

Regular & Business Session meetings of the Mayor and Borough Council held on Monday, August 22, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:45 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

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

- **ROLL CALL:** Councilpersons Bella, Buchanan, Eicher, Henry, Perrette.

Absent: Councilman Kelly, excused absence.

Others Present: Mayor O'Brien
Business Admin. Bertrand
C.F.O. Kronowski
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont

OLD BUSINESS

Municipal Clerk read:

- Public hearing on the following Ordinance(s):

ORDINANCE #165-11

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

At this time Mayor O'Brien opened the meeting to the public for any questions or comments on Ordinance #165-11:

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St., Sayreville
Questioned why we are partnering with the Middlesex County Improvement Authority for bonding.

Response given by C.F.O. Wayne Kronowski. He explained that this Ordinance deals with the leasing of police vehicles through the Middlesex County Improvement Authority. The next Ordinance deals with the actual acquisition and a loan from the Middlesex County Improvement Authority for Police SUV vehicles. He further explained that we have partnered with the MCIA for police vehicles in the past and this was the third round which is done about every other year. He said the interest rate for the lease is lower than if we went through a commercial leasing program, such as Ford Credit. This allows us to spread the cost over a few years as opposed to purchasing them outright, especially with the cap situation.

Mrs. Kilcomons then questioned what we do with the other vehicles.

Business Administrator, Mr. Bertrand explained that they get recycled to other departments until they are useless and the remainders are then sold.

Mrs. Kilcomons then asked if this was part of our capital budget.

Mr. Kronowski explained that this comes out of the operation part of the budget.

Mayor asked if there were any other questions or comments on this ordinance.

Seeing no one he called for a motion to close the public hearing.

Councilman Perrette moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Henry.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

ORDINANCE #165-11

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the "2011 Program"); and

WHEREAS, the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2011 Program and to lease certain police and/or passenger vehicles from the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Lease and Agreement (the "Lease"), to be entered into by and between the Authority and the Municipality, which Lease has been approved by the County of Middlesex, State of New Jersey (the "County") and which is attached hereto as Exhibit A, providing for the acquisition and leasing of certain police and/or passenger vehicles from the Authority, which police and/or passenger vehicles are described in Exhibit B attached hereto and incorporated by reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Lease.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger

vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2011 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 2. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance, including without limitation, (i) all Basic Rent and Rent obligations of the Municipality under the Lease, including Authority Administrative Expenses and Additional Rent, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Lease pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease and the County Guarantee ((i), (ii) and (iii) collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Lease Payment Obligation thereunder.

The Mayor or other Authorized Municipal Representative (as defined in the Lease) is hereby authorized and directed to execute the Lease on behalf of the Municipality in the form as attached hereto in Exhibit A and the Clerk of the Municipality is hereby authorized and directed to attest to such signature and affix the seal of the Municipality thereto and the Lease is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Lease.

Section 3. The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's police and/or passenger vehicles described in Exhibit B attached hereto which will be subject to the Lease, (b) pay interest on the Authority's Bonds allocated to the Municipality and used to acquire the Municipality's police and/or passenger vehicles, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Lease.

(2) The Bonds shall mature within five (5) years from the date of issue.

(3) The Lease Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Lease have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease with respect to some or all of the police and/or passenger vehicles leased thereunder.

(4) The police and/or passenger vehicles described in Exhibit B are hereby approved to be leased from the Authority in accordance with the terms of the Lease, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 4. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease. The Mayor, Clerk, Chief Financial Officer or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 5. The Mayor, Clerk, Chief Financial Officer or Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease, the leasing of the police and/or passenger vehicles which is to be the subject of the Lease and all related transactions contemplated by this ordinance.

Section 6. Upon the payment of all amounts referenced in Section 3(3) herein, the full faith and credit pledge of the Municipality as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 7. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 8. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

/s/ Nicholas J. Perrette, Councilman
(Administration & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Borough Attorney

Municipal Clerk read:

ORDINANCE #166-11
A LOAN ORDINANCE OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING
AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A
LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY
IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2011 CAPITAL
IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF
VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$74,661, THE COST OF SUCH
IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF
COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE
BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

At this time Mayor O'Brien opened the Meeting to the Public on questions or comments on Ordinance #166-11. No one appeared.

Mayor asked for a motion.

Councilman Perrette questioned what interest rates we would be getting.

Mr. Kronowski explained that the interest rate would be determined at the time of the sale of the bonds in September when the MCIA would be selling the bonds. He said that the rates at this time are very advantageous for Municipal Bonds.

Councilman Perrette moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law.

Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

ORDINANCE #166-11

**A LOAN ORDINANCE OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING
AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A
LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY
IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2011 CAPITAL
IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF
VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$74,661, THE COST OF SUCH
IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF
COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE
BONDS, SERIES 2011 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2011 Program"); and

WHEREAS, the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2011 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Loan and Security Agreement (the "Loan Agreement"), to be entered into by and between the Authority and the Municipality, which Loan Agreement has been approved by the County and which is attached hereto as Exhibit A, providing for the financing of various capital improvements and the acquisition and installation of certain capital equipment through the Authority, which improvements and items of equipment are described in Exhibit B attached hereto and incorporated by this reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Loan Agreement.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$95,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$95,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$95,000 pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq, as amended and supplemented (the "Local Bond Law").

(c) The general capital improvements hereby authorized and the purposes for which the above-described loan is authorized are the various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto.

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$95,000.

(e) The estimated cost of said general capital improvements or purposes is \$74,661, with a not to exceed amount of \$95,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2011 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 3. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Loan Agreement authorized by this ordinance, including without limitation, (i) all Basic Loan Payments and Loan Payments obligations of the Municipality under the Loan Agreement, including Authority Administrative Expenses and Additional Loan Payments, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Loan Agreement pursuant to the County Guarantee, including County Guarantee Costs, and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Loan Agreement and the County Guarantee ((i), (ii) and (iii) collectively, the "Loan Payment Obligation"). The Loan Payment Obligation under the Loan Agreement shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Loan Payment Obligation thereunder without limitation as to rate or amount.

An Authorized Municipal Representative (as defined in the Loan Agreement) is hereby authorized and directed to execute the Loan Agreement on behalf of the Municipality in the form as attached hereto in Exhibit A, along with any of the aforesaid necessary changes, and the Clerk of the Municipality is hereby authorized to attest to such signature and affix the seal of the Municipality thereto and the Loan Agreement is

authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Loan Agreement.

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

(a) The maximum Loan Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority, shall not exceed the sum necessary to (a) undertake the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and described in Exhibit B, (b) pay interest on the Authority's Bonds allocated to the Municipality's various capital improvements and items of equipment, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Loan Payments, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Loan Agreement, as and if applicable.

(b) The Bonds attributable to the loan being made to the Municipality pursuant to the Loan Agreement shall mature no later than 5 years from the date of issue although the Bonds attributable to the 2011 Program may have longer maturities.

(c) The Loan Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Loan Agreement have been satisfied, notwithstanding the occurrence of any other event.

(d) The various capital improvements and items of equipment described in Exhibit B attached hereto are hereby approved to be undertaken and financed through the Authority in accordance with the terms of the Loan Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed 5 years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$95,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$19,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the various capital improvements and items of equipment described in Exhibit B attached hereto.

Section 5. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Loan Agreement. The Mayor, Clerk, Chief Financial Officer or any other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Preliminary and Final Official Statements of the Authority to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 6. The Mayor, Clerk, Chief Financial Officer of the Municipality or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Loan Agreement, the undertaking of the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and all related transactions contemplated by this ordinance.

Section 7. Upon the payment of all amounts referenced in Section 4(c) herein, the full faith and credit pledge of the Municipality as to its Loan Payment Obligation authorized herein shall cease to exist.

Section 8. The capital budget of the Municipality is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file with the Clerk of the Municipality and is available for public inspection.

Section 9. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. The Municipality reasonably expects to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance and paid prior to the entering into of the loan authorized by this loan ordinance with the proceeds of such loan. This Section 10 is intended to be and hereby is a declaration of the Municipality's official intent to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance to be incurred and paid prior to entering into of the loan authorized herein all in accordance with the Internal Revenue Code of 1986, as amended (the "Code") and any regulations promulgated thereunder.

Section 11. The Clerk of the Municipality is hereby authorized and directed to cause the publication of the text of this ordinance in full after introduction and final adoption in accordance with applicable law and to arrange for the public hearing thereon and final adoption thereof.

Section 12. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

/s/ Kenneth P. Kelly, Sr., Council President
(Administration & Finance Committee (2))

ATTEST:

Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Borough Attorney

NEW BUSINESS:

Appointments – Mayor O'Brien made the following appointments:

Sayreville Economic & Redevelopment Agency

- Don Newton - 5 Yr. Term
- Darrel Hartsfield - 5 Yr. Term

Councilman Buchanan moved the appointments, seconded by Councilman Henry.

Roll Call: Councilpersons, Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

Clerk reported having received the Supplemental Debt Statements for Ordinance #167-11 and Ordinance #168-11, from C.F.O. Kronowski, effective August 22, 2011.

Councilwoman Eicher moved the Supplemental Debt Statement be received and Filed. Seconded by Councilman Perrette.

Councilman Bella asked how this would affect our bonding capacity.

Mr. Kronowski responded that our bonding capacity is well over \$100 million dollars and we are nowhere near that in bonding, our total outstanding general obligation debt right now is approximately \$28 million dollars, plus another \$30 million which is supported against the water rates.

Bonding capacity and rates explained by the C.F.O. and Business Admin.

Councilman Bella further asked if we expected any other large jobs that we would be bonding for before the end on the year.

Mr. Bertrand explained that we would also be adding for road improvements. He then explained the bonding amount that would be retired and the amount that would be increased. He also mentioned the Crossman Pump Station.

Councilman Bella questioned why we are getting a bigger garbage truck and then the need to house it. He asked if it was for efficiency.

Business Admin. Bertrand explained that the truck would be more efficient and the steel sided structure called a Butler Building would be able to be re-located when needed.

Roll Call on the Supplemental Debt Statement: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

Introduction of the following Ordinance(s):

ORDINANCE #167-11
**BOND ORDINANCE PROVIDING FOR THE ACQUISITION
OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH OF
SAYREVILLE, NEW JERSEY, APPROPRIATING \$660,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$628,000 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

Councilman Perrette moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on September 12, 2011.

Seconded by Councilman Henry.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

ORDINANCE #168-11
**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$2,370,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$2,257,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

Councilman Perrette moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on September 12, 2011.

Seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Nay;
Councilpersons Buchanan, Eicher, Henry, Perrette, Ayes.

CONSENT AGENDA/RESOLUTIONS

- **PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY**

Mayor O'Brien opened the meeting to the public on Consent Agenda Resolutions only.

Those appearing were:

- John Rucki, Hendricks Court
-Questioned Resolution #2011-197, the appointment of a Recycling Coordinator. He asked about her background and if she is a Sayreville resident.

Response by Mr. Bertrand., stating that she works (successfully) for the Board of Education as a Teacher's Aide and she handles our S.A.F.E. Grant Program. He further explained their selection of Elyse Barone.

- Barbara Kilcomons, 22 Schmitt Street
-She questioned the salary of the Recycling Coordinator and benefits. Mr. Bertrand said that she would be working 25 hours a week with a salary of \$26,798., no benefits.

- Questioned the location of Dunkin Brands, Resolution #2011-187. Engineer explained it was the new Dunkin Donuts at the intersection of Raritan and Washington, all site improvements have been made and the bonds can be released.

-Questioned the Best Practice Survey Resolution #2011-193. Business Admin. stated that we are required under the law to complete and submit this every year, starting last year and that if we did not answer enough in affirmative our State Aid would be cut.

-Questioned Resolution #2011-194, the purchase of a pick-up truck. Business Admin. explained why this piece of equipment was absolutely necessary.

Councilwoman Eicher moved the Public Portion be closed and the consent Agenda Resolution be approved on Roll Call Vote. Seconded by Councilman Buchanan.

Councilman Bella asked if Resolution #2011-196, police grant, if there was a match and what program that would be used for.

Mr. Bertrand responded that there was no match requirement and it is being used to fund the street crimes unit.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

RESOLUTION #2011-187

WHEREAS, on November 2, 2010, Dunkin Brands, Inc., posted a 90% Performance Bond #0153598 with the Borough of Sayreville in the amount of \$231,285.76 and a 10% Cash Bond in the amount of \$25,698.42 covering Dunkin Brands, Inc. site plan, Block 335.03, Lot 1; and

WHEREAS, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required improvements have been completed and has recommended release of Performance Bond and cash bond be released.

BE IT FURTHER RESOLVED that the proper borough officials are hereby authorized and directed to release said Performance Bond #0153598 in the amount of \$231,285.76 and Cash Bond in the amount of \$25,698.42 covering Dunkin Brands, Inc.

/s/ Nicholas J. Perrette,
(Admin. & Finance Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE _____

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

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RESOLUTION #2011-188

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

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

That all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien
Mayor

/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

(Absent)
Kenneth P. Kelly, Sr., Councilman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of August 22, 2011, in the amount of \$12,202,685.35
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

**RESOLUTION #2011-189
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
AUGUST 8, 2011 COUNCIL MEETING**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the August 8, 2011 Council Meeting approving the following:

- a) Raffle Applications/License received from and issued to Sayreville War Memorial High School Band Parents Association to conduct an Off-Premise Raffle on October 22, 2011 (RA:1713).
- b) Approving Raffle applications received from St. Stanislaus H.S.A. for the following dates (added as corrections to last agenda):
 - ◆ On Premise Non Draw on October 22, 2011 (RA:1711)
 - ◆ Off Premise Raffle on October 22, 2011 (RA:1712)
 - ◆ Bingo Amendment (BA:463A)
- c) Application for a Special Permit for Social Affair received from St. Stanislaus Kostka Church/HSA for the sale of beer and wine at their annual Oktoberfest on October 22 (rain date Oct. 23rd) on school property from 12 Noon – 12 Midnight.
- d) Request for coin toss at the intersection of Washington Road and Ernston Road from received from:
 - Boy Scout Troop #68 on September 17, 2011
 - Morgan-Parlin Panthers on October 1, 2011

/s/ Nicholas J. Perrette
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec _____ /s/ Kennedy O'Brien
Municipal Clerk **Mayor**

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RESOLUTION #2011-190

WHEREAS, Victory Entertainment, Inc. is the holder of Plenary Retail Consumption License #1219-33-028-008, issued by the Council of the Borough of Sayreville as the Issuing Authority for a "pocket License" for the 2011-2012 license year; and

WHEREAS, the 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 2011-2012 and 2012-2013 license terms; and

WHEREAS, on July 19, 2011, Jerry Fischer, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 06-11-6975 for a **two-year period**, covering the **2011/2012 and 2012/2013 license terms**; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2011/2012 license term and to grant or deny said application in the reasonable exercise of its discretion;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-028-008 to the licensee for the 2011/2012 license term, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on July 19, 2011 as well as the following Conditions that remain part of the said license:

(a) The applicant must have an attendant at the door at all times that said premises are open and that go-go entertainment is in operation.

(b) The door attendant aforesaid is also required to act as a supervisor for the parking lot in order to report to police any violations of law, noise disturbances or other illegal acts which may take place in said parking area.

(c) The applicant shall take the following action with regard to the parking area:

- Install exterior lighting on the rear and both sides of the building in order to maintain security in the parking area and aid in vehicle parking, all lighting to shine inward to the property;
- Clearly mark the driveway as to ingress and egress with appropriate signs to regulate the flow of traffic in and out of the premises.

NOW THEREFORE BE IT FURTHERRESOLVED that the 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 E. Front Street
P.O. Box 087
Trenton, NJ 08625-0087
- b. Police Chief John Zebrowski
- c. Licensee

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

/s/ Nicholas J. Perrette,
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec _____ /s/ Kennedy O'Brien
Municipal Clerk **Mayor**

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RESOLUTION #2011-191

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2010 in the amount of \$2,920.94 effective June 28, 2010 due to the approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 340.03, Lot 439, 68 Buchanan Ave.

/s/ Nicholas J. Perrette
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Borough of Sayreville

Resolution #2011-192

WHEREAS, this year marks the 10th anniversary of the terrorist attacks of September 11, 2001, a day that changed America forever; and

WHEREAS, to commemorate this occasion and pay tribute to those we lost, the Borough of Sayreville will join with the United States Senate and hereby establish a Moment of Remembrance at 1:00 PM on September 11, 2011; and

WHEREAS, during this Moment of Remembrance, the Mayor and Council hereby call upon every person in the Borough of Sayreville to stop for one moment and remember all those who perished in the September 11th attacks and further call upon all Fire Departments, Emergency Squads and Houses of Worship to ring bells and/or sound their sirens; and

WHEREAS, this Moment of Remembrance will take place for one full minute at 1:00 PM, Eastern Daylight Time.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Sayreville urges all citizens in the Borough to observe this Moment of Remembrance demonstrating overwhelming unity and the perseverance of the American people.

BE IT FURTHER RESOLVED, this resolution shall be forwarded to Governor Chris Christie, United States Senator Frank Lautenberg, Senator Joseph Vitale, Assemblymen Craig Coughlin and John Wisniewski, Sayreville Police Department, Fire Departments, Emergency Squads, Houses of Worship, Military and Veterans Organizations.

/s/ Kennedy O'Brien
Mayor

/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

(Absent)
Kenneth P. Kelly, Sr., Councilman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

RESOLUTION #2011-193

WHEREAS, in order for the State of New Jersey, Division of Local Government Services to determine how much each municipality's final 5% allocation of its CMPTRA and ETR aid will be disbursed each municipality must complete a Best Practice Inventory Survey; and

WHEREAS, the Borough of Sayreville has completed the CY 2011 Best Practice Inventory and discussed same at the August 8, 2011 Public Meeting of the Mayor and Council.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk is hereby authorized and directed to certify to the Division of Local Government Services that the Best Practices Inventory was discussed; and

BE IT FURTHER RESOLVED that the Certified Financial Officer is also authorized to certify and submit the results of the CY 2011 Best Practice Inventory as required.

/s/ Nicholas J. Perrette,
(Admin. & Finance Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien

Municipal Clerk Mayor

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RESOLUTION #2011-194

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #A73961, One (1) 2011 Ford F-350, 4WD, Regular Cab Pick Up Truck with Plow and Utility Body for the Borough of Sayreville, Water & Sewer Department, from Warnock Ryan, 175 Rt. 10, East Hanover, NJ 07936, at a total cost not to exceed \$39,347.00.

/s/ Nicholas J. Perrette,
(Water & Sewer Committee, 2nd)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien

Municipal Clerk Mayor

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RESOLUTION #2011-195

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract #A73961, One (1) 2011 Ford F-350, Crew Cab Pick Up Truck with Plow Assembly and Utility Body for the Borough of Sayreville, Fire Department, from Warnock Ryan, 175 Rt. 10, East Hanover, NJ 07936, at a total cost not to exceed \$40,724.60.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien

Municipal Clerk Mayor

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RESOLUTION #2011-196

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Grant Agreement with the Middlesex County Prosecutor's Office for the receipt of a "Law Enforcement Response to Community Concerns Grant" in the amount of \$5,000.00.

/s/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2011-197

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

NAME OF APPOINTEE: Elyse Barone
POSITION: Recycling Coordinator P/T
DEPARTMENT: Public Works
EFFECTIVE: August 29, 2011

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/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

RESOLUTION #2011-198

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: Vincent Buffalino
POSITION: Public Safety Telecommunicator Trainee P/T
DEPARTMENT: Police
EFFECTIVE: August 23, 2011

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/ Frank J. Bella, Councilman
(Public Safety Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

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RESOLUTION #2011-199

BE IT AND IT IS HEREBY RESOLVED that Resolution #2011-181 adopted on August 8, 2011 approving the transfer of Plenary Retail Liquor License #1219-33-056-007 to Marullo 3, LLC is hereby rescinded.

/s/ Nicholas J. Perrette, Councilman
(Admin. & Finance Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

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RESOLUTION # 2011-200

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REGULATING THE TIMES AND LOCATION OF CANISTER SOLICITING IN THE BOROUGH

WHEREAS, the Mayor and Council wish to regulate the frequency and location of organizations who raise monies by Canister soliciting in the Borough; and

WHEREAS, it was proposed that such Canister Solicitation be restricted to one (1) weekend per month per organization per year; between the hours of 10:00 a.m. and 2:00 p.m. at the following designated intersections and weekends:

- 2nd weekend per month/Ernstson Road and Washington Road;
- 4th weekend per month/Washington Road and MacArthur Avenue;

and

WHEREAS, it has also been decided that if more than one organization applies for a specific weekend, any Public Safety Organization will have first preference for that date; and

WHEREAS, any person participating in the Canister Soliciting must be dressed in the proper safety garments designated by the Borough; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the 2nd and 4th weekend of each month be designated as the Canister Soliciting weekend in the Borough of Sayreville as of January 1, 2012.

/s/ Lisa Eicher, Councilwoman
Sponsor

ATTEST: _____ BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec /s/ Kennedy O'Brien
Municipal Clerk Mayor

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RESOLUTION #2011-201

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

NAME OF APPOINTEE: Jason M. Summerer
POSITION: Laborer
DEPARTMENT: Department of Public Works
EFFECTIVE: August 23, 2011

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 Department of Personnel.

/s/ Dan Buchanan, Councilman
 (Public Works Committee)

ATTEST: _____

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

COMMUNICATIONS/COMMITTEE REPORTS

❖ **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Minutes: none

b) Application for a **Special Permit for Social Affair** received from Sayreville Democratic Org., Inc. to hold their annual Picnic on September 25, 2011 at Burke's Park from Noon -5 P.M. - Approved, Resolution memorializing action, 9/12/11.

c) Received **Special Ruling** from the State of New Jersey, Division of Alcoholic Beverage Control to permit the renewal of PRCL #1219-33-056-007, Chingari Fine Dining, LLC (Pocket License) for the 2011/2012 and 2012/2013 License Term. - Resolution 9/12/11.

d) Received application **for Person to person Transfer** of PRCL #1219-33-0056-007 From: Chingari Fine Dining, LLC, To: Marullo 3, LLC (Pocket License. - Resolution Approving Transfer 9/12/11. (Resolution rescinding Resolution #2011-181 approved tonight).

e) Received **Raffle application** from St. Stanislaus Athletic Association to conduct an Off-Premise 50/50 Raffle on November 12, 2011 (RA:1714). - Approved, Resolution memorializing action, 9/12/11.

f) Reports:

Councilman Perrette moved the following reports be received and filed:

- o Municipal Clerk's Report for the month of July, 2011.
Seconded by Councilman Buchanan.

- ❖ **WATER & SEWER** – Councilman Perrette
Councilman Perrette moved the following reports be received and filed:
 - Water & Sewer Director's report for the month of July, 2011.
Seconded by Councilman Henry.

- **PLANNING & ZONING** – Councilman Henry
 - a) **Minutes**
Councilman Henry moved the following minutes be received and filed:
 - Planning Board - July 6, 2011
Seconded by Councilman Bella.

 - b) **Applications for Trailer Licenses** received from Allied Construction Group, Inc. to locate three (3) temporary office trailers on Block 169, Lot 12, 56 Canal Street. Sayreville Pumping Station Project. - Resolution 9/12/11.

 - c) **Notice to Adjacent Property Owners**
Applications appearing before the Board of Adjustment on Aug. 24, 2011 received from:
 - Jason W. Perry & Mary Beth Sodano for approvals for an addition that encroached side yard setback, driveway encroached side yard setback and variances for property known as 36 Brookside Ave.
 - Att'y for 963 Rt. 9, LLC for sign variances for property known as 963 Rt. 9.
 - Appearing before the Sept. 28, 2011 Board of Adjustment meeting- Barbara & Thomas Natoli for a fence variance for property known as 25 Evelyn Terrace.**OTHER NOTICES:**
 - Received notice relating to Environmental Inventory and Remedial activities on Lower Broadway Redevelopment Area.

- Receive & File.

 - d) **Councilman Henry moved the following reports be received and filed:**

Construction Official's Report for the month of July, 2011.
Seconded by Councilman Buchanan.

Report of Chairman –

-Councilman Henry reported that the SERA project at the O'Neill properties is not considered to be a designated landfill. It is considered a Brownfield where we are able to receive state funding for the clean-up of the site. Any material that arrives to that location, dredged or otherwise gets tested before it leaves the original site and has to adhere to stringent standards that are required by the DEP, before it is received by the O'Neill properties. Once it is received at the site it is re-tested.

-Asked if Sayreville qualified to apply for Clean Water Use funding for fishing and swimming through a bill that the Governor signed.

Business Admin. Bertrand said that we had applied for "ARA" funding through the state through some Environmental Infrastructure Trust Funds, in which final funding was not received. We had also looked into funding for the Water Treatment Plant through some of those mechanisms.

- He asked for a status report with regards to the phone savings inasmuch as Verizon was on strike.

Mr. Bertrand said that we lost two weeks but he has someone who was trying to fast-track it for us.

Progress.

❖ **PUBLIC SAFETY** – Councilman Bella

- a) Request for **coin toss** at the intersection of Washington/ Jernee Mill/MacArthur Ave. received from: Sayreville Engine Co. # 1 on Sept. 10 & (Sept. 11th, rain date).
- Approved, Resolution memorializing action, 9/12/11.
Mayor called for a second and roll call.
Seconded by Councilman Perrette.
Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

b) Councilman Bella moved the following reports be received and filed:

- Municipal Court's Report for the month of July, 2011.
 - County Board of Health for the month of July, 2011.
 - Fire Prevention Reports for the month of July, 2011.
- Seconded by Councilman Buchanan.

Report of Chairman Bella

-Councilman Bella reported that the Zoning Review Committee had their final meeting and they will be making their recommendation. He said that Jay is in the process of writing a letter to be presented to the Council. Mr. Macagnone will come to the next meeting and present the recommendations to the council, which most recommendations need to be referred to the Planning Board for action. He asked the Borough Attorney to review the Property Maintenance Code in order to make it a little easier on borough residents.

- Councilman Bella then explained why he voted for one ordinance and not the other.

- Councilwoman Eicher said that she had received a request from Sgt. O'Donnell for the use of the OEM Trailer for the Tour de Force bicycle run.

Business Admin. read the letter requesting the council's support for the use of the OEM Trailer for the support of the cyclists in the Tour de Force bike run from New York to the Pentagon, honoring the victims of 9-11, keeping their memory alive.

Attorney stated that this is a motion to allow the use of the OEM Trailer by the Police officials participating in the Tour de Force Bike Run from New York to the Pentagon.

Motion moved by Councilman Bella, seconded by Councilwoman Eicher.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Perrette, all Ayes.

❖ **PUBLIC WORKS** – Councilman Buchanan

Councilman Buchanan moved the following reports be received and filed:

- Buildings & Grounds for the months of June & July, 2011.
 - Parks for the months of June & July, 2011.
 - Road Department for the months of June & July, 2011.
 - Garages Services for the month of July, 2011.
 - Sanitation Department for the months of June & July, 2011.
- Seconded by Councilman Perrette.

Reports of Councilman Buchanan -

Councilman Buchanan reported that the Morgan/Parlin Panthers contacted him regarding the lights in Kennedy park that keep going out.

The Business Administrator reported that during the installation of a project at Kennedy there was a disturbance of an electrical line, that was not previously marked out due to the lack of a blue print in that area. It has been identified and tomorrow morning it will be addressed and fixed and in the event it takes longer he coordinated with the police department to have the light trailers down there for the next couple of days.

Councilman Buchanan then reported having received a petition from the residents of Woodlawn Avenue asking that their road be paved.. He asked if we could send the engineer out to inspect the road and compare it to the roads on the road repavement list and see where they stand and if we could get a report back to the residents.

Lastly he reported on the Mayor's Trophy games.

❖ **RECREATION** – Councilwoman Eicher

Councilwoman Eicher moved the following report be received and filed:

- Recreation Director's report for the month of July, 2011.
- Seconded by Councilman Perrette.

Councilwoman Eicher then reported on various upcoming Recreation events.

Councilwoman Eicher then commented on the fire in Towne Lake and thanked the firefighters for their hard work.

Asked if the event the Temple was having tonight had been approved.

Clerk reported that this event had not been approved and stated that an application had been submitted in accordance with the new ordinance for the upcoming events.

Mr. Bertrand also reported that in the Temple's past events they have always reimbursed us for police costs.

Councilwoman Eicher said that the Governor signed a Bill on August 3rd for Green Acres Funding monies coming to Middlesex County and asked if Sayreville applied for any of this funding. She said that there was a program for the support of Flood Prone/damaged lands, etc. She said that various towns received money, except for Sayreville.

Business Admin. stating that we receive a Planning Incentive Grant in the amount of \$750,000. A year which may come out of that money but is unaware of any other applications out there.

Mr. Cornell further reported that Sayreville has received Green Acres funding in the past and typically it is a loan, not a grant. The last was for Buchanan Park on River Road.

❖ **MAYOR** – Kennedy O’Brien

BUSINESS SESSION– August 22, 2011

- **BUSINESS ADMINISTRATOR** - Jeffrey Bertrand

Administration & Finance:

- a. Authorization to execute the U.S. Department of Housing and Urban Development (HUD) Funding Approval/Agreement form for the 2011 Community Development Block Grant (CDBG) entitlement of \$206,478.
- Resolution.

Public Works:

- a. Authorization to contract with International Salt Co. from Clarks Summit, PA for the purchase of Rock Salt as a result of a public bid.
- Resolution.
- b. Authorization for the Borough Engineer to complete the necessary plans and specifications for the Hart Reconstruction project as planned and funded through the 2011 CDBG Program Grant.
- Resolution.

Recreation: none

Water & Sewer: none

Public Safety: none

Planning & Zoning: none

Personnel: none

- **C.F.O.-Wayne Kronowski**
 - a) Bill **Resolution**
- **ENGINEER -Jay Cornell**
 - a) NJ Department of Transportation Trust Fund – 2012 Municipal Aid Program.
- Resolution.
- **BOROUGH ATTORNEY - Michael DuPont**
- **PUBLIC PORTION**

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

Those appearing were:

- Mrs. Streck, 140 McCutcheon Avenue

- Commented on the SERA appointments and asked Councilman Bella how he would have voted on the nomination if he would have been in attendance at the last meeting.

Councilman Bella responded.

- Questioned on the new Library line item on the tax bill.
C.F.O. Mr. Kronowski explained that the legislature pass a bill requiring the local Municipal Library portion of tax be separated and shown on the tax bill, it is not a new tax. Mayor O'Brien further stated that the Library funding is Statutory.

Mrs. Strek commented on the Library costs.

Councilman Bella told Mrs. Strek about the Library Board meeting and that she could make here inquiries to them. He further explained that the Library is funded through the borough by state mandate. The Library Director reports to the Library Board and the Library Board, appointed by the council, decides how they spends the money the borough allocates through State Statute.

Further explanation on the expenses of the Library was explained by the Business Admin., Mayor and C.F.O.

- John Rucki, Hendricks Court
Questioned the change in meeting format.

Mayor explained that it was still two portions but one meeting.

- Barbara Kilcomons, 22 Schmitt Street
Commented on the SERA appointments and that she was interested in being appointed to this position.

She stated that the items listed for the bond ordinance was nothing but a wish list and are unnecessary.

Mayor and Councilman Bella responded.

- Fran O'Conner, Weber Avenue
Informed the governing body that this past Sunday, Weber Ave., experienced flooding. Their cars had to be evacuated once again. She commended the Police Dept. for their quick response. But the reverse 9-11 did not work.

Mayor asked that she coordinate with the Business Admin. to coordinate with the police department to address the matter and get it worked out.

She asked for a status report on the pumping station.

Councilman Buchanan said that he is still waiting for a report from the DPW Director.

Asked if about the alarm system.

Response by Business Admin. that he understood that it was operational however he was on vacation last week and will be doing a follow-up at the staff meeting and would e-mail her.

She further reported having received a call from Assemblyman Wisniewski's office stating that the Senate version of the 1.4 million dollar bill for the funding of the wall will be going in front of the Senate Environmental

Committee this Thursday. If it passes this committee it will then go to the appropriations committee then the full Senate.

- Kevin Krushinski, Fire Chief
He explained the necessity for the pagers that is included in the bond ordinance that was introduced tonight.

No further questions or comments, Councilman Bella moved to close the Public Portion. Seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION - None

ADJOURNMENT

No further business.

Councilman Bella made a motion to adjourn. Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 8:10 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved