

Mayor Kennedy 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 August 8, 2016 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: None

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

Others Absent: None

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

Council President Buchanan moved the following Council Minutes be approved, subject to correction if necessary:

- o June 27, 2016 - Council & Executive Session and Agenda Session

Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **PROCLAMATION & PRESENTATION:**

- Presentation to Jehyve Floyd, first and only Sayreville youth to play in the NCAA Tournament as a freshman from Holy Cross

Mayor O'Brien read the following Proclamation into record and presented it to Mr. Jehyve Floyd.

PROCLAMATION

WHEREAS, Jehyve Floyd, 6'8" Forward with College of Holy Cross; and

WHEREAS, He is the first person from Sayreville to play in the NCAA; and

WHEREAS, Played in 29 games – As a freshman, Jehyve made an impact on one of the memorable post season runs in college history; and

WHEREAS, Second on the team in block shots (21) and Scored a career high on 2/24/16 vs. Loyola (Md.) on 5-5 shooting for 10 points; and

WHEREAS, College of Holy Cross won the Patriot League Tournament Title – first time since 2007; and

WHEREAS, As the No. 9 seed, Holy Cross became the lowest seed to ever with the Patriot League Tournament; and

WHEREAS, Earned the Patriot League's automatic bid to the 2016 NCAA Tournament; and

WHEREAS, Holy Cross selected one of two No. 16 seeds in the West Region of the 2016 NCAA tournament; and

WHEREAS, Holy Cross defeated No. 16 Southern in Dayton, Ohio on March 16 in First Four Game; and

WHEREAS, Holy Cross traveled to Spokane, Wash. To play No. 1 seed Oregon in the First Round of NCAA Tournament and made their College proud; and

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville do hereby wish Mr. Jehyve Floyd Congratulations and by the power granted to me by the State of New Jersey and as the Mayor of the Borough of Sayreville, New Jersey, **I do hereby proclaim this 8th day of August, 2016**, as "**JEHYVE FLOYD DAY**" in the Borough of Sayreville.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 8th day of August, 2016 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C. Municipal Clerk

Congratulations was offered by all.

Council President Buchanan moved the Mayors Proclamation be accepted. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Mayor called forward Mr. Ed Strek, Captain of the American Legion Post 211 Honor Guard and Rich Kosmoski from the Veterans Alliance.

Appearing were:

Ed Strek, 58 Nickel Avenue Sayreville

He said that on Aug. 4, 2016 the American Legion Post 211 Honor Guard took part in a very moving service. He said that on Aug. 4, 1918 Cpl. Frank Wieczorkowski was wounded and died over night (Killed in Action). Ed explained all the things that Rich Kosmoski did such as planting grass, watered the grave site. Through his hard work and determination he obtained a granite foot marker, which Congressman Pallone helped him with. He than called upon Rich Kosmoski and thanked him for all he does for the veterans and for this WWI Veteran.

Rich Kosmoski, Veterans Alliance

He explained what led up to him honoring this forgotten veteran and the obstacles and bureaucracy he had to overcome through the three years it took to obtain the foot marker and give him the proper honor and service he deserved so long ago.

Mayor read a letter he received from Ken Kelly advising that the 15th annual Sept. 11th Memorial Service will be held on Sat. Sept. 10th at 7PM at the Sayreville 9-11 Memorial at Burkes Park.

Mayor nominated **Runae Edwards-Wilson to be appointed to the Cultural Arts Council**. Motion was made by Councilwoman Novak. Seconded by Councilman Lembo.

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

Mayor Announced:

- **OLD BUSINESS**
 - a) Public Hearing on the following Ordinance(s):

ORDINANCE #339-16
AN ORDINANCE FIXING THE SALARIES OF CERTAIN
BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES
FOR THE YEARS 2014, 2015 AND 2016

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

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

Borough of Sayreville – AFSCME Salary & Wage Schedules

2016

PUMPING STATION OPERATOR

A	B	1	2	3	4	5	6	7	8
38,086.00	40,155.00	42,197.00	51,669.00	55,334.00	58,947.00	60,517.00	61,887.00	64,878.00	68,070.00

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

/s/ Mary J. Novak, Councilwoman
(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 #339-16.

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

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

ORDINANCE #340-16
BOND ORDINANCE PROVIDING FOR SITE IMPROVEMENTS AT THE FORMER BORDENTOWN AVENUE WATER TREATMENT PLANT IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$480,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$480,000 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 \$480,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is 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. For the financing of the improvements or purposes, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$480,000 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 \$480,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are various site improvements to the former Bordentown Avenue Water Treatment Plant, including a new parking lot, drainage improvements relocating water and sewer mains, and landscaping, 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 \$480,000.

(c) The estimated cost of said improvements or purposes is \$480,000.

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

\$480,000, 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 \$55,000 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 \$480,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

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

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #340-16.

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 Council President Buchanan.

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

ORDINANCE #341-16

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN
BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES
FOR THE YEARS 2014, 2015 AND 2016
(School Traffic Guards-Per Diem)**

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

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

Borough of Sayreville – Salary & Wage Schedule

2016

<u>School Traffic Guards – Per Diem</u>		
1st School Year	-	\$12.00
2nd School Year	-	\$13.00

3rd School Year - \$15.00

Upon completion of the 3rd school year they receive annual increases in accordance with the Salary Guide.

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

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O’Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O’Brien opened the meeting to the public for questions or comments on Ordinance #341-16.

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

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

NEW BUSINESS:

a) Introduction of the following Ordinance(s):

ORDINANCE #342-16 – HELD OVER
ORDINANCE OF THE BOROUGH OF SAYREVILLE AUTHORIZING THE PURCHASE OF TWO-THIRDS OF THE DUHERNAL WATER PROJECT FROM HERUCLES INCORPORATED AND I.E. DUPONT DE NEMOURS AND COMPANY (Water & Sewer Committee – carried to a future meeting)

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 being no questions or comments, the Mayor called for a motion.

Council President Buchanan moved the public portion be closed and the Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Roll Call:

	Buchanan	Grillo	Kilpatrick	Lembo	Novak	Rittenhouse
Ayes	X	X	X	X	X	X
Nays						
Abstain						
Absent						

RESOLUTION #2016-252

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

/s/Victoria Kilpatrick
Councilwoman Victoria Kilpatrick

/s/Arthur Rittenhouse
Councilman Arthur Rittenhouse

Bill list of August 8, 2016 in the amount of \$7,725,423.14 in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).

RESOLUTION #2016-253

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
Petillo, Inc. 167 Flanders Netcong Road Flanders, NJ 07836	- One (1) Construction Trailer	400 Chevalier Avenue, Sayreville, NJ

WHEREAS, said application has been referred to the proper department for investigation and review; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of a said trailer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate one (1) temporary trailers for office use.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2016-254

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
PFK Mark III, Inc. 17 Black Smith Road Newtown, PA18940	- One (1) Construction Trailer	2571 Main St. Extension Blk. 257, Lot 7 (MCUA property)

WHEREAS, said application has been referred to the proper department for investigation and review; 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 2016-2017 and 2017-2018 license terms; and

WHEREAS, on July 13, 2016, Jonathan A. Orsen, Acting Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 06-16-236.81472 and 06-16-237.81474 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 2016/2017 license term and to grant or deny said application in the reasonable exercise of its discretion;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED THAT Plenary Retail Consumption License Number 1219-33-052-007, Flamingo Liquor, LLC (pocket license) is hereby renewed for the 2016-2017 license year, subject to the following conditions as contained in the Special Ruling of the Alcoholic Beverage Control as well as the following Conditions that remain part of the said license:

- a) The License is renewed subject to the following conditions, which are part of the Licensee's requirement as outlined in the Stipulation of Settlement agreement dated August 15, 2006 whereby the licensee agrees to operate the licensed premises as a Mexican Restaurant or other type of restaurant where the service of food is the primary use of the licensed premises.

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

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-257

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an appraiser to provide appraisal services and reports covering five (5) properties as outlined in his appraisal fee report; and

WHEREAS, the Laws of New Jersey provide for such services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A11-5(1)(a) requires that a resolution authorizing such services without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Sayreville hereby appoint the firm of Sockler Realty Services Group, Inc. and that they be paid for said services at a fee not to exceed \$23,750.00.

BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk be and is hereby authorized to forward a true copy of this resolution to, Sockler Realty Services Group, Inc., 299 Ward Street, Suite C, Hightstown, NJ 08520.

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

ATTEST: BOROUGH OF SAYREVILLE

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

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

RESOLUTION #2016-258

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through the Middlesex County Regional Education Commission Cooperative Purchasing Program #MCESCCPS 15/16, One (1) Tennant Mechanical Floor Cleaner for the Borough of Sayreville, Department of Public Works Department from Tennant Sales & Services Co., 701 North Lilac Drive, Minneapolis, MN 55440-1452, at a total cost not to exceed \$18,842.02.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-259

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #T210-0/A88727, Three (3) 2016 Ford F-250 Utility Body Pick Up Trucks and two (2) Ford F-250 Standard Body Pick Up Trucks for the for the Borough of Sayreville, Water & Sewer Department, from Beyer Ford, 170 Ridgedale Ave., Morristown, NJ 07960, at a total cost not to exceed \$144,564.50.

/s/ Arthur Rittenhouse
(Water & Sewer Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-260

WHEREAS, on August 11, 2014 the Borough of Sayreville awarded a contract for "Routine & Emergency Repairs to Water, Sewer, Road and Storm Sewer Infrastructure" to B & W Construction Company of NJ, Inc. P.O. Box 547, South River, NJ 08882; and

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

WHEREAS, B & W Construction Company of NJ, Inc., has indicated their interest in extending their terms of the aforesaid contract for and additional one-year (1) period;

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 “Routine and Emergency Repairs to Water, Sewer, Road and Storm Sewer infrastructure” is hereby renewed for one additional one-year period at no additional increase in price.

/s/ Arthur Rittenhouse
(Water/Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-261

**RESOLUTION AUTHORIZING BONDS IN THE SUM OF \$2,800,000
AUTHORIZED BY ONE BOND ORDINANCE HERETOFORE ADOPTED TO
FINANCE THE ACQUISITION OF AN ADDITIONAL PORTION OF A
JOINTLY OWNED WATER SYSTEM BY AND FOR THE BOROUGH OF
SAYREVILLE, COUNTY OF MIDDLESEX, NEW JERSEY,
AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE**

WHEREAS, the Borough Council of the Borough of Sayreville, County of Middlesex, New Jersey (the “Borough”) has heretofore adopted bond ordinance number 327-16 to finance part of the costs of the acquisition of an additional portion of a jointly owned water system by and for the Borough; and

WHEREAS, it is desirable to issue bond anticipation notes pursuant to said bond ordinance in an aggregate principal amount of \$2,800,000 (the “Notes”) pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the “Local Bond Law”); now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, in the County of Middlesex, New Jersey as follows:

SECTION 1. That the Notes shall be issued as one issue and at such time as shall be determined by the Chief Financial Officer of the Borough (the “Chief Financial Officer”) and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue and maturity, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled “Bond Anticipation Notes, Series 2016A” or any other designation determined by the Chief Financial Officer.

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and he hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and his signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and he hereby is authorized to take all actions necessary to sell the Notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough’s full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the Notes are hereby designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). The Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Notes.

SECTION 8. That the Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 9. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the Notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 10. That this resolution shall take effect immediately.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-262

WHEREAS, on July 19, 2016, the Mayor and Council of the Borough of Sayreville received bids for the “Site Improvements for the Former Bordentown Avenue Water Treatment Plant”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 8th of August, 2016 that:

1. Contract for the “Site Improvements for the Former Bordentown Avenue Water Treatment Plant” be awarded to Kalogridis Contracting, LLC, of North Brunswick, NJ for a total of \$375,295.00 as appears on their bid documents and attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Arthur Rittenhouse
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-263

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 Closeout Contract Change Order No. 2:

- Project: Ernston Road Tank Rehabilitation Project
- Contractor: RML Construction, Inc.
500 Thirteenth Street
Carlstadt, NJ 07072
- Net Increase: \$26,201.20
- 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
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-264
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: Ernston Road Tank Rehabilitation Project
- Contractor: RML Construction, Inc.
500 Thirteenth Street
Carlstadt, NJ 07072
- Balance Due: \$ 26,201.20

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, THEREFORE, 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 two-year 15% Maintenance Bond in the amount of \$172,086.14 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Arthur Rittenhouse
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
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:

-Rich Kosmoski, Veteran's Alliance
Expressed his concerns about comments some of the council members made following last year's Vietnam Veterans Memorial Service that was conducted by the American Legion and about them not being notified or invited. He stated that notices about this event was printed in newspapers with an open invitation for everyone to participate. Questions were made about if this event was held on borough property. He reminded everyone that the veteran monuments are on borough property which belongs to every resident. He went on to say that for the August 4th Memorial Service for Cpl. Frank Wiczorkowski, KIA invitations were personally given to each governing body member with an RSVP. He said that the Mayor, Councilman Rittenhouse and Councilwoman Novak were the only members to respond. He felt that the invitations were completely ignored by those who did not respond and going forward there will not be any other invitations.

Councilwoman Novak responded about her comments in the past regarding not being invited to the event last October and if she had been made aware, she would have attended (husband is a Vietnam vet).

- Ed Streck,
Stated that in the past most of the services were held at a cemetery and that perhaps will begin doing that again.

He went on to tell the governing body the number of things the American Legion Color Guard has done over the last three years; all volunteers, 150 events in three years from flag raisings, military honors, patriotism programs in the schools, travel to honor our veterans.

Councilwoman Novak remembered that when she was a girl scout the American Legion and VFW used to come to their meetings and teach flag etiquette.

Mayor O'Brien put out a special thanks to Carmen Spezzi as he is always there for our veterans and to Congressman Pallone for helping to move forward and obtain the granite stone for this veteran.

- Larry Gates, 33 Creamer Drive

Asked about the police report regarding his request for stenciling the speed limit on the streets in Green Valley.

Mayor said the Business Administrator has the report on his Agenda at the next meeting.

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.

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

Roll Call: Voice Vote, all Ayes.

Time: 7:30 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved