

Mayor Kennedy O'Brien opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this October 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  
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: Daniel E. Frankel, Business Administrator

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

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

☞ September 12, 2016 - Regular, Agenda and Executive Session Minutes

Seconded by Councilwoman Novak.

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

- **SWEARING IN & PRESENTATIONS:**

- Swearing in of Police Officer Alvah Cox, III

Before Police Chief Zebrowski introduced the new police officer he also recognized those being honored here this evening for their volunteerism and service. One Ken Kelly who has been volunteering his time to the 9-11 ceremony for the past 15 years and the other Daniel Hockenjos for his heroic actions during a fire. He said that these people are emblematic of the type of community we have. He then went on to talk about the new police officer we would be swearing in Alvah Cox, III.

Clerk administered the Oaths of Office to:

☞ Police Officer Alvah Cox III

- Presentation of a **Certificate to Daniel Hockenjos** for his heroism at a structure fire on Jacobson Street, August 22, 2016.

- **Resolution honoring, recognizing and thanking Kenneth P. Kelly, Sr.** for his fifteen years of dedicated service on the 9-11 Memorial Committee/Program.

***RESOLUTION #2016-313***

**Whereas**, Kenneth P. Kelly, Sr. has honorably served this Country as a Staff Sergeant in the Vietnam War, the residents of the Borough of Sayreville as a Police Detective, Councilman, a member of the VFW and Sayreville Veterans Alliance; and

**Whereas**, following the Terror Attacks that unfolded on September 11, 2001 Ken accepted the appointment as the 9-11 Memorial Committee Chairman where he was authorized to find a serene location and begin the design of a memorial honoring Sayreville's victims of that tragic day; and

**Whereas**, Ken took his responsibility seriously and dedicated his heart and soul in making sure the 9-11 Memorial represented the true meaning of why the monument was to be constructed and in doing so created one of the most beautiful and respectful memorials in our area; and

**Whereas**, Ken Kelly led his dedicated committee in honoring the victims and their families through fifteen years of memorial services making sure they will always be remembered; and

**Now, Therefore Be It and It is Hereby Resolved** that the Mayor and Council of the Borough of Sayreville along with its residents hereby acknowledge Kenneth P. Kelly, Sr. for his dedicated service to his Country and the Borough of Sayreville and thank him for his tireless service.

/s/ Mayor Kennedy O'Brien

/s/ Councilman Daniel Buchanan

/s/ Councilwoman Victoria Kilpatrick

/s/ Councilman Steven Grillo

/s/ Councilman Pasquale Lembo

/s/ Councilwoman Mary J. Novak

/s/ Councilman Arthur Rittenhouse

Mayor called for the next order of business.

- **OLD BUSINESS**

a) Clerk Farbaniec read the following two ordinances for Public Hearing:

**ORDINANCE #346-16**

**AN ORDINANCE AMENDING CHAPTER XVII,  
"PUBLIC USE OF MUNICIPAL TENNIS COURTS AT KENNEDY PARK",  
OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF SAYREVILLE**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**17-3 – PUBLIC USE OF MUNICIPAL TENNIS COURTS AT KENNEDY PARK**

~~a. *Eligibility.* All residents of the Borough shall be required to obtain a resident's pass for the use of the tennis courts at Kennedy Park. The pass may be obtained at the Recreation Department in the Civic Center, Dolan Street, Monday through Friday from 9:00 a.m. to 5:00 p.m. In addition, special evening hours will be arranged for those residents who cannot obtain a pass during the day and the evening hours will be announced in newspapers circulated in the Borough. Guests of residents will be permitted to use the tennis courts at Kennedy Park. Only one (1) guest per registered resident will be permitted daily. Guests will be required to register at the Recreation Department office at least seventy-two (72) hours before the intended use of the courts and a permit will issue for the date requested.~~

~~b. *Fees.* A fee of one (\$1.00) dollar will be charged for adult passes and fifty (\$.50) cents will be charged for students. In addition, a court fee of twenty five (\$.25) cents per~~

hour per person will be charged. Residents will be required to show two (2) proofs of residency when requesting a pass.

a. ~~c.~~ *Hours.* The tennis courts at Kennedy Park will be open on weekdays from 8:00 a.m. to 11:00 p.m. **March 1<sup>st</sup> through December 1<sup>st</sup>. December 1<sup>st</sup> through March 1<sup>st</sup> the tennis courts will be open 8:00 a.m. until Dusk as conditions permit.** ~~and on weekends from 7:00 a.m. to 11:00 p.m. The tennis courts at Kennedy Park will be maintained and open all year. The Recreation Department has the authority to start the season early or extend the season based on conditions forecasted.~~

~~d. *Reservations.* Reservations can be made twenty-four (24) hours in advance, but cannot be made any sooner thereof. Reservations will be held at the court for ten (10) minutes beyond the scheduled time and thereafter the courts will be issued to waiting resident players on a first come basis. Reservations shall be made by calling the Recreation Department office at 390-7092 on weekdays and at the tennis courts on weekends, the telephone number to be posted. An attendant will be on duty during peak hours including weekends and during the peak season.~~

~~b. e. *Playing Time.* Singles play will be limited to reservations for one (1) hour per court in the event that others are waiting to play or the court time is reserved. Doubles play will be limited to reservations for two (2) hours per court in the event others are waiting to play or the court time is reserved. Reservations for doubles must be made in the name of two (2) registered resident players.~~

346-16

~~The appearance of more than four (4) different players during any two (2) hour period will not extend the playing time beyond the two (2) hours. **All courts, whether being used for singles play or doubles play, are subject to one and one-half (1-1/2) hours playing time when players are waiting to use courts. Players waiting for playing time should not enter the tennis playing area beforehand. All spectators are requested to remain outside of the playing area. Players with young children are requested to have them sit on benches inside and remain quiet.**~~

~~c. f. *Food and Drink.* No cans, bottles, or any other disposable containers will be permitted inside the tennis court area. No alcoholic beverages will be permitted in the park. Personal thermos bottles, and/or picnic jugs, and the like will be permitted inside the court area. No food is to be taken inside the playing area.~~

~~d. g. *Dress Code.* Shoes with heels of any kind will not be permitted. Players must wear shirts at all times as well as sneakers or rubber soled shoes. ~~Players waiting to play and spectators, players with reservations and others waiting for playing time should not enter the tennis playing area beforehand. All spectators are requested to remain outside the playing area. Registered residents who are playing and have children are requested to keep them seated and quiet.~~ No persons will be permitted on the courts with bare feet.~~

~~e. h. *Recreation Classes.* The recreation sponsored tennis classes, tournaments, clinics and the like shall take priority over individual play. Supervisors of such special events will have appropriate I.D. to show, when requested and these type of recreation classes shall be scheduled and posted in advance.~~

~~f. i. *Demeanor.* Most important in the spirit of good sportsmanship, all persons ~~whether registered residents or guests~~ using the Borough-owned premises are required to conduct themselves at all times with regard for their fellow tennis players in deportment, speech, attire and the like.~~

~~***g. Private Instruction. Private instruction or teaching classes are strictly prohibited at all times, unless a Sayreville Recreation use permit is obtained. All permits will take priority over current usage rules.***~~

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 17, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

/s/ Daniel Buchanan, Councilman  
(Recreation 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 #346-16.

There being none, Councilman Buchanan 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 Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse, all Ayes. Carried.

**ORDINANCE #347-16**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO**  
**AMEND SECTION 7-10.1 "TURN PROHIBITIONS"**

At this time the Borough Attorney stated that the Chief of Police asked that **this Ordinance be Tabled and that it be introduced in the form of an Resolution**. This would give him the opportunity to evaluate the need over the next 6 months and if the Ordinance is necessary.

**Councilman Grillo made a Motion to Table Ordinance #347-16** pursuant to the Police chief's recommendation and that it be written in the form of a Resolution. Motion was seconded by Council President Buchanan.

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

**5. NEW BUSINESS:**

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

**ORDINANCE #348-16**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND CHAPTER XII,**  
**SECTION 1.3A UNIFORM CONSTRUCTION CODE - CONSTRUCTION FEES**  
(Planning & Zoning Committee - Public Hearing, Oct. 24, 2016)

Councilman Grillo moved the ordinance be Approved on first reading, advertised according to law and a public hearing be held on Oct. 24, 2016. Motion was seconded by Councilwoman Kilpatrick.

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

**ORDINANCE #342-16**  
**ORDINANCE OF THE BOROUGH OF SAYREVILLE AUTHORIZING**  
**THE PURCHASE OF TWO-THIRDS OF THE DUHERNAL WATER PROJECT FROM**  
**HERUCLES INCORPORATED AND I.E. DUPONT DE NEMOURS AND COMPANY**  
(Water & Sewer Committee – Public Hearing, Oct. 24, 2016)

Councilman Rittenhouse moved the ordinance be Approved on first reading, advertised according to law and a public hearing be held on Oct. 24, 2016. Motion was seconded by Councilwoman Novak.

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

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

**CONSENT AGENDA/RESOLUTIONS**

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

Those appearing were:

- Barbara Kilcomons, 22 Schmitt Street

Questioned Resolution #2016-306 Sale of Abandoned and unclaimed Motor Vehicles.

Borough Clerk responded that these are vehicles that have been towed by various licensed garages throughout the year and once a year we go through this exercise and receive individual sealed bids for their disposition.

Questioned Resolution #2016-312 regarding the splash park proposal and commented on Councilman Buchanan's grandfather support in closing Bailey Park many years ago for various reasons. So people are not in favor of reopening it and it being on Green Acres property. It would be open to all people not just Sayreville residents and the cost to the taxpayers for installing and maintaining it. She also commented on the number of parks Sayreville currently has and that many are not used.

Michele Maher, 12 Gavel Road

Member of the Recreation Advisory Board and after all of their time put into working on revitalizing the town and the board unanimously voting for this splash park and felt dedicating her time means nothing.

Ed Strek, 58 Nickel Avenue

-Commented on building a splash park on property that is contaminated.

-Asked if there are two new fire trucks being proposed for 2017.

Councilwoman Novak responded that there are no firetrucks proposed for 2017.

Fred Block, 25 Calliope Road

- Commented that his research indicated that the property proposed for the splash park is still listed as a Superfund Site.

- Asked about if there was pipes already in place to feed water to the park and bathrooms.

Councilman Buchanan stated that there is plumbing there already and deferred to the engineer about contamination. Councilwoman Novak said that there are men's and woman's rooms.

Mr. Cornell stated that the adjacent property has contamination issues but not the Bailey Park property. Mr. Cornell stated that the water at Bailey was not fit for swimming and that there would need to be a filtration system installed which is very expensive and that is why they decided to close.

Expressed concerns about crowding, traffic and water use.

Councilman Buchanan said that they are also working with the Green Team and they are looking at doing a playground that is environmentally minded as well as the spray park and the water would be recycled water.

Judy McCrone, 312 Stevens Avenue

Commented about the Morgan Town Hall Meeting and the deplorable conditions in their area and along the Rt. 35 corridor. Splash Park would be a nice thing to have but cannot get behind it when it could be spent in better ways such as their neighborhood.

Scott Turner, 18 Furman Avenue

Not in support of the splash park. Felt there are better needs in the borough such as the roadways a splash park is not priority.

Carrie Bello, 32 Elm Terrace

Not in support of the Splash Park. Felt the money should be spent on something the entire borough can use not just age targeted.

Denise Morgan, Stevens Avenue

Felt money should be used on priority items first and Morgan is one of them. She said that she looked at all of the parks and they should all be upgraded before beginning such a project. She outlined some of the parks and their needs for improvement.

Mayor stated that there are 22 parks and 7 park employees including a supervisor. He reviewed the salaries and the budget for capital improvements for these 22 parks. He said that there are 460 kids that play soccer and that field is desperate for improvements. He even stated how heavy all the fields are used and are in need of repair. He said that he does not know where the end figure will end up for this spray park because he has not yet seen any kind of Financial Proposal for the full scope of the work and does not want to spend \$50,000. to find out how much more it would cost in the end. He said he wants to see the financial plan and scope of the work, before we move forward with this. He said that the Recreation Board has good ideas. The borough has a shortage of money and employees and most people do not want to spend more money but want a reduction in their taxes.

Ms. Morgan said that the idea was not a bad one but a bad idea at this time. Need to do the current park upgrades first.

Barbara Kilcomons, 22 Schmitt Street

Commented on Councilman Buchanan's vote for the pilot on the Housing project in Morgan. She said to fix what we have and this Resolution should be tabled.

Debbie Ravelle, 17 Driftwood Drive

Commented on this issue being brought out in Social Media. Councilwoman Kilpatrick addressed the Social Media issue.

Ms. Ravelle then asked if there was a limit on the amount of Grant money or a cap on grant money that can be requested or given in a particular year.

Response by Mayor O'Brien on how grants work.

Councilman Grillo commented on all the different types of grants there are and that there would not be a cap.

Ms. Ravelle commented that the equipment was replaced at her park but the pathway leading to the park in her neighborhood was bumpy and also the need for the basketball court being updated and she said that the residents asked for bases. Not a whole field – just bases and never received. Would just like for it to be finished.

Ms. Ravelle asked about our compliance with the Playground Safety Codes that was adopted by the State of New Jersey in 1999.

Engineer stated that there was an evaluation done to every park in Sayreville and the borough was advised on what needed to be done to come into compliance. Mayor asked for a list of parks that still needs to come in compliance. The Mayor then explained the number of roads we have in Sayreville and the paving program and the number of roads that need to be repaired or repaved.

Further discussion about the soccer fields and the total cost and ramifications of a Spray park.

Michele Maher, Gavel Road

Agrees about the poor conditions at the soccer fields, benches in Kennedy Park, etc. Wants to see the money spent in places that need it.

Council President Buchanan

Stated \$100,000. is in place each year in the budget for Parks and Bailey Park is the second largest park we have. Said he appreciates all of the comments being made by the residents. He also stated that the Recreation Advisory Board does a terrific job in trying to improve recreation in Sayreville. In 2003 we spent hundreds of thousands of dollars putting in a skate park at Kennedy Park and people come from all over to use it. He said that Bailey Park is one of the most unutilized park in the borough and that improving the park would increase the desirability and update the swings, parking lot and bring in a new activity into Sayreville and was told that the next step to determine the cost of these. He also addressed the overuse of the soccer fields.

Council President asked the engineer to explain what the \$500,000. would be used for.

The engineer stated that the figure consisted of reconstructing the access, the construction of a splash park and all of the infrastructure to support the splash park, an adjacent parking facility, provision for future closer bathrooms, and some other activities as well.

Councilman Rittenhouse questioned the cost of the additional bathrooms. Engineer stated \$400,000.

Councilwoman Kilpatrick asked about the bathrooms already there and the engineer said they could be utilized.

Councilman Grillo discussed the failing infrastructure throughout the town and made various suggestions.

Further discussion on the parks and infrastructure improvements.

- Nella Franchamori, Parlin

Commented about the Point at Sayreville bringing people into Sayreville. Response by Mayor O'Brien regarding the multi-billion dollar project making Sayreville more desirable.

Ms. Franchamori felt that we should not spend our money on a splash park but spend it on what already needs to be fixed such as parks and roadways.

Councilman Grillo commented that the longer things do not get fixed the more it costs the taxpayers in the long run.

Councilwoman Novak said that the roadway leading into Bailey Park has to be fixed anyway and is part of the cost.

Discussion followed regarding what would have to be fixed at Bailey Park anyway and what the costs would be to do so. Jay explained the amount of money we would receive from the County and how that works.

Also mentioned was the fact that we would lose the County match if we were to only do these improvements and not build a splash park.

- Resident, 6 Memorial Way

Questioned if we had a spray park if we could have nonresidents pay a higher fee and residents pay a smaller fee so that would help to maintain the facility.

Response by Council President Buchanan that we cannot charge nonresidents more than double what is being charged to residents.

Council President stated that back when we were charging for the Skate Park we charged a nominal fee and it ended up costing the borough more because we had to pay someone to collect the fee, the borough's Liability increased insurance than went up.

Mayor commented that at the last meeting the council said that the park was going to be free.

The resident felt there should be a charge for its upkeep.

- Frank Cilente, 100 Marsh Avenue

Commented about the traffic on Main Street and felt that the Main Street By-Pass Road would help solve the traffic and truck issues along Main Street.

Mayor asked if there were any other questions or comments on the Consent Agenda. There were none.

Mayor asked for a motion to close the public portion.

Council President Buchanan moved to close the Public Portion. Seconded by Councilman Grillo.

Roll Call: Voice Vote, all Ayes.

Mayor asked if there were any questions or comments from the Governing Body.

Council President Buchanan asked the engineer what the process would be to find out what it would cost for the full up-grades of the park with and without the Spray Park.

Mr. Cornell asked if he was looking for a specific price just for the Splash Park or the entire concept plan that was prepared years ago for all of the improvements in Bailey Park. Co. Buchanan said both. The engineer said that they could prepare budget numbers. That doesn't require this authorization. This authorization was for preparing the Plans and Specifications for the Design and Construction of a Splash Park and the associated infrastructure. Councilman Buchanan said that he asked for the initial cost of the park so that they would get some outside funding sources. Jay said that what this resolution would do is enable him to prepare the plans and specs to go out to bid. If you want construction numbers you do not have to go through this process. We can prepare budget numbers as to what it would cost to provide the upgrades necessary to the park then I think you could take the concept plan with the numbers and review some outside funding sources.

Council President Buchanan made a motion to Table Resolution #2016-312. Motion was seconded by Councilwoman Novak.

Comments:

Councilman Buchanan- I believe in investing in our parks and playgrounds because that is what people look at when they come into town to purchase a home or open a business. Is the town investing in the community. He spoke about the amount or lack there-of funding for roadway improvements. And now we are working on improving on that. Co. Grillo is working on trying to revitalize the Morgan Section. We need to invest so out town does not depreciate and lose residents and businesses. Wants to try and improve one of the biggest parks in our town, Bailey Park.

Councilman Rittenhouse – Said that he would be voting yes to Table also, but would like to see the \$49,400. used on the parks not a study. Councilman Rittenhouse said that there other things going on to improve our town. Such as the Rutgers Study for the Weber Avenue/MacArthur Avenue to turn that into park areas and trails for the entire town. The



recreation department does come up with some great ideas and programs. Thanked Michele for being on the rec board and all the volunteers, but this improvement should be brought up during budget time and not at this time.

Councilwoman Kilpatrick – Commented on the investment in the community and agree that budget time is the time to do that. She commented on the amount of money that was budgeted for years for road improvements which recently was increased. Money is going to have to be budgeted and spent for the upkeep on out infrastructure and our town. Felt this was a good discussion and thank you to the recreation advisory board.

Councilwoman Novak – Commented that just about all of our parks are Green Acre Parks and anyone can use them. She stated that if we were to put a new playground, entrance, fix the bathrooms, bring it up to code, put new picnic tables and benches, etc. it is still going to cost a couple hundred thousand dollars. Will be voting yes to table this at this time, think we need more information.

Mayor Kennedy O'Brien – Said that he was the one who secured the \$300,000. for the Skate Park from the State not the County and explained the function of the attendant person at the skate park and the amount of money to fix the skate park after 14 years of use is worth it. So we are going **to table this Resolution 2016-312.**

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

Council President Buchanan moved the Public Hearing on Consent Agenda Items be closed and the rest of the Resolutions be approved on Roll Call Vote. Seconded by Councilwoman Kilpatrick.

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

**RESOLUTION #2016-303**

**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/Councilman Daniel Buchanan

/s/Councilman Pasquale Lembo

/s/Councilman Steven Grillo

/s/Councilwoman Mary J. Novak

/s/Councilwoman Victoria Kilpatrick

/s/Councilman Arthur Rittenhouse

**Bill list of October 12, 2016 in the amount of \$11,425,466.78  
in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).**

**RESOLUTION #2016-304**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized and directed to refund property taxes for 2014 and 2015 in the amount of \$11,258.66,

effective January 1, 2014 due to the Approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 292.01, Lot 11, 13 Robert Circle.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2016-305**

**BE IT RESOLVED**, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for all annual Professional Services Proposals for the year 2017.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-306**

**WHEREAS**, N.J.S.A. 39:10A-1, et seq, permits a municipality to sell abandoned, unclaimed and junk motor vehicles by public sale to the highest bidder after advertisement in a newspaper, circulating in the municipality with one publication at least five (5) days before the date of sale; and

**WHEREAS**, the Borough of Sayreville proposes to sell the vehicles listed below as junk motor vehicles to the bidder(s) submitting the highest bid;

<u>YEAR</u>	<u>MAKE</u>	<u>VIN #</u>	<u>MIN. BID</u>	
2007	Ford	1FAHP37N87W196123	\$750.00	
	2002	Honda	1HGCG22542A004158	\$750.00
2003	Nissan	1N4AL11D73C197891	\$750.00	
2001	Chrysler	2C8GT64LX1R142343	\$750.00	
1992	Oldsmobile	1G3HN53L5NH345976	\$750.00	
1989	Toyota	JT2AE95CXX3225503	\$750.00	
1986	Wellcraft	WELR4481586	\$1,000.00	
2001	Lexus	JT8BF28GX15112019	\$1,200.00	
1997	Toyota	2T1BA02E9VC184138	\$1,200.00	
1994	Chevrolet	1GCEK19K6RE209205	\$1,200.00	
1999	Ford	1FAFP65L1XK217637	\$1,200.00	
2002	Nissan	4N2ZN17T02D816696	\$1,200.00	
1998	Nissan	JN8AR05Y8WW235040	\$1,200.00	
2002	GMC	1GTGG29R021102970	\$1,200.00	
2004	Jeep	1J4GW58J54C234141	\$1,200.00	
2008	Kia	KNAFG526987137877	\$1,200.00	
2003	Ford	1FTNS24273HB99772	\$1,200.00	
2006	Hyundai	KM8JN12D76U302832	\$1,500.00	
2005	Ford	1FAFP56U75A151907	\$2,000.00	
1999	Volkswagon	VWSC29M3XM072428	\$2,000.00	
2001	Chrysler	1C3EL55U51N501707	\$2,000.00	
2005	Honda	1HGCM66375A021792	\$2,500.00	
2001	Honda	JHLRD28471S021001	\$4,000.00	

2013	Chrysler	1C3CCBAB9DN648045	\$6,500.00
2015	Mitsubishi	4A4AP3AU9FE011084	\$8,500.00
2012	Dodge	2C4RDGDG1CR110416	\$12,000.00

**WHEREAS**, these vehicles may be inspected on any business day prior to the sale by contacting the Traffic Safety Bureau of the Sayreville Police Department between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday at the Sayreville Public Safety Complex, 1000 Main St. Sayreville, NJ 08872 phone (732)-525-5431. Said vehicles are at various locations within the Borough of Sayreville and that information is to be obtained from the Traffic Safety Bureau; and

**WHEREAS**, the Borough of Sayreville reserves the right to remove any vehicle prior to the sale date, or reject any, and all bids or to reward in part or in whole, if deemed in the best interests of the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the vehicles listed herein are to be sold as follows:

- -All vehicles will be sold on an “as is where is” basis
- -A separate 25% deposit is required to be submitted by posting cash or certified check **individually** for each vehicle being bid on.
- -Each individual bid along with the deposit **shall be enclosed separately** in a **sealed envelope**, addressed and submitted in the Borough Clerks Office of the Borough of Sayreville at 167 Main Street, Sayreville, NJ 08872, no later than **11:00 A.M. on October 27, 2016**, bearing the name of the bidder and item being bid on.
- -All vehicles must be paid in full **and removed within four (4) business days from the date of sale.**
- -**In those cases where any of the aforementioned motor vehicles have been towed and stored by a private garage, the minimum bid price shall be adjusted to reflect the amount due for towing and storage.**

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-307**

**WHEREAS**, on September 27, 2016 the Mayor and Council of the Borough of Sayreville received bids for the “Roadway Paving & Reconstruction Project-Phase III”; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 12<sup>th</sup> day of October, 2016:

1. Contract for the “Roadway Paving & Reconstruction Project – Phase III” be awarded to JTG Construction., of Newark, NJ on their bid price of \$869,069.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

/s/ Victoria Kilpatrick

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-308**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: 2013 Roadway Paving and Reconstruction Project – Phase II
- Contractor: Black Rock Enterprises, LLC  
1316 Englishtown Road  
Old Bridge, NJ 08857
- Net Decrease: \$93,179.14
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Victoria Kilpatrick

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-309**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: 2013 Roadway Paving and Reconstruction Project – Phase II
- Contractor: Black Rock Enterprises, LLC  
1316 Englishtown Road  
Old Bridge, NJ 08857
- Balance Due: \$ 14,045.35

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$105,340.10 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Victoria Kilpatrick

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-310**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: Kennedy Park Skate Park Project
- Contractor: Rampage, LLC  
1625 Railroad Avenue  
Bridgeport, CT 06605
- Net Decrease: \$25.02
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Victoria Kilpatrick

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-311**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Kennedy Park Skate Park Project
- Contractor: Rampage, LLC  
1625 Railroad Avenue  
Bridgeport, CT 06605
- Balance Due: \$ 5,147.50

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and

deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$7,721.25 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Victoria Kilpatrick

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-312**

**BE IT RESOLVED**, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the construction of a Splash Park at Bailey Park and that he be paid for said services at a fee not to exceed \$45,500.00.

**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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

\*\* Resolution #2016-313 Read in full at the beginning of the meeting

- **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:

- Frank Celenti, 100 Marsh Avenue

Complained about the traffic and the heavy trucks that vibrate his home. Mayor asked the engineer if something could be done.

The engineer stated that this resident stated earlier in the meeting about the Main Street By Pass and this helping to divert some of the traffic from Main Street to the By-Pass Road and help alleviate traffic. That project is currently waiting for outside agency approval. One is the Army Corp of Engineers which has been pending for a number of years. So the borough cannot move forward until outside approvals have been met.

Comments made by Co. Kilpatrick about trying to get this project moving. She said that she removed an Army Corp Status report from the engineer she then talked to Frank Pallone and asked for his help.

Mayor commented that the traffic light construction will begin again at White Oaks Drive now that the DOT Funding was released to move ahead, so that may help a bit because it will stop the flow of traffic.

Councilman Rittenhouse stated that this Council also authorized the start of the second phase of the Main Street By-Pass and if for some reason the second phase is turned down and the By-Pass is going to start at Sayreville Blvd. and end at Kimball Drive East which will include busses, trucks and cars on the By-Pass, so all three phases have to be completed in order not to have this type of traffic through that area, which is a residential neighborhood.

- Fred Block, Calliope Road

Commented that some of that vibration is caused by the storm drains, which seem to be sinking. Felt that stop lights will not help the traffic situation. He said that there is a lack of respect by the people on the roadway. We need more enforcement to slow people down.

- John Dragotta, Morgan Fireman

Announced that there was going to be a 9-11 Memorial Dedication at the firehouse at 11 AM on October 15, 2016 where they will be dedicating a piece of steel from 9-11 in memory of one of their fallen members Owen Thomas Carlock, retired member of the FDNY who was instrumental in getting this piece of steel. Unfortunately he succumbed to 9-11 illnesses and asked for all to attend in honor of Owen and the rest of the first responders that lost their lives on 9-11 and those who continue to lose their lives due to 9-11 complications.

- Al Pillar 251 Morgan Avenue, Morgan

Questioned what is going on with the improvement in the Morgan area.

Response by Councilman Grillo that the Construction Official had been on vacation and will follow up with him and get back to Mr. Pillar.

Mr. Pillar went on to say that there was never a mark out ticket for that (Covello) property.

No further questions or comments. Council President Buchanan made **a motion to close the public portion**. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. Carried.

- **ADJOURNMENT**

Councilwoman Novak made **a motion to adjourn** this meeting. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 9:27 P.M.

SIGNED:

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved