outlined in the specifications put out by V-Comm Consulting. He said that they plan to provide every item that is listed in the specifications, Mayor asked if that was submitted in writing, that this is a State Contract and they have to be in compliance with State Contract for purchase.

TPS stated that they are in compliance and outlined advantages of Tactical Public Safety proposal. He said he also contacted the State to confirm that they are in compliance and received feedback that they are. He went on to explain the operation of the Harris systems and technology and other advantages of their system.

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

Councilman Rittenhouse asked where a copy of the paperwork is stating they are in compliance.

Tactical responded that there are various e-mails to and from the State to them as well as Harris.

For clarification the Mayor asked – the correspondence that you have with the Contract Administrator in Trenton on the State Contract, you presented that you have e-mails from him stating that you are in compliance with this State Contract.

Tactical Public Solutions replied that between Tactical Public Safety, Harris and the State – Yes.

He said he submitted their complete proposal to the State less the UPS and he has a letter that states they approve the parts list.

Mayor asked if he forwarded it to V-Comm. Mr. Sage said that he doesn't recall but he does have it. Mayor asked that he submit it to V-Comm.

Councilman Rittenhouse asked how many Municipalities in the State of NJ do are they currently servicing.

Mr. Sage said upwards of 100, but was not prepared to answer such a question.

Councilman Rittenhouse asked that they provide them with a list of those towns. He then asked about the Sheriff's Dept. not being on line because of the Verizon strike. He said he understood that the Sheriff's office and your system is microwave and should have nothing to do with them stringing lines.

Mr. Sage said that is not entirely true that there is a dispatch counsel that relies on a land line and explained the reason for that there was no path over the air to make a connection between the sheriff's dept. and one of their sites and now the county is working to clearing trees and make that path available and the plan is ultimately go microwave. Right now they are using a cloud base T-1 and the Sheriff's office is now operating on the P-25 system.

Councilman Buchanan asked if any State and Federal Agencies in the State of NJ use their system. He responded that the State of NJ does have some Harris radios on the State System and is used tremendously in the Federal environment.

Appearing at the microphone was Mike Currig, area sales manager for the State of New Jersey said that he interacts with State contracts for TPS/Harris. He handed out some brochures. For the record he stated that he does in fact interface with the State on a regular basis. All vendors on the State contract have additional services and products that are added on a yearly basis if not sooner than that and that information is sent to the state to be added on. He further explained the process when a quote is provided to a customer.

Appearing at the microphone was John Caughfield, Motorola. He said that their proposal at this point should be the most complete, most compliant and most cost effective. Have more than 30+ towns and townships that have Motorola trunk systems in the State of NJ.

Councilman Buchanan asked how many they have state wide.

He responded that the statewide system is a Motorola trunk system and all the state agencies use them and knows that there are federal agencies that use Motorola.

Councilman Buchanan asked about out of area coverage.

He responded that there would be predetermined talk groups on your radios because it may be dangerous to switch to a county system or some other system if you leave Sayreville, explaining why it would be dangerous.

Councilman Grillo asked Motorola to explain their trunk system and redundancy.

Motorola explained the redundancy within the system before you would switch over to a fail soft system.

Councilman Lembo asked if Motorola could match the 95% coverage guaranteed by TPS/Harris. Motorola said that if they put the same antennae and the same base system and the same location, you're going to get the same coverage. You may even get better coverage with their radios because they have better audio, transmit and receive specifications than the other vendors do.

Mayor asked the police, fire and EMT if anything tonight changed their point of view on their radio vendor selection.

Fire Chief Waranowicz said no they want Motorola; Police Chief Zebrowski said no but the only question he would have at this point is how many Harris Systems that are P25, Phase II that are currently in operation. Sayreville EMS responded from the audience Motorola.

Mayor asked V-Com if their recommendation changed.

V-Com supports Motorola. He clarified that they did receive some information about their documents, but would just like to point out that the State looked at and approved a list that is submitted to them. We (V-Comm) look at the list and determine if it is compliant with the specification and TPS was missing a few things. It was missing the UPS and the mobile installation and the third thing was seamless roaming and the link, was not a specific line item in the last proposal. It was actually taken out of the last proposal.....but their recommendation is still the same – Motorola. He went on to say the Motorola submitted a letter today upgrading their price.

Councilwoman Novak spoke about a concern someone had that if we had Harris we could not talk to Motorola from other town that we have mutual aid with. She said she spoke with Tom Bracket who wrote the following e-mail. “we are getting a P25, Phase II system, running on a 700MHz frequency and we will have the ability to speak to other P25 systems no matter the vendor, if they are built to the same standard.

Also if a system is running on a different frequency than P25 – then it will not matter which vendor, the same the radios will not be able to communicate directly.

The Fire Chief said that on June 6th Jim Foley from Tactical said that you will lose some functionality if you use one vendor on another vendors system. The Fire Chief wanted to know what advanced functions would he loose.

Further comments ensued between the Chief and Councilwoman Novak.

V-Comm said that both Motorola and Harris both make P25 Phase II systems. Stating it is an open industry standard system and will talk to either vendor, if it is 700-800 MHz.

Mayor asked what the Council’s pleasure was.

Council President Buchanan made a **motion for the original Resolution awarding the contract from be taken from the Table** and placed it back for reconsideration. Seconded by Councilwoman Novak.

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

At this time Councilman Lembo stated we should go along with the recommendations of our experts, our police, fire and EMS and **made a motion** to award to Motorola. Seconded by Councilman Rittenhouse.

Councilwoman Novak stated that a vote had already been taken and the vote was to award the contract to Harris. She asked for a legal opinion.

Borough Attorney Michael DuPont started that two meetings ago there was a motion to award the contract to Harris and at the last meeting there was a resolution memorializing the previous vote and that was tabled for additional discussions. There was a letter submitted, questions resulted. Now there was a vote putting that back on the table. So the proper procedure would be to vote on that resolution regarding the memorialization of the award of the contract to TPS Harris.

Mayor O’Brien questioned the Borough Attorney’s legal opinion and felt that we should get another legal opinion.

Councilwoman Novak said that it had already been voted on and that this is a memorialization of that vote. She said that Co. Rittenhouse made a motion to try to vacate that particular vote and that was voted down, so we still have a vote to award to Harris.

How can a motion be made to award to Motorola when there is still one awarding to Harris which took place two meetings ago.

The Borough Attorney stated that procedure wise, the council first vote on the resolution that was previously approved two meetings ago and then tabled at the last meeting and now moved back onto the Table so the proper thing to do is to vote on it and if it gets defeated then Co. Lembo's motion can be reinstated. But since there was a motion previously adopted, then previously tabled and now back on the table that you vote on it.

Mayor said that before we go further that we think about what the fire chief said – that when he runs into a burning building Motorola is the radio he wants, when the police are running into a deadly situation this is the radio they want, when the first aiders are running to save the people this is the radio they want. I would like everyone to consider the statements of the first responders.

The Borough Attorney said that if Co. Lembo's motion is not withdrawn then the council can vote it down and then the motion regarding the award to Harris be voted on, the Councilman Lembo can bring his motion back up.

Councilman Lembo said that there is a difference of opinion here.

The Borough Attorney reiterated and that previously they voted to award the contract for police radios to TPS Harris and that was going to be memorialized at the last council meeting and because of a letter that was submitted at the 11th hour and questions arose there was a motion to table the resolution made by Co. Buchanan. I guess the questions were answered and now everyone voted to put the resolution back on the table for consideration. This is now what should happen.

Councilman Rittenhouse stated he would withdraw his second if Co. Lembo would withdraw his motion. He said that he feels that they need to have a through discussion on the Harris vote and he is prepared to do so.

Co. Lembo then made a motion withdrawing his motion to award to Motorola. Seconded by Councilman Rittenhouse.

The Mayor asked what the motion was.

The Borough Attorney said a motion should be made to adopt the Resolution that was previously memorialized, then a second then discussion.

Mayor asked that the motion be restated.

Mr. DuPont said that it is a motion to memorialize the resolution that was adopted awarding the contract to TPS Harris in that specific dollar figure.

Mayor opened the meeting up for discussion. Those appearing were:

- John Coughfield from Motorola Solutions.

He wanted to know if the council was aware of a letter penned by Dave White and sent in today. He said that in addition to Motorola being the most compliant vendor they have revised their maintenance offering but basically it reduced \$160,000 for the total cost of ownership over the five year project term. So that would also make Motorola the lowest bid too.

Timothy Sage, Tactical Public Safety

He reiterated that their offer is fully compliant with the specifications. He said that the length of time that Dominic Vollecco referenced is not in his specification however, it is being provided by Tactical Public Safety. He said that he just witnessed Motorola changing their price and asked for their comments on receiving that price change.

The Mayor deferred to the borough attorney.

Mr. DuPont said that is not the part of the discussion at this time. The discussion should be simply on memorializing the resolution that was previously voted on.

Mr. Sage said that he felt that if Motorola is able to submit another price than they should be given that opportunity as well.

Councilman Rittenhouse indicated that they had four chances and you kept changing yours. Mr. Sage indicated that was not true. He said that he sent a letter to the Mayor indicating exactly what transpired. He said that Domonic Villecco has misrepresented their changes in their last two documents where they included a more compressive parts list which was in compliance with state contract, the price did not change.

Councilman Rittenhouse said that he sat down with the County Administrator who said that he would guarantee TPS Harris would match Motorola's price no matter what. Mr. Sage said that he is not aware of such a statement. Councilman Rittenhouse said that he has witnesses to that statement and he also has the Attorney General and the County Prosecutors office looking into that.

Mr. Sage said the TPS should be given the opportunity for the council to consider a potential price change from Tactical Public Safety, if it is allowed at this meeting for Motorola, it should be allowed for Tactical for the same thing.

Mr. DuPont said that should the Mayor and Council wish to throw out everything and reject this then give everyone a bite at the apple that would be different.

Mr. Sage questioned when the cut-off date for all proposals are. Mr. DuPont said the date passed and there has been a vote awarding the contract to TPS Harris and the recent submissions are not included in the vote today. The only thing that is being considered is the memorialization of the Resolution that was brought up and voted on two meetings ago. Mr. Sage then questioned if the letter from Motorola that came in has no bearing on the award or decision tonight. Mr. DuPont said no.

Fire Chief Vinnie Waranowicz Stated that he noticed that when a vote comes up on police matters Councilwoman Novak recuses herself. Councilwoman Novak said that was not true, only when it concerns money for officers she recuses herself, otherwise she votes on everything else and she will not be recusing herself from this matter.

Police Chief John Zebrowski expressed his disappointment that the council would not take their advice and recommendation from the committee after their comprehensive 18 month review and investigation. He asked that the council take some more time to study it further.

Ted Petersen, Crestview Apartments

Asked that the council vote for what is right and not for what their party wants them to.

Al Miller

Asked if this was an award in response to an RFQ of these two vendors and asked if there was a signed letter of intent.

Mayor referred the matter to the Borough Attorney, who stated that we have the proposals submitted by the two vendors and a bond ordinance in place. Mayor O'Brien went on to explain the voting process and award to a vendor.

No further questions or comments, Mayor O'Brien called for a motion.

Council President Buchanan moved the public portion be closed. Seconded by Councilwoman Novak.

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

Council President moved the Resolution awarding the contract for the public safety radio system be awarded to TPS/Harris be adopted on Roll Call Vote. Seconded by Councilwoman Novak.

Discussion:

Councilman Rittenhouse expressed his disappointment in this whole process. There is a recommendation from our Police, Fire, Emergency Services. He said that when he first got elected three years ago he was on the Public Safety Committee and they were working on the radio system. Then over the last 18 months a committee was put together and reviewed the needs and comprehensive review of the vendors and put together a recommendation. Councilman Rittenhouse went on in length to explain the meetings and other circumstances that occurred. Commented on the various complaints he has filed with the Government Records Counsel, State Attorney General's Office and County Prosecutor's office for various infractions, which he explained. He said that his vote will be no to TPS Harris.

Councilman Lembo thanked the Police, Fire and EMS for the countless hours put into this. Disappointed that it looks like it is going to be a wasted effort and it is a shame that politics come before the tax payers.

Mayor stated that he was told by people from the county that Sayreville would have this Harris System and there was nothing we could do about it. He said that the Police and firemen feel that there is a personnel gain to be had here. He said he was furious that their choice was taken away.

Councilman Buchanan said that one of the goals was to get a stand-alone system and it did not matter if it was one brand or the other. But they are finding out that there is more stuff they can get with Harris than Motorola. More of the State uses the system as well as the federal government.

Councilman Grillo stated that never once had he been approached by the County on this matter and has no gain in either selection. He commented on the lengthy meeting and review time that went into this informative process and knows he is making the best decision he could make.

Councilwoman Novak said that they decided not to go with the County and she was one of the only ones up here that wanted to go with the County. For the reason being that it would be 6-8 weeks as opposed to 6 months to 1 year for stand alone. She said that after speaking with Co. Grillo, Ricci Melendez and Tom Bracken she decided that even though getting the radios up and running quicker is important but we would better benefit from a stand-alone system. Her choosing Harris has nothing to do with the County and at no time did the County try to convince her. She even went on to say that V-Comm said that either system would serve this town the same and heard nothing today that would change her vote.

No other comments, Mayor O'Brien call for Roll Call.

Roll Call:	<u>Ayes, to award to TPS/Harris</u>	<u>Nays</u>
	Co. Buchanan	Co. Lembo
	Co. Grillo	Co. Rittenhouse
	<u>Co. Novak</u>	<hr/>
	3	2

Ayes Carried to award contract to TPS Harris

- **NEW BUSINESS:**

- a) Municipal Clerk announced having received the Supplemental Debt Statement from Wayne A. Kronowski, CFO as of July 11, 2016.

Councilwoman Novak moved the Supplemental Debt Statement be received & filed. Seconded by Council President Buchanan.

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

b) Introduction of the following Ordinance(s):

ORDINANCE #338-16
**BOND ORDINANCE PROVIDING FOR THE ACQUISITION
AND INSTALLATION OF AN EMERGENCY GENERATOR FOR
THE BOROUGH HALL BUILDING IN, BY AND FOR THE
BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING
\$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing July 25, 2016)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on the 25th day of July, 2016. Seconded by Councilman Grillo.

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

CONSENT AGENDA/RESOLUTIONS

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

There were no appearances.

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

Roll Call on Consent Agenda Resolutions:

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

**Bill list of June 27, 2016 in the amount of \$5,003,332.35
in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).**

RESOLUTION #2016-219

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

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

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

/s/Daniel Buchanan
Councilman Daniel Buchanan

/s/Pasquale Lembo
Councilman Pasquale Lembo

/s/Steven Grillo
Councilman Steven Grillo

/s/Mary J. Novak
Councilwoman Mary J. Novak

Absent
Councilwoman Victoria Kilpatrick

/s/Arthur Rittenhouse
Councilman Arthur Rittenhouse

RESOLUTION #2016-220

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING
THE RIGHT-OF-WAY USE TO CROSS RIVER FIBER**

WHEREAS, Cross River Fiber LLC (“Cross River Fiber”), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Borough of Sayreville for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Borough of Sayreville for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of the Borough of Sayreville and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sayreville is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

PERSON TO PERSON TRANSFER
(Pocket License)

RESOLUTION #2016-221

WHEREAS, an application has been received by the Municipal Clerk for a Person to Person Transfer of Plenary Retail Consumption License #1219-33-030-005, heretofore issued to Mayer Boys, LLC;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business; and

WHEREAS, the applicant has duly advertised in the Home News Tribune on April 9, 2016 and April 16, 2016 as required by law, and has produced proof of publication as to such advertising; and

WHEREAS, no objections or protests have been made with regard to said transfer; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville does hereby approve, effective July 12, 2016, the transfer of the aforesaid Plenary Retail Consumption License #1219-33-030-005 to Bass Pro Outdoor World, LLC and does hereby direct the Municipal Clerk of the Borough of Sayreville to endorse the license certificate to the new ownership as follows:

“This license, subject to all of its terms and conditions, is hereby transferred to Bass Pro Outdoor World, LLC, effective July 12, 2016.”

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2016-222

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE
DEMOLITION OF 50 BROOKSIDE AVENUE**

WHEREAS, the property commonly known as 50 Brookside Avenue in the Borough of Sayreville, County of Middlesex and State of New Jersey is a vacant property; and

WHEREAS, the property has fallen into disrepair and is structurally unsafe; and

WHEREAS, every attempt has been made by the Borough of Sayreville to locate responsible parties, to no avail; and

WHEREAS, an inspection of the property by the Borough of Sayreville Director of Code Enforcement has found that the property is unstable; and

BE IT AND IT IS HEREBY RESOLVED that the Governing Board of the Borough of Sayreville authorizes the Borough Clerk to advertise for receipt of bids for the demolition of the above property and to record the costs of the demolition as a lien on the property.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2016-223

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase "Turnout Gear" from Skylands Area Fire Equipment & Training, LLC, through State Contract (T0790/A80948), at a total cost not to exceed \$33,955.92.

/s/ Pasquale Lembo, Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-224

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase "Turnout Gear" from Continental Fire and Safety, through State Contract (T0790/A80956), at a total cost not to exceed \$7,242.20.

/s/ Pasquale Lembo, Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-225

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized to purchase one (1) Chevrolet Tahoe from Mall Chevrolet of Cherry Hill, NJ, through the Cranford Cooperative Pricing Program, #74CPCPS250-CCP for a total not to exceed \$37,650.00.

/s/ Pasquale Lembo, Councilman
(Public Safety Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-226

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE: Jeffrey Bartlinski
POSITION: Mechanic
DEPARTMENT: Dept. Public Works
EFFECTIVE: July 12, 2016

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-227

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE: Kevin Connors
POSITION: Laborer
DEPARTMENT: Dept. Public Works
EFFECTIVE: July 16, 2016

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-228

BE IT AND IT IS HEREBY RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to advertise for receipt of bids for Komatsu Wheel Loader Repairs.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-229

BE IT AND IT IS HEREBY RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to advertise for receipt of bids for Repairs to Four (4) Heil 5000 Rear Loader Refuse Trucks.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-230

BE IT AND IT IS HEREBY RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to advertise for receipt of bids for Electrical Work and Repairs.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-231

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR O.E.M. FORD PARTS AND SERVICE

WHEREAS, the Borough of Sayreville has a need to acquire OEM Ford Parts and Service as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is One year; and

WHEREAS, Toms Ford of Keyport, NJ has indicated they will provide OEM Ford Parts and Service for The Borough of Sayreville; and

WHEREAS, Tom's Ford has completed and submitted a Business Entity Disclosure Certification which certifies that Tom's Ford has not made any reportable contributions to a political or candidate committee in The Borough of Sayreville in the previous one year,

and that the contract will prohibit the Tom's Ford from making any reportable contributions through the term of the contract, and

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

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville authorizes the Purchasing Agent to enter into a contract with Tom's Ford as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-232

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase three (3) pick-up trucks from Beyer Ford, through State Contract (T2100/A88727), at a total cost not to exceed \$92,136.50.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-233

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Boiler Replacement at the Public Safety Complex and that he be paid for said services at a fee not to exceed \$12,500.00.

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-234

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$88,667.58, which item is now available as a revenue from the New Jersey Solid Waste Administration – Clean Communities Program; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$88,667.58 is hereby appropriated under the caption of:

“Clean Communities Program”
; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien, Mayor

RESOLUTION #2016-235

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$750.00, which item is now available as a revenue from the Middlesex County Cultural and Heritage Commission.

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$750.00 is hereby appropriated under the caption of:

"Middlesex County Cultural and Heritage Commission"

; and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2016-236

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Kennedy Park Pedestrian Bridge Repairs and that he be paid for said services at a fee not to exceed \$14,500.00.

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Resolution #2016-237

WHEREAS, on June 14, 2016 the Mayor and Council of the Borough of Sayreville received bids for the **Winding Woods Wastewater Pump Station** project; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 11th day of July, 2016, that:

1. Contract for the "**Winding Woods Wastewater Pump Station**" project be awarded Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456 on their bid price of \$857,930.00 as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Resolution #2016-238

WHEREAS, on June 14, 2016 the Mayor and Council of the Borough of Sayreville received bids for the **Repairs to the Kennedy Park Skate Park** project; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 11th day of July, 2016, that:

1. Contract for the “**Repairs to the Kennedy Park Skate Park**” project be awarded Rampage, LLC, 1625 Railroad Avenue, Bridgeport, CT 06605 on their bid price of \$51,500.02 as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-239

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

- Project: Major Drive Waterfront Improvements
- Contractor: Sparwick Contracting, Inc.
18 Route 94
Lafayette, NJ 07848
- Net Increase: \$2,706.00
- 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/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-240
ACCEPTING FINAL WORK
AND AUTHORIZING FINAL PAYMENT
UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Major Drive Waterfront Improvements
- Contractor: Sparwick Contracting, Inc.
18 Route 94
Lafayette, NJ 07848
- Balance Due \$5,613.12

WHEREAS, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

WHEREAS, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

WHEREAS, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.
2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.
3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.
4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$42,098.40 and the approval of same as to form and sufficiency by the Borough Attorney.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-241

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

- Project: 2014 Roadway Paving and Reconstruction Project – Phase II
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Increase/Decrease: No change in original contract price
- 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/ Mary J. Novak, Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-242

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE REPAIR OF AN AUTOMATED REFUSE TRUCK

WHEREAS, the Borough of Sayreville has a need to repair one (1) automated refuse truck as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is less than one year; and

WHEREAS, Detcon of Farmingdale, NJ has indicated they will provide repairs to the automated refuse truck for The Borough of Sayreville; and

WHEREAS, Detcon has completed and submitted a Business Entity Disclosure Certification which certifies that Detcon has not made any reportable contributions to a political or candidate committee in The Borough of Sayreville in the previous one year, and that the contract will prohibit the Detcon from making any reportable contributions through the term of the contract, and

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

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville authorizes the Purchasing Agent to enter into a contract with Detcon as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

- **EXECUTIVE SESSION** - **(None)**
- **PUBLIC PORTION**

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

Those appearing were:

- Ted Petersen, Crestview Apartments

Mr. Petersen asked Councilman Rittenhouse if he looked into the Open Public Meetings Act and if a board could vote in private on complaints filed with them. Stated that the Rent Leveling Board voted in private on his complaints and issued him a statement.

The Borough Attorney stated that Mr. Petersen filed an appeal to the council regarding his complaints and decision made by the Rent Leveling Board so he asked that he refrain from asking questions pertaining to him or the case.

- Larry Gates, 33 Creamer Drive

Thanked the governing body for their quick response for signs and passing the placement of officers to monitor Creamer Drive. He explained other issues and asked for a stop sign half way down Creamer Drive.

Mayor referred the matter to the Police Chief.

- Al Pillar, 251 Morgan Avenue

Not happy with what Morgan has become. The Massage Parlor, Adult book store, hourly motels, Covello's eyesore, Morgan Bluff (Heights) using water from the hydrant to water flowers, car detail business not complete.

Thanked Andrew Mashanski for his help.

Councilman Grillo addressed Mr. Pillars concerns and asked that he reach out to him as a Professional Planner and would like to get his and the neighbors ideas.

There were no further questions or comments.

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

Roll Call: Voice Vote, all Ayes. Carried.

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

Mayor O'Brien called for a motion to adjourn.

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

Roll Call: Voice Vote, all Ayes.

Time: 8:54 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved