

Mayor Kennedy O'Brien opened the Agenda Meeting at 8:18 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, July 27, 2015 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, Kilpatrick, McGill,  
Melendez, Novak, Rittenhouse

Absent: None

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

Others Absent: Wayne A. Kronowski, C.F.O./Treasurer

- **OLD BUSINESS**

a. The following Ordinance were introduced at the Council meeting and will be listed for Public Hearing and Adoption on August 10, 2015.

**ORDINANCE #296-15**

**Held over for Introduction at the July 27<sup>th</sup> meeting**

**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV, "WATER & SEWER",  
SECTION 16.1 OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF SAYREVILLE, 1986, AS SUPPLEMENTED AND AMENDED  
(Water & Sewer Committee)**

- **NEW BUSINESS:**

a) Ordinances for Discussion - None

- **COMMUNICATIONS & COMMITTEE REPORTS**

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

a) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

1) Board of Education minutes of June 2, 2015.

Seconded by Councilman McGill.

b) Appeal from County Tax Board Judgement to Tax Court of NJ

1) 106 Fort Dix Realty LLC, Block 292.03, Lot 1, Block 295, Lot 3.

2) D & A Investment Group Inc., Block 169.20 Lot 2

3) 606 Main LLC, Block 240 Lot 2

- Refer to Tax Counsel

c) Received **Bingo/Raffle Applications** from the following Organizations:

1) **S.W.M.H.S. Touchdown Club** to conduct an Off Premise Raffle on September 9, 2015 on School property (RA:1951).

2) **S.W.M.H.S. Touchdown Club** to conduct an Off Premise Raffle on September 25, 2015 (RA:1952).

3) **S.W.M.H.S. Touchdown Club** to conduct an On Premise 50/50 on Sept. 9, Sept. 11, Sept. 25, Oct. 16, Oct. 30, Nov. 6 on School property (RA:1953).

- (1-3) - Approved

d) Committee Reports – Progress.

• **PLANNING & ZONING – Councilman Buchanan**

a) **Minutes & Departmental Reports: NONE**

b) **Application for a trailer license** received from Northeast Remsco Construction to locate One (1) Office trailer on Gerdau Ameristeel, North Crossman Rd.

- Approved/Resolution

c) **Notice to Sayreville as Adjacent Property Owner** received from Verizon Wireless for variance and minor site plan approval for the collocation of a wireless communications facility at the existing lattice tower at the location known as 491 Ernston Road.

- Receive & File

d) Committee Reports – Councilman Buchanan:

- 1) Thanked all the Depts. involved with Independence Day Celebration. Great job by all.
- 2) Progress.

• **PUBLIC WORKS – Councilwoman Kilpatrick**

a) **Minutes & Departmental Reports: NONE**

b) Notice received from the County of Middlesex, Department of Public Safety & Health, Division of Solid Waste Management that the County Board of Chosen Freeholders has adopted a resolution for a public hearing on an Amendment to the County's Solid Waste Management Plan on Tuesday, July 14, 2015.

- Receive & File

c) Committee Reports – Councilwoman Kilpatrick:

- 1) Echoed Councilman Buchanan's Thanks to all departments for a great Independence Day Celebration.
- 2) Progress.

• **RECREATION – Councilman Melendez**

a) **Minutes & Departmental Reports: NONE**

b) Application for **Special Event Permit** received from Fed Up! Local/United We Can to conduct an Opiate Overdose Awareness Vigil on August 31, 2015 from 5pm-8pm.

- Approved.

c) Committee Reports – Councilman Melendez:

- 1) July 4<sup>th</sup> celebration was a success and fun by all.
- 2) Reported on various Recreation sponsored events.
- 3) Update on IT – Police Communications and Camera System (Sept. time frame) followed by Sr. Center.
- 4) Will be in touch with Michelle Maher regarding improvement to Kennedy Park.
- 5) Recognized the high school football training camp for small kids and thanked the coaches and recognized them by name for their dedication.
- 6) Progress

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

a) **Minutes & Departmental Reports: NONE**

b) Committee Reports – Councilman Rittenhouse:

- 1) Thanked Dave Pavlik and the Buildings & Grounds Dept. for their quick response to a water leak at the Historical Society so they did not lose any artifacts.
- 2) Great time by all in attendance at the Independence Day Celebration
- 3) Introduced Bob Smith – Director of Water and Sewer Dept. to discuss and give an overview on what they have planned and what is going on in the Water & Sewer Dept.

Mr. Bob Smith, Director Water & Sewer Dept. introduced himself and stated that he has been onboard since November 2013 and was not here for Super Storm Sandy and are still playing catch up from that storm. It did a lot of damage to our pumping stations and are still feeling the effects. We need to provide our employees with the knowledge and tools to perform their jobs so that we can provide the residents with the best service. Encouraging staff to go to school and obtain their licenses. Would like to have an educated staff. We are not in the 21<sup>st</sup> century as far as a utility here in Sayreville and there is some equipment that he requested. Would like radio read of our water meters. Valves are supposed to be operated on an annual basis and that has not been done for years. Trying to get a preventative maintenance program in place and that is slow but moving into the right direction. This Water Utility is very expensive to run. It needs to be run like a business. Needs to self-sustain their budget and staff. Some municipalities run their utility as a MUA, privatize, sell the utilities outright or just run it as a department. Sayreville has decided to run it as a department so therefore we must to operate as a business. Infrastructure is old. DEP and EPA's want municipalities to start looking at their infrastructure because a lot is failing. It is very costly to keep up and maintain. He said that his first year here there was 33 water main breaks and so far this year we've have approximately 25. GIS mapping of the distribution and collection system which is desperately needed and a requirement of the DEP. Would like to have modeling of that system so that they can see all flows and pressures. Spoke about other needed equipment.

He said that recently there was a discussion about moving a valve box in the street and obtained a figure of \$5,900.00 to replace it and said that there are quite a few of them like that out there in the borough and if we repair this one we will be repairing all and will be a financial burden to the borough for something that is not the borough's responsibility. Mayor wanted to cover the responsible party. He said that this resident purchased this house as a GI bride back in like 1955 and she was told by the town that it would be taken care of and has been told that every so on since. So the Mayor felt that it was incumbent upon us to finally take care of it and if there are more like that through our own negligence or some other reason we allowed these things to happen. He said that he did give instructions at the last meeting to have this taken care of for this one lady. Mayor then asked if he had a guestimate of how many in town are like this. Mr. Smith said 6 that we know of and two previously who have it taken care of at the property owner's expense. Mayor asked for a quote on all and deal with it as one project. Councilman Melendez asked the business admin about the other cases. Mr. Frankel indicated that he knows of two previous cases and our policy has been, it is not the borough's responsibility and the resident paid for the repair. Mayor said that if we have six and two took care of it themselves and the error is on the borough then it is incumbent upon the borough to right this wrong. Think we can, particularly the lady who lives on Elizabeth Street. Mayor asked if there was any disagreement. Councilwoman Novak said she would like this to be discussed when the CFO is present. Mayor asked Mr. Smith to put together the budget for the repairs and we will go forward from there.

Councilman Rittenhouse and the Mayor thanked Mr. Smith for his report.

• **PUBLIC SAFETY – Council President McGill**

a) **Minutes & Departmental Reports: NONE**

b) Committee Reports – Councilman McGill:

1) Requested authorization to have the Borough Engineer and Business Administrator put a request into the County to widen and add two more lanes on Washington Road going toward Ernston Road because of the heavy traffic during school hours. Or perhaps a center lane for left and right turns. Seconded by Councilwoman Novak.

2) Reported on the Radio and camera progress leading us into the 21 century.

3) Still speaking with Sgt. Bartlinski about opening the end of Boehmurst Avenue to help alleviate traffic on Main Street.

4) Need for more Crossing Guards.

- 5) Motion to purchase defibrillators - approx. 6 units at \$6,000. Per unit located at various sporting events and the Sr. Center. Seconded by Councilman Melendez.
- 6) Need to upgrade the borough's infrastructure.
- 7) Legal Fees – \$600,000 past 3 yrs. For McKenna, DuPont Higgins & Stone for Attorney fees but had paid \$910,000. / 3 yrs. to the DeCotiis Firm, so the borough saved \$300,000.

- **MAYOR – Kennedy O'Brien**

1) Mayor said that anyone interested in being appointed to the Sayreville Economic & Redevelopment Agency to forward their applications to SERA or to Terry Farbaniec, Municipal Clerk. Mayor announced having one from Steven Grillo who has a Masters Degree in Urban Planning.

2) Mayor stated that at the last meeting they were going over Open Space Acquisition. He said that it is a piece of property runs parallel to Cheesequake Road and has a letter from Open Space Committee dated April 3, 2014 which states that the parcel of property extends the DuPont donation and that it has come to the committees attention that there are encroachments on the property by the adjacent homeowners in Laurel Park and that due to the encroachments the level of funding by the State would be adversely affected, which means any open space money from the State would be lost. He said that back in March 20, 2014 meeting the council voted to move ahead with the purchase of that property – but only under the condition that the current property owners would be able to convey clear, unencumbered title free of any adverse claims or encroachment. Mayor O'Brien showed a map of the property. He explained where the property was and where the encumbrances were. Mayor stated that he had a conversation with Mr. Gillette who was interested in purchasing and developing this property and went to court and lost because these encroachments have been there for over 20 years and that he could not recoup any of this expenses. The people had adverse position. So the Mayor recommended that as much as they would like to follow the direction of the Open Space Committee in purchasing this parcel but only if it is unencumbered and there is free and clear title and no encroachments. He said that if a developer were to purchase the property they would only be able to get one house on it.

Councilwoman Novak stated that approximately 3 meetings ago there was a motion made and seconded and voted on in the affirmative - that if there is no legal encroachments on the property then we would go ahead and purchase. That is not the case here there is going to need legal work, title searches. So the motion is still there and we are to move forward to see if any of these people have a legal right to the property. If someone legally owns the property the property owner did a lot of building without permits.

Further discussion followed.

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

- **- Admin. & Finance**

a) Authorization to continue participation in the Middlesex County Regional Education commission Cooperative Purchasing of Electric Services and Natural Gas.

- **- Resolution.**

b) Request for resolution authorizing the execution of the FY2016 Municipal Alliance Agreement and the acceptance of the Funds in the amount of \$42,655.00.

- **- Resolution.**

- **- Planning & Zoning**

a) Resolution received from SERA recommending that the Borough refer to the Planning Board proposed modifications by Redeveloper, PRC River Road Development, LLC, with regard to the Redevelopment Plan for the River Road and Gondek Road Redevelopment sites.

- **- Letter.**

b) Authorization for the Borough Clerk to advertise for the receipt of bids for Property Maintenance Services. (Requires revisions to current Property Maintenance Ordinance)

- Resolution.

c) Request to amend Ordinance 12-1.3 to increase Construction Fees.

- Ordinance

**- Public Safety**

a) Authorization to purchase turnout gear through NJ State Contract T0790/A80948 from Skylands Area Equipment and Training LLC of Riverdale, NJ in the amount not to exceed \$34,244.04.

- Resolution.

b) Authorization to amend Board of Health Ordinance 8-20 to add Legal Name Change Set Up Fee of \$2.00 under Vital Statistics Fee Schedule. (See attached explanation)

- Ordinance.

**- Public Works**

a) Authorization to appoint Jason Summerer to the title of **Truck Driver** (from Laborer) in the Dept. of Public Works.

- Resolution.

b) Authorization for the Borough Clerk to advertise for the receipt of bids for Burke's Park Pavilion Upgrades.

- Ordinance.

**- Water & Sewer**

a) Request for authorization to execute a Statement of Consent between the Borough of Sayreville and U.S. Environmental Protection Agency Region II, Horseshoe Road ARC Superfund Site for the purpose of installing a Wastewater Treatment Facility on site property.

- Letter to follow.

- Resolution 7/27 mtg.

b) Authorization for the Borough Clerk to advertise for the receipt of bids for hydrated lime.

- Resolution.

Other a- Report

a) Inter-local Services Contract with Woodbridge Twp. is still under negotiations.

b) Congratulations to Co. Novak on the birth of her 9<sup>th</sup> grandchild.

c) Happy Birthday wished to Wayne Kronowski.

○ **C.F.O. - Wayne Kronowski**

● **BOROUGH ENGINEER - Jay Cornell**

a) Bordentown Avenue Water Treatment Plant Expansion – Proposed Change Order - Resolution.

b) Frontier Sayreville LLC Site Plan – Bond Release Request – Starbucks

- Resolution.

c) 2014 Roadway Paving and Reconstruction Project – Phase II – Receipt of Bids (Report Attached)

- Needs Ordinance

● **BOROUGH ATTORNEY - Michael DuPont**

● **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:

Mrs. Strek, 140 McCutcheon Avenue, Sayreville

- Commented on the Open Space matter and the encroachments.

Barbara Kilcomons, 22 Schmitt Street, Sayreville

- Questioned placing the council meetings on the web site.

Response by Co. Melendez that there is a plan in place on that matter.

- Property Maintenance and Foreclosure

Response by Kirk Miick, Director Code Enforcement explaining what would be covered under the ordinance that is up for adoption and public hearing at the next meeting and the increase in the number of foreclosures and the lack of manpower in his department.

- Mishap at the water department and had to purchase water from Middlesex Water.

Response by the Business Administrator that the cause was the change of temperatures, humidity, and the way the clarifiers operate. The engineers were called in and they worked around the clock to fix the problem. It was not an employee error. Response corroborated by Councilman Rittenhouse.

-Questioned the status of the four wells that were polluted by Hercules and its cleanup.

Response by the Borough Engineer they are being cleaned up at the expense of Hercules.

-Questioned the water overcharge to Red Oak.

The Borough Attorney said that there was a settlement reached with Red Oak.

Mike D'Addio, 13 Zaleski Drive

Stated that Councilman McGill make a motion earlier about the defibrillators and was seconded by Councilman Melendez but did not hear a Roll Call.

Councilman McGill restated the Motion – to purchase defibrillators - approx. 6 units at \$6,000. per unit located at various sporting events and the Sr. Center. Seconded by Councilman Melendez.

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

Councilwoman Kilpatrick questioned Councilman McGill's motion made earlier regarding the widening of Washington Road and seconded. Clerk stated that a motion actually was not necessary he just asked the engineer to look into the widening of Washington Road with the County Engineers office. The borough Attorney agreed.

No further questions or comments.

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

Roll Call: Voice Vote, all Ayes. Carried.

Before closing Councilwoman Novak asked

- **ADJOURNMENT**

No further business.

Councilwoman Novak made a motion to adjourn. Motion seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Time: 9:12 P.M.

SIGNED:

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved