

Mayor O'Brien opened the Agenda Meeting at 7:14 PM followed by a salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Meeting being held on Monday, September 12, 2016 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, CFO
Theresa A. Farbaniec, Municipal Clerk
Jay Cornell, P.E., Borough Engineer
Michael DuPont, Borough Attorney

Others Absent: None

- **OLD BUSINESS:**

1) -If the following Ordinance(s) were introduced at Council meeting they will be listed for Public Hearing and Adoption on September 12, 2016.

ORDINANCE # 344-16

**AN ORDINANCE AMENDING CHAPTER IX, "ANIMAL CONTROL",
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE**

(Co. Grillo, Sponsor – Public Hearing Sept. 26, 2016)

Council President stated that there appears to be some minor wording missing in Section 9-8.11.7. Mayor asked that the attorney make the corrections and give to the Borough Clerk for advertising.

ORDINANCE # 345-16

**BOND ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION
OF \$300,000 FOR THE REPLACEMENT OF THE EXISTING RADIO
COMMUNICATION SYSTEM AND THE ACQUISITION OF NEW EQUIPMENT
AND SITE UPGRADES THEREFOR IN, BY AND FOR THE BOROUGH OF
SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND
AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION**

Councilwoman Novak asked if this was strictly for the radios that were not in the original specs or does it contain site plan stuff. Mr. Frankel said that this is strictly for a list of equipment that was not in the RFP that went out. This is equipment that was added at the request and needs of our first responders after speaking to them about their needs which was overlooked at the time.

○ **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

ADMINISTRATIVE & FINANCE – Councilwoman Novak

1) Councilwoman Novak moved the following minutes or reports be received and filed:

a) Board of Education Minutes of June 28, July 19 and Aug. 23, 2016
Motion was seconded by Councilwoman Kilpatrick.

2) Application for Raffle License received from:

- a) **Breathe the Morgan Lucas Schuldt Foundation for Cystic Fibrosis** to conduct an On Premise 50/50, an On Premise Draw (Tricky Tray) and an Arm Chair Raffle on Oct. 21, 2016 at the Sayreville VFW (RA:2059; 2060; 2061).
- b) **Sayreville Soccer Club** to conduct an On Premise Draw (Tricky Tray) on Oct. 1, 2016 at the Sayreville Soccer Field (RA:2062).
- c) **St. Stanislaus Kostka Athletic Association** to conduct an Off Premise 50/50 on November 19, 2016 (RA:2063).

- Approved

3) Letter of resignation received from Jose Aponte as a Member of the Human Relations Commission.

- Receive & File

4) Public Hearing Notice received from JCP&L for Basic Generation Service Charges for the period beginning June 1, 2017. Hearing will be held on Sept. 21, 2016 at 1:30PM at the Morris County Admin. Bldg., Morristown, NJ.

- Receive & File

5) Committee Reports – Councilwoman Novak:

- a) Made a **Motion to appoint Harshad Patel** to the unexpired term of Jose Aponte on the Human Relations Committee.
Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote: All Ayes. Carried.

PLANNING & ZONING – Councilman Grillo

1) Councilman Grillo moved the following minutes be received & Filed:

- a) Board of Adjustment minutes of July 27, 2016
- Seconded by Councilwoman Novak.

2) Notice to Adjacent Property Owners on applications before the Zoning Board on Sept. 28 received from:

- a) Edward Mroczkowski, 50 Scott Ave. for a proposed addition.
- b) Verizon Wireless seeking minor site plan approval and use variance approvals for the construction of a communications facility on Block 459, Lot 2.02, Hwy 35.

- a & b Receive & File.

3) Notice to Adjacent Property of an application before the Old Bridge Planning Board on Sept. 13th for minor site plan approval and other relief made by **American Maritime Services of NJ t/a Integrated Industries Corp.** on property known as 3200 Bordentown Ave., Bordentown Ave. and Runyon Redevelopment.

- Receive & File / Item discussed earlier.

4) Committee Reports – Co. Grillo:

a) Announced that he would be holding a Town Hall Meeting on Sept. 28th at the Morgan First Aid Squad beginning at 7 PM to discuss economic development, land use planning and transportation concerns.

b) Stated that he met with the Police Dept. the Business Admin. He reported that the police department recommended that there be a “No Left Turn” coming out of Burlew Place heading onto Bordentown Avenue, their studies indicate that would reduce traffic and accidents. He asked for authorization for the Borough Attorney to draft an ordinance regulating the No Left Turn sign be installed at that location. He asked if there were any objections. None Made.

Councilwoman Novak asked if we could get the police to agree to a no Left Turn out of Kenneth Ave. Councilman Grillo said that he is looking to engage the police to look at that whole corridor including under Rt. 9 leading to Eugene Blvd. But these are County, State and Municipal Roads so there are a lot of jurisdictional issues. So he said that if it is okay he would like to meet with the business admin, the engineer and any other council people before the next meeting for their input and look at all of the opportunities on Bordentown and Rt. 9.

Council President said that they did have a public safety meeting on that a few months ago and following that they had asked the engineer to contact the county and state because Bordentown Avenue is a County with a State interchange. He said that they wanted to do Burlew first just to see how the traffic patterns would change.

Councilman Lembo said that he had a conversation with Sgt. Bartlinski which was the same, to do one at a time. Monitor that and make changes from there.

Councilwoman Kilpatrick then asked for an update on the realignment of the stripping on Ernston Road by the train trestle. Mr. Cornell responded that the Business Administrator wrote a few letters to the County with no response. Then the Council passed a Resolution and still have not heard anything. He said the County received it because they did call him and he explained the issues with the area. He suggested that maybe Mr. Frankel could contact the County Administrator on the issues.

Councilman Grillo asked for clarification that he received approval for the Burlew Place Ordinance and to meet with the police. Again no objections.

- PUBLIC SAFETY – Councilman Lembo

1) Councilman Lembo moved the following minutes or reports be received and filed:

- a) Board of Health minutes of June 2, 2016
- Seconded by Council President Buchanan.

2) **Letter of resignation** received from Michelle Brophy as a member of Sayreville Engine Co.

-Receive & File.

3) **Firefighter applications** were received from:

- Michael Greaves as a Regular member of **Sayreville Engine Co. No. 1.**
- Joseph W. Wright as a Regular member of **President Park Fire Co. No. 1.**
- Approved

4) Request for **coin toss** at the intersection of Washington & Ernston Roads from 10am-2pm received from Sayreville Stars Competition Cheerleading on Nov. 12, 2016.

-Approved

5) Resolution received from the Twp. of Woodbridge **requesting elected officials support** in regulating puppy and kitten mills.

- Resolution in support of Twp. of Woodbridge.

6) Committee Reports- 1) _____

- PUBLIC WORKS – Councilwoman Kilpatrick

1) **Minutes & Departmental Reports:** None

2) Committee Reports – Councilwoman Kilpatrick

a) Questioned the ability to purchase plows for the two new trucks in the Sewer Dept. so we don't have to pull the DPW guys to plow the lot there.

Mr. Kronowski said that there are other trucks in the Water and Sewer Dept. that are now outfitted with plows. He explained that plows could not be ordered for the new trucks because it would exceed the bid limit. Mr. Frankel informed Co. Kilpatrick that he and the Purchasing Agent are looking at getting Co-Ops to accept the plows we use into their State Contract, so it is in the works. Discussion followed regarding budget issues. Councilwoman Kilpatrick expressed her concerns about getting these plows before the winter in order to serve the residents.

- WATER & SEWER/ENVIRONMENTAL – Councilman Rittenhouse

1) **Minutes & Departmental Reports:** None

2) Report & discussion on the Rutgers Open Space & Floodplain Restoration Plan.

- Draft report reviewed.

3) Discussion on a proposed letter to FEMA in regards to flood map issues effecting residents of Eisenhower Drive.

- No objections / Approved.

4) Committee Reports – Councilman Rittenhouse:

a) Thanked everyone for their attendance in the 15 anniversary of 9-11 and thanked Ken Kelly for his years of officiating the service as this was going to be his last one.

- RECREATION – Council President Buchanan

1) **Minutes & Departmental Reports:** None

2) **Application for Special Event** received from Re-Max Dreams to conduct a Trunk or Treat Halloween event in their parking lot (380 Washington Rd.) on Oct. 22nd from 5-8pm.

-Approved issue permit.

3) Committee Reports – Council President Buchanan:

a) Thanked Ken Kelly for his design of the 9-11 Memorial as well as his years of officiating the ceremony and everyone else for their participation and help in putting the event together to honor these people.

b) Announced various Recreation sponsored events.

c) Asked if anyone received a response about the dredging at the Morgan Marina and Lockwood Marinas.

Councilman Rittenhouse said he spoke with the marina people about one month ago and there had not been a response.

Councilman Buchanan asked Mr. Frankel to follow up and take charge.

Councilman Rittenhouse stated that he could also do some follow-up on the matter.

Councilman Buchanan stated that at the last Recreation Adv. Bd. meeting there was a conversation about revitalizing Bailey Park and making it more environmentally friendly. Suggested a spray park and asked to see if the borough engineer can come up with a conceptual plan. Mayor asked about a budget. Councilman Buchanan said they would need to come up with one but the County has come up with other spray parks so we can get in touch with them. Mr. Frankel said that he could work with Jay and get some preliminary numbers on just the park not the amenities surrounding the park. He said that he would also speak with the County and because this is considered Open Space and if the plan is accepted by the County the County usually can match the figure 50%. Councilman Buchanan said that in speaking with Jay that there are possible grants out there.

- Approval granted for the Engineer to come up with a preliminary conceptual plan.

- **MAYOR – Kennedy O’Brien**

Mayor thanked everyone who attended the 9-11 ceremony on Saturday night. He said that it is done for the benefit of the families who lost someone. He said that we hold ours the day before because the families go to New York on 9-11. Mayor recognized Ken Kelly for his 15 years of putting this program together. He asked Ken Kelly if he would work with Rob Bruce on transitioning the program. He went on to give Rob Bruce’s history.

Mayor asked for a moment of silence for Linda Brown who was extremely active in Scouting and was a good friend. A moment of silence was honored by all in attendance.

Mayor said that he received a call from Rose Wolski from Quaid Street who has lived there for 60 years and they are finally paving Quaid Street. He said that Quaid Street leads directly to Wilson School. He said that when the road was to be repave it was said they put in curbs and curb cuts which are for handicapped people and as past practice we haven’t put in sidewalks where they didn’t already exist. He said that he spoke with our representative from our insurance company because his great concern is liability and the safety of the kids going to school. He handed out photos of the curb cuts. The engineer indicated that the State requires a curb cut. Mayor said that the liability issue is that a disabled person using the curb cut will be stepping up to a lawn. In this situation he asked the governing body to put the sidewalks in to the curb cuts for those who are disabled and need the curb cut and for the safety of the children walking to school.

Council President Buchanan said that back in the 1990’s the council came up with a policy that no sidewalks would be installed if there were no sidewalks. His second concern was the other streets that they have repaved or will be repaving will be forced to now install sidewalks.

Councilwoman Kilpatrick said that the children are always a concern especially for their safety. She said that this is where her children go to school and she drives them there every day and asked if he was proposing that they put the sidewalk for the whole street. She also said that there are no sidewalks in President Park leading to Truman school and that there is a road project there now and wouldn’t we have to install sidewalks there as well. She also mentioned Laurel Park and Morgan.

Mayor again mentioned the curb cuts and the liability it brings.

Councilwoman Novak stated that the Ordinance would have to be amended first. She then asked the engineer how much this would cost for this street. She also mentioned snow shoveling responsibility.

Councilman Grillo then said that we should get it right and find out how many roads and the cost factor overall before any decision is made and that he agrees with the theory behind it.

Councilwoman Kilpatrick said that it would not be fair to install sidewalks for one school.

The Engineer stated that there was a policy made back in 1989 which was if there is an existing street where there were no sidewalks – the borough does not install sidewalks the residents would be assessed sidewalks, so you had this situation since 1989. For this particular project there are five residents involved and retaining walls would have to be installed and the cost estimate is \$141,000.

Discussion went on about the additional streets with curb cuts.

Mayor then called for the Business Administrators report.

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

- Admin. & Finance**

- 1) Authorization to purchase a virtualized server and storage environment system through NJ State Contract M0483/T88967 from Candoris Technologies of Annville, PA in an amount not to exceed \$55,229.02.

- Resolution.**

- 2) Authorization to execute a “Qualified Private Community Services Agreement” with Central Jersey Contractors/PAK Enterprises, LLC for the reimbursement of private solid waste collection services.

- Resolution**

- 3) Resolution and Group affidavit will be listed on the Sept. 26 Consent Agenda Resolution list stating that the governing body has at least reviewed the comments and recommendations in the 2015 Annual Audit.

- Resolution**

- Planning & Zoning**

- 1) Authorization to extend Right of Entry Agreement received from The Dept. of the Army for Survey and Exploration on property located at Block 176, Lot 2.05, Block 178, Lot 9 off River Road and along the Raritan River (statewide remedial investigation and feasibility study of dredged materials).

- Resolution**

- Public Safety**

- 1) Notice of retirement of Capt. Glenn R. Skarzynski, effective October 1, 2016.
 - 2) Authorization to purchase two (2) LED Message Boards through a non-fair and open process from Ver-Mac of Quebec, Canada in an amount not to exceed \$26,500.

- Resolution**

- Public Works**

- 1) Notice of retirement of Lawrence Ust from the Sayreville Parks Dept. effective November 1, 2016.
 - 2) Authorization to reject all bids received for Contract 2016-3 Chain Link Fence because they exceed cost estimates.

- Resolution**

- Recreation**

- 1) Recommendation received from the Recreation Adv. Bd. & Rec. Director to amend Ordinance 17-3 Public Use of Municipal Tennis Courts at Kennedy Park.
 - Proposed changes in packet.
- Ordinance.

- Water & Sewer

• **C.F.O. - Wayne Kronowski**

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• **BOROUGH ENGINEER - Jay Cornell**

- 1) Jernee Mill Road/Bordentown Avenue Intersection Improvements – NJDOT Approval (Report Attached).

- Resolution

- 2) Public Safety Complex Boiler Replacement – Receipt of Bids (Verbal Report).

- Resolution

- 3) Improvements to Smith Street – CDBG Funds (Verbal Report).

- Resolution

BOROUGH ATTORNEY - Michael DuPont

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• **PUBLIC PORTION**

There were no appearances.

- Alfred Grabowski, 12 Burlew Place

Lived there for 11 years. Traffic is worse than ever, trash, total inconvenience. Requested that the road be closed to traffic.

Councilman Grillo stated that this was brought to the Council back in May and the Mayor wanted to hold off on any decision until September when people were back from vacations. In the interim the Police Department did a traffic study and made a recommendation. He said that this involved a County, State and Municipal Roads. We only have jurisdiction over Burlew Place. And their moving for a No Left Turn Ordinance from Burlew onto Bordentown Avenue. In two weeks they will be having a meeting with the police department and discuss some of the larger issues for that entire area. He then deferred to the engineer as to why that roadway cannot be closed.

Mr. Cornell stated that there would be legal issues because there are development approvals that were granted involving using Burlew as an access road with no wording on times.

Mayor O'Brien said that there is a change in the works and there are legal steps that have to be followed.

- Peter Rofail, 8 Burlew APlace

Bought house 8 years ago and 8 years ago the traffic was not like it is today. Cannot enjoy the property. Problems with litter, school bus traffic danger, trucks over 4 tons.

Mayor said that he will have the police and school board review this matter.

Recommended that the street be a one way street.

- **EXECUTIVE SESSION**

- **EXECUTIVE SESSION: LITIGATION & PERSONNEL**

At this time the Borough Attorney announced that there is a need to go into Closed Session.

- 10 minutes / Litigation

Mr. DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

Litigation

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

NOW, THEREFORE BE IT RESOLVED that the public be excluded and this resolution shall take effect immediately.

/s/ Victoria Kilpatrick, Councilwoman

APPROVED:

/s/ Kennedy O'Brien, Mayor

Council President Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Motion seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse, all Ayes. Carried. Time: 8:30 PM

- **RECONVENE - 8:38 PM**

Councilwoman Novak made a motion to reconvene. Motion seconded by Councilman Grillo.

Roll Call: Voice Vote, all Ayes.

No further business.

- **ADJOURNMENT**

Mayor 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: 8:38 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved