

Mayor Kennedy O'Brien opened the Council Meeting at 7:02 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this September 12, 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:

- ☒ May 23, 2016 - Liquor Hearing
- ☒ August 8, 2016 - Special Meeting & Executive Session
- ☒ August 8 & 22, 2016 -Regular & Agenda Sessions
- ☒ August 9, 2016 - Receipt of Bids (2015 Roadway Paving & Reconstruction Phase II)
- ☒ August 10, 2016- Receipt of Bids (Snow Plow & Removal Services, Electrical Work & Repairs)
- ☒ August 12, 2016- Receipt of Bids (Chain Link Fence Installation, Repair & Replacement)
- ☒ August 17, 2016- Receipt of Bids (Repairs to 4-Rear Loaders & Repair to Komatsu Wheel Loader)

Seconded by Councilwoman Novak.

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

- **PROCLAMATION & PRESENTATION:**
(none)

- **OLD BUSINESS**

a) Clerk Farbaniec read the following ordinance for Public Hearing:

ORDINANCE #343-16
**BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS
 FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING
 \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
 \$2,850,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing Sept. 12, 2016)

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$3,000,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$150,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$3,000,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,850,000 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 \$2,850,000 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 the reconstruction and improvement of Embroidery Street, Jackson Avenue, Muth Street, Thomas Avenue, Zaleski Drive (Creamer to Sims), and Gillen Drive (Martha to Dusko), Smith Street 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 purposes is \$2,850,000.

(c) The estimated cost of said purposes is \$3,000,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$150,000 down payment for said purposes.

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

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,850,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grant, 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 \$2,850,000. 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 #343-16.

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 Councilwoman Kilpatrick.

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

• **NEW BUSINESS:**

a) Supplemental Debt Statement

Municipal Clerk Farbaniec reported on having received the Supplemental Debt Statement from CFO Wayne Kronowski as of September 12, 2016.

Councilwoman Novak moved the Supplemental Debt Statement be received and filed. Seconded by Councilwoman Kilpatrick.

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

b) Clerk announced the Introduction of the following Ordinance(s):

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)

Councilman Grillo moved the ordinance be Approved on first reading, advertised according to law and a public hearing be held on Sept. 26, 2016. Motion was seconded by Council President Buchanan.

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

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

(Co. Novak, Admin. & Finance – Public Hearing Sept. 26, 2016)

Councilwoman Novak stated that before introducing the ordinance she asked the business administrator to explain it as needed.

Mr. Frankel stated that this is for radios and other equipment that we found that was not on the original equipment list provided by V-Comm so a meeting was held with V-Comm, Harris and first responders and talked to them about the equipment they needed so this is for supplemental equipment.

Councilwoman Novak stated that she had questions and asked if she should first introduce first then ask?

Mayor stated that questions are usually presented at the agenda session or at the second reading. Councilwoman Novak said that she would wait.

Councilwoman Novak moved the ordinance be Approved on first reading, advertised according to law and a public hearing be held on Sept. 26, 2016. Motion was seconded by Council President Buchanan.

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

CONSENT AGENDA/RESOLUTIONS

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

There were no appearances. Mayor O'Brien 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.

RESOLUTION #2016-280

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 September 12, 2016 in the amount of \$8,969,052.02 in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).

RESOLUTION #2016-281

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>
RSF Enterprises, LLC 236 Ernston Road Parlin, NJ 08859	- One (1) Storage Trailer	236 Ernston Road, Parlin, NJ Block 444.01, Lot 3.01

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 trailer for storage 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 #2016-282

**AUTHORIZING STERN & DRAGOSET APPRAISAL GROUP TO
PROVIDE APPRAISAL SERVICES TO THE BOROUGH OF
SAYREVILLE IN CONNECTION
WITH MATTERS INVOLVING REAL PROPERTY**

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an appraiser to provide an appraisal covering Block 332, Lot 2 in the Borough of Sayreville; 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 the resolution authorizing such services without competitive bids must be publicly advertised; and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Sayreville as follows;

1. Stern Dragoset Appraisal Group is hereby appointed to provide an appraisal covering Block 333, Lots 2 in the Borough of Sayreville and that he be paid for said services at a fee not to exceed \$1,250.00.

2. This appointment is made without competitive bidding as a “professional service” under the provisions of N.J.S.A. 40A11-1, et seq.

3. That a copy of this resolution shall be kept on file with the Borough Clerk.

4. That a copy of this, certified copy be a true copy by the Borough Clerk, shall be published as required by law within ten (10) days from the date of adoption.

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 Stern Dragoset Appraisal Group, 109 Green Street, Woodbridge, NJ 07095.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-283

WHEREAS, on August 26, 2016 the Borough of Sayreville awarded a contract for “Property Maintenance Services” to Custom Care Services, Inc., 2817 Williamsburg Drive, Wall, NJ 07719; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for a one additional two (2) year term at no additional increase in price contained therein; and

WHEREAS, Custom Care Services, Inc., has indicated their interest in extending their terms of the aforesaid contract for one (1) additional two (2) year term;

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 “Property Maintenance Services” is hereby renewed for one additional two (2) year term at no additional increase in price.

/s/ Steven Grillo
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-284

WHEREAS, on August 17, 2016 the Mayor and Council of the Borough of Sayreville received bids for the “Four (4) Heil Durapak 5000-27 Rear Loaders”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of September, 2016, that:

1. Contract for the “Four (4) Heil Durapak 5000-27 Rear Loaders” project be awarded to THC Enterprises, Inc., t/a Mid-Atlantic Waste, 10641 Cordova Road, Easton, MD on their bid price of \$99,892.00 as appears on copy of bid document attached hereto and made a part hereof.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-285

WHEREAS, on August 3, 2016 the Mayor and Council of the Borough of Sayreville received bids for the “Municipal Court Security-Unarmed” and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of September, 2016, that:

1. Contract for the “Municipal Court Security-Unarmed” project be awarded to APG Security of South Amboy, NJ on their bid price of \$31,262.00 as appears on copy of bid document attached hereto and made a part hereof.

/s/ Pasquale Lembo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-286

WHEREAS, on August 10, 2016 the Mayor and Council of the Borough of Sayreville received bids for the “Electrical Work and Repairs” and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of September, 2016, that:

1. Contract for the “Electrical Work and Repairs” be awarded to Sal Electric of Jersey City, NJ on their bid price of \$84,372.00 as appears on copy of bid document attached hereto and made a part hereof.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-287

WHEREAS, on August 10, 2016 the Mayor and Council of the Borough of Sayreville, have received bids for the “Snow Plowing and Removal Services”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of September, 2016, that:

1. Contract for the “Snow Plowing and Removal Services” be awarded to the following, on their bid, as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities:

- B & W Construction Co. of NJ, Inc.
PO Box 574, South River, NJ 08882
- Item 1, Snow Plowing, in an amount not to exceed \$30,025.
- T. Marcinczyk & Son, Inc.
3185 Bordentown Ave., Parlin, NJ 08859
- Item 2 Snow Removal (Hauling), in an amount not to exceed \$5,850.
- Item 3 Crosswalks/Bus Shelters, in an amount not to exceed \$7,680.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2016-288

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the replacement of a cooling tower at the Public Safety Complex and that he be paid for said services at a fee not to

exceed \$34,500.00.

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

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-289

WHEREAS, on August 9, 2016 the Mayor and Council of the Borough of Sayreville received bids for the “2015 Roadway Paving and Reconstruction Project – Phase II”; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 12th day of September, 2016 that:

1. Contract for the “2015 Roadway Paving & Reconstruction Project – Phase II” be awarded to Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, NJ 08872 on their bid price of \$847,865.76 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2016-290

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE
MAYOR AND BOROUGH CLERK TO ACCEPT A DEED
FOR PROPERTY KNOWN AS BLOCK 169, LOTS 12 AND 13**

WHEREAS, the Governing Body of the Borough of Sayreville has the opportunity to acquire property in the Borough of Sayreville known as Block 169, Lots 12 and 13 on the Tax Map of the Borough of Sayreville to be used as Open Space at no cost to the Borough; and

WHEREAS, the owners of the said property, Frank J. Stasiak and Stella P. Stasiak, are willing to Deed the property to the Borough of Sayreville to be used as Open Space; and

WHEREAS, a title search of the property has been completed and the title is free and clear,

WHEREAS, CME Associates has completed an environmental inspection; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are authorized and directed to accept a Deed from Frank J. Stasiak and Stella P. Stasiak to acquire the property known as Block 169, Lots 12 and 13 in the Borough of Sayreville.

/s/ Mary J. Novak
(Admin. & Finance 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:

- Tom Marcinczyk, 71 Marsh Avenue & business at 3185 Bordentown Avenue Commented about a notice he and Sayreville received about an application before the Planning Board for a container company to locate across the street from his business on property recently cleaned up. He stated that the application was for a site plan with many waivers and variances. Concerned about the amount of traffic it will dump onto Bordentown Avenue. Also expressed concerns about drainage.

Mayor asked Jay if he was familiar with this. Mr. Cornell responded that the notice is listed on the Agenda session tonight that Sayreville received from Old Bridge concerning a site plan application hearing scheduled for tomorrow but do not know exactly what they are doing.

Mayor questioned if they were the sea/land storage containers like at the docks.

Councilman Buchanan asked what a neighboring town would do to dispute an application. Engineer stated that you would have to have an attorney present at the meeting to present their objection. He said that the application is for a minor site plan so there doesn't appear to be much construction.

Mayor said that if there were no objections that he would instruct the attorney and engineer to represent the borough asking that they postpone the decision until Sayreville has had a chance to review the application.

Councilwoman Novak asked Mr. Pollando in the audience if they have an application before the County Planning Board on this matter because this is a County Road. He responded that there is a meeting tomorrow and will look at the agenda.

No further questions or comments. Councilwoman Novak made **a motion to close the public portion and adjourn** the meeting. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 7:14 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved