

Combined Meeting of the Mayor and Borough Council held on Tuesday, October 15, 2013, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 7:04 P.M. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this combined meeting of the Mayor and Council, 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:**

Present: Councilpersons Buchanan, Eicher, Henry, McGill,  
Melendez, Novak.

Absent: None

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

Others Absent: Wayne A. Kronowski, C.F.O./Treasurer

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

Council President Buchanan made a motion to approve the following minutes of the Mayor and Council, subject to correction if necessary:

- ✕ July 22, 2013 - Combined Meeting
- ✕ August 12, 2013 - Combined Meeting
- ✕ August 12, 2013 - Closed Session
- ✕ August 26, 2013 - Combined Meeting
- ✕ August 26, 2013 - Closed Session

Motion seconded by Councilman Henry.

Roll Call: Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, ayes;  
Councilwoman Novak votes Ayes on all and abstained from the August 12 meeting minutes as she was not present at that meeting.

- **PROCLAMATION & PRESENTATION**

➤ **Bowling for Hunger proceeds** presented by Assemblyman Craig Coughlin to Borough of Sayreville Care and Share Food Pantry-Sue Paul and Faith Fellowship Ministries World Outreach Center – Rev. Samuel Pena, each in the amount of \$711.00.

➤ **Angel On Your Shoulder Walk** proceeds presented by Bernadine Lajewski in memory of their daughter Renee Lajewski to Sayreville Brain Injured Children organization in the amount of \$11,344.00. Followed by words of gratitude by Mary Ann Gordon from the BIC Organization.

➤ **Certificate of Appreciation Presented To:**  
Sayreville Auxiliary Police Captain Ted Grossmann on his retirement after 35 years of Outstanding Community Service. Words on the dedicated service provided by all Police Auxiliary Officers especially Ted Grossmann and his 35 years of service. A plaque was presented to Mr. Grossmann by the Auxiliary along with a Gift Certificate. Words of thanks given by Mr. Grossman.

- **OLD BUSINESS**

a. Public Hearing on the following Ordinance(s):

None

- **NEW BUSINESS:**
  - a. Introduction of the following Ordinance(s):

**ORDINANCE #234-13**  
**THE FLOOD DAMAGE PREVENTION ORDINANCE**  
(Co. McGill, Planning & Zoning Committee – Public Hearing October 28, 2013)

Councilman McGill moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on October 28, 2013. Motion Seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak, all Ayes. Carried.

**ORDINANCE #235-13**  
**AN ORDINANCE FIXING THE SALARIES OF CERTAIN  
BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES FOR THE YEARS  
2013, 2014, 2015 AND 2016 AS SET FORTH IN THE A.F.S.C.M. E.  
BARGAINING AGREEMENT**

(Co. Novak, Admin. & Finance Committee – Public Hearing October 28, 2013)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on October 28, 2013. Motion Seconded by Councilman Buchanan.

Roll Call: Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak, all Ayes. Carried.

**CONSENT AGENDA/RESOLUTIONS**

Mayor opened the meeting to the public for questions or comments on the consent agenda items. No one appeared and he then called for a motion to close public portion.

Council President Buchanan made a motion to close public portion and approve the consent agenda resolutions on roll call vote. Motion was seconded by Councilman Henry.

Roll Call: Councilpersons Buchanan, Eicher, Henry, McGill, Melendez, Novak; all Ayes.

**Business Session Agenda – October 15, 2013**

**RESOLUTION #2013-241**

**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/ Daniel Buchanan  
Councilman

/s/ David McGill  
Councilman

/s/ Lisa Eicher  
Councilwoman

/s/ Ricci Melendez  
Councilman

/s/ William J. Henry  
Councilman

/S/Mary J. Novak  
Councilwoman

**Bill list of October 15, 2013, in the amount of \$11,143,446.08  
(Bill List – See Appendix 2013-A for this date, in a separate Bill List File for 2013).**

**RESOLUTION # 2013-242**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, APPROVING AND AUTHORIZING  
THE ISSUANCE OF A SPECIAL EVENT PERMIT TO  
SAYREVILLE BOY SCOUTS OF AMERICA TROOP #97**

**WHEREAS**, Sayreville Boy Scouts of America Troop #97 has made application for permission from the Mayor and Council of the Borough of Sayreville to their fall camporee at the Scout Camp located in Julian Capik Nature Preserve on Friday, October 18 through Sunday, October 20, 2013; and

**WHEREAS**, it is the belief of the leaders of Boy Scout Troop #97 that such an event provides activities which are family and community oriented;

**WHEREAS**, the Mayor and Borough Council agree that the event proposed will enhance the well being of the youth involved in the event.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Sayreville Boy Scout Troop #97 is hereby granted permission to conduct their annual fall camporee at the Scout Camp located at the Julian Capik Nature Preserve on October 18, 2013 through October 20, 2013.

/s/ Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:**

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

**APPROVED:**

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

**RESOLUTION #2013-243**

**BE IT RESOLVED**, that the Borough Engineer is hereby authorized and directed to review the condition of the existing roof at the Public Safety Complex and make recommendations for improvements for a fee not to exceed \$3,500.00.

/s/ William J. Henry  
William J. Henry, Councilman  
(Public works Committee)

**ATTEST:**

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

**BOROUGH OF SAYREVILLE:**

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

**RESOLUTION #2013-244**

**WHEREAS**, on August 2, 2011 the Borough of Sayreville awarded a contract for "Traffic Signal Repairs and Electrical Services" to Jen Electric, Inc. 631 Morris Avenue, Springfield, NJ 07081 for one two year term; and

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

**WHEREAS**, Jen Electric, Inc, has indicated their interest in extending their terms of the aforesaid contract for an additional two-year period;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Traffic Signal Repairs and Electrical Services” is hereby renewed for one additional two-year period at no additional increase in price.

/s/ William J. Henry  
 William Henry, Councilman  
 Public Works Committee

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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

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

**RESOLUTION #2013-245**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department:

**NAME OF APPOINTEE:** Donald S. Ericson  
**POSITION:** Laborer  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** October 16, 2013

**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/ William J. Henry  
 William J. Henry, Councilman

**ATTEST:**

**APPROVED:**

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

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

**RESOLUTION #2013-246**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department:

**NAME OF APPOINTEE:** Stephen D. Myers  
**POSITION:** Laborer  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** November 14, 2013

**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/ William J. Henry  
 William J. Henry, Councilman

**ATTEST:**

**APPROVED:**

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

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

**RESOLUTION #2013-247**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department:

**NAME OF APPOINTEE:** Rita Januzzi  
**POSITION:** Clerk 2  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** 10/16/13

**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/ William J. Henry  
William J. Henry, Councilman

**ATTEST:**

**APPROVED:**

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

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

**RESOLUTION #2013-248**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department:

**NAME OF APPOINTEE:** Amy Williams  
**POSITION:** Clerk 2  
**DEPARTMENT:** Planning & Zoning (Construction)  
**EFFECTIVE:** 10/16/13

**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/ David McGill  
David McGill, Councilman

**ATTEST:**

**APPROVED:**

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

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

**RESOLUTION #2013-249**

**Submission of Grant Application with the NJ DOT Highway Safety Program**

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Sayreville formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and Clerk are hereby authorized to submit an electronic grant application identified as HSF-2013-Sayreville Borough-00008 to the New Jersey Department of Transportation on behalf of the Borough of Sayreville.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Sayreville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

/s/ Daniel Buchanan Councilman  
(Public Safety Committee)

**ATTEST:**

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

**APPROVED:**

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

**RESOLUTION #2013-250**

**RESOLUTION AMENDING THE RESOLUTION PREVIOUSLY ADOPTED  
BY THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX,  
NEW JERSEY WHICH COMBINED BONDS AGGREGATING THE  
PRINCIPAL SUM OF \$4,978,000**

**WHEREAS**, the Borough Council of the Borough of Sayreville, in the County of Middlesex, New Jersey (the "Borough"), has heretofore adopted a resolution entitled "Resolution Combining Bonds Aggregating the Principal Sum of \$4,978,000 Authorized by Six Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various Improvements in the Borough of Sayreville, in the County of Middlesex, New Jersey into One Consolidated Issue of Bonds and Providing for the Form, Maturities and Other Details of Said Consolidated Issue" on August 26, 2013 (the "Original Resolution") in order to issue certain general obligation bonds (the "Bonds"); and

**WHEREAS**, Section 1(A) of the Original Resolution authorized \$100,000 of the Bonds pursuant to an ordinance numbered 151-10 and entitled: "Bond Ordinance Providing for Various Road and Sidewalk Improvements for the Borough of Sayreville, New Jersey, Appropriating \$2,400,000 Therefor and Authorizing the Issuance of \$2,285,000 Bonds or Notes of the Borough for Financing Part of Such Appropriation" ("Ordinance 151-10"); and

**WHEREAS**, the Chief Financial Officer of the Borough has recommended that the Borough would be better served by using the \$100,000 of Bonds authorized by Ordinance 151-10 for the purposes set forth in an ordinance numbered 168-11 and entitled: "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" ("Ordinance 168-11");

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY** that:

**Section 1.** Section 1(A) of the Original Resolution shall be amended in its entirety to read as follows

“**A.** \$100,000 bonds, being a portion of the bonds authorized by an ordinance numbered 168-11 and entitled:

“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”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 9.58 years.”

**Section 2.** Section 4 of the Original Resolution shall be amended in its entirety to read as follows

“**Section 1.** It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the Bonds are to be issued, taking into consideration the amount of the Bonds to be issued for said improvements or purposes, is 11.31 years.”

**Section 3.** All other provisions of the Original Resolution are hereby confirmed in their entirety.

**Section 4.** This resolution shall take effect immediately.

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

**ATTEST:**

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

**APPROVED:**

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

**RESOLUTION #2013-251**

**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 2013 Best Practice Inventory and discussed same at the September 23, 2013 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 2013 Best Practice Inventory as required.

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

**ATTEST:**

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

**APPROVED:**

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

**RESOLUTION NO. 2013-252**  
**A RESOLUTION AUTHORIZING FOR THE BOROUGH SAYREVILLE FOR**  
**THE CREATION OF A SHARED SERVICE COMMITTEES**

**WHEREAS**, the Borough of Sayreville and the City of South Amboy are looking into and shared services between the two; and

**WHEREAS**, the Borough of Sayreville wishes to create a committee to review and move forward with possible shared services agreements with the City or South Amboy; and

**WHEREAS**, it is appropriate for the two municipalities to investigate and to consider Shared Service Agreements to promote efficiency or government.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Sayreville that a Shared Service Committee be created for the purpose of investigating and promoting shared services between the two municipalities for the purpose of reducing expenses of each municipality and promoting economy and efficiency in government. .

**BE IT FURTHER RESOLVED** that the Borough of Sayreville shall create a committee whose members for the Borough of Sayreville shall be: Chairperson and Councilman Bill Henry, Councilman Dave McGill, Councilwoman Mary Novak, Director of Public Works Bernie Bailey and the Borough Administrator Dan Frankel.

**BE IT FURTHER RESOLVED** that this Committee and in conjunction with the City of South Amboy shall work to endeavor for a Shared Service Agreement.

/s/ William J. Henry, Councilman  
(Sponsor)

**ATTEST:**

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

**APPROVED:**

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

**RESOLUTION NO. 2013-253**

**A RESOLUTION AUTHORIZING FOR THE BOROUGH OFFICIALS**  
**TO EXECUTE AN AGREEMENT WITH THE SAYREVILLE ECONOMIC AND REDEVELOPMENT**  
**AGENCY FOR THE TRANSFER OF DEED AND PROPERTY KNOWN AS BLOCK 257.02, LOT**  
**1.01, CHEVALIER AVENUE TO THE SAYREVELLE ECONOMIC AND REDEVELOPMENT**  
**AGENCY AND SAYREVILLE SEAPORT ASSOCIATES, L.P., AS OUTLINED IN ORDINANCE 229-**  
**13**

**WHEREAS**, the Sayreville Economic and Redevelopment Agency and Sayreville Seaport Associates, L.P., seeks to purchase Block 257.02, Lot 1.01, which is owned by the Borough of Sayreville and said property being located in the Borough of Sayreville, County of Monmouth, New Jersey; and

**WHEREAS**, the Borough and the Sayreville Economic and Redevelopment Agency and Sayreville Seaport Associates, L.P., are the parties to an agreement with respect to the sale; and

**WHEREAS**, the Borough of Sayreville desires to sell said Lot to the Sayreville Economic Redevelopment Agency and Sayreville Seaport Associates, L.P.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Sayreville hereby authorizes the entry into the Agreement and execution of same with the Sayreville Economic Redevelopment Agency and Sayreville Seaport Associates, L.P.

**BE IT FURTHER RESOLVED** that the Mayor of the Borough of Sayreville is hereby authorized to execute the Agreement between the Sayreville Economic Redevelopment Agency, and the Sayreville Seaport Associates, L.P., in the form attached hereto and the Borough officials and employees are hereby authorized to take all necessary actions in order to effectuate the terms and provisions of the Resolution and the Agreement attached hereto.

/s/ David McGill, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien, Mayor

**RESOLUTION READ IN FULL:**

**RESOLUTION #2013-254**

**BE IT RESOLVED** that the persons listed on "Attachment A" are hereby appointed, in accordance with N.J.S.A. 40A:9-154.1 to the following title and department:

**POSITION:** School Traffic Guards

**DEPARTMENT:** Police

**EFFECTIVE:** September 1, 2013 through August 31, 2014

**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/ Daniel Buchanan  
Daniel Buchanan, Councilman

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**6. COMMUNICATIONS & COMMITTEE REPORTS**

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**DISPOSITION:**

• **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

**a) Minutes & Departmental Reports:**

- Move the following Minutes and or Reports be Received & Filed:
  - 1) Board of Education Minutes of September 17, 2013.  
Motion seconded by Councilman Buchanan.

**b) Received the following application(s) for Bingo/Raffle Licenses:**

- 1) Raritan Bay Cougars of Old Bridge to conduct a Tricky Tray and an On-Premise 50/50 on Nov. 9, 2013, #RL:1828 & RL:1829.
- 2) Sayreville Leprechauns to conduct a Bingo on Nov. 2, 2013, #BL-481.

**- Approved.**

c) Request received from the Tax Collector for authorization to cancel taxes for over payments on various properties in the Borough.

- **Approved/ Resolution for 10-28-13.**

d) Resolution received from the Twp. of E. Brunswick urging Verizon to fulfill its obligation

to provide the infrastructure for high-speed internet connectivity and **requesting support from other municipalities** urging Verizon to fulfill its obligations to New Jersey.

- **Approved/ Resolution for 10-28-13.**

e) Committee Report – Progress.

• **PLANNING & ZONING – Councilman McGill**

a) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Middlesex County Planning Board Minutes of June 11, 2013
- 2) Board of Adjustment Minutes of August 28, 2013
- 3) Sayreville Planning Board Minutes of Sept. 4 & 18, 2013
- 4) Sayreville Housing Authority Minutes of September 9, 2013
- 5) Middlesex County Planning Board Minutes of September 10, 2013

Motion seconded by Councilman Buchanan.

b) **Public Notices & Notices to the Borough of Sayreville as an Adjacent property Owner:**

1) On an application(s) before the Sayreville Planning Board on October 16, 2013 at 7:30 PM submitted by the following:

- Highview Homes, LLC, application for a Preliminary Site Plan Approval and Final Site Plan Approval along with waivers for property known as Old Spye Road, Blk 538, Lots 9.02, 19.01, 20, 26, 26.01 & 27 and Block 538, Lot 1 for the construction of a 148 unit rental community within the Sayreville Rt. 35 Phase I Redevelopment.

2) Application before the Board of Adjustment on Oct. 23, 2013 at 7:30 PM submitted by:

- Augusto Matos for a variance on Block 147, Lot 65, 84 Smullen Street.

3) Notice received from Peak Environmental, Inc. regarding the remedial activities on Lower Broadway Redevelopment Area, Block 22, Lots 3.03 & 4.01 and Block 24, Lots 2.02 & 2.03. (Public info on file in the Clerk's Office)

4) Notice received from McDonough & Rea Assoc., Inc. regarding an application for a Major Access permit for a driveway cut before the NJDOT for a Starbucks to be located on Rt. 9, Blk. 440, Lot 5. Borough has 30 days from Sept. 25<sup>th</sup> to provide comments to the NJDOT.

- Receive & File / No comments made.

5) Notice received that E. Andre Realty, LLC had made application before the South River Planning Board for preliminary and final site plan approval and design waivers and variances for a gravel parking lot and a free standing sign, refurbish existing building, etc. on property known as Block 82.1, Lots 1.01 and 1.02.

6) Notice received from Tyree Environmental Corp. for the continued clean-up, investigation and remediation of the Getty Station, 3000 Bordentown Ave, Old Bridge.

7) Received the following **Planning Board Resolution** which was **Memorialized on September 18, 2013.**

- Gillette Towers, LLC Site Plan, Block 330., L9t 1.01, Main St & Kennedy Dr. for Preliminary and Final Major Site Plan & Bulk Variance .

**Councilman McGill made a motion to receive and file Items 1-7.**

8) Request for Bond Release received from:

**K Hovnanian Co. – Spinnaker Point** – Landscaping Escrow fees \$9,000.

- Landscaping Escrow fees \$1,750.

- Planning Escrow fees \$1,761.60

**- Patriot Hills** – Zoning Escrow fees \$100.00

- Performance Guarantee \$164.67

**- Refer to Borough Engineer.**

c) Committee Report:

1) Commented on the retirement of ted Grossmann as an Auxiliary Police Officer after 35 years.

• **PUBLIC WORKS – Councilman Henry**

a) **Minutes & Departmental Reports:**

Councilman Henry moved the following Minutes/Reports be Received & Filed:

1) Rent Leveling Board Minutes of October 8, 2013.

Motion seconded by Councilwoman Novak.

b) Committee Reports:

1) Melrose Fire House Parking Lot.

2) Shared Services Resolution with South Amoy, hoping to save some money.

3) tomorrow is an election and reminded everyone to get out to vote.

• **RECREATION – Councilwoman Eicher**

a) Recreation Advisory Board is requesting authorization to replace the Annual Parade of Lights with a “Winter Festival” on December 8, 2013 in Kennedy Park from 4pm-7pm.

**- Approved.**

b) Request was also made by the Recreation Advisory Board to move the holiday sign be moved from Kennedy Park to Burkes Park as it would be more visible.

**- Approved.**

Committee Reports:

1) Councilwoman thanked all who attended and worked on the Hit the Bricks Run this past Saturday as it was another success.

• **WATER & SEWER/ENVIRONMENTAL – Councilman Melendez**

a) **Minutes & Departmental Reports: (None)**

b) Resolution received from the City of Perth Amboy and Borough of Highland Park calling a Statewide and National ban on hydraulic fracturing for natural gas and further requesting municipalities support.

**- Referred to the Environmental Commission**

c) Committee Reports-

Councilman Melendez reported on:

1) Commented on the water main breaks.

2) Request to put together a IT Committee to discuss the boroughs current and future IT needs. He suggested the committee consist of Councilwoman Eicher, Dan Frankel and himself. He said that he is currently working on a project with the Police Dept. and later the Sr. Center.

• **PUBLIC SAFETY – Council President Buchanan**

a) **Minutes & Departmental Reports:**

Councilman Buchanan moved the following Minutes/Reports be Received & Filed:

1) Board of Health Minutes of September 5, 2013.

Motion seconded by Councilman Henry.

b) Request for a **coin toss** received from

- Sayreville Bombers Boys Basketball on Nov. 9, 2013 from 10AM-2PM at the intersection of Washington & Ernston Roads.

**- Approved.**

c) Request received from the American Legion Lenape Post 211 for permission to sell American Legion Veteran's Poppies to Sayreville residents from November 1-11, 2013.

**- Approved.**

d) Request from Sayreville Veterans Alliance to conduct their annual Veteran's Day services on Nov. 11, 2013 and request assistance from the borough to set up for the service in front of the Borough Hall on that date.

**- Approved.**

e) Firemen's Applications received from Christopher Raub and Antonio Ortiz as a regular

members of the Sayreville Engine Co. No. 1 was accepted at their September 26, 2013

meeting.

**- Approved.**

f) Committee Reports-

Council President reported on the following:

1) He requested a moment of silence in memory of Freeholder "Pete" Dalina who passed away. A moment of silence was observed by all in attendance.

2) Requested signs be put up in the Melrose Fire House parking indicating "Parking for Firemen Only".

3) Requested the borough attorney look into a "Do Not Knock" Ordinance for the security of our residents.

4) Up-dated handbill ordinance to include all unwanted circulars and advertisements.

He clarified that both the "Do Not Knock" and "Handbill" items are "for profit organizations" looking for business.

Progress.

- **MAYOR - Kennedy O'Brien**

Discussion

1) Sayreville Girls Little League Softball

Mayor called forward anyone in attendance from the Girls Little League Organization and other organizations.

Councilman Henry said that these organizations are private organizations and it would be best if they handle issues amongst themselves.

Mayor said that they are using public property and there are issues that he thought should have been resolved by now and are not and would like an open dialog and find out what the issues are.

Councilwoman Eicher said that she spoke with Mr. Schlaine and was informed that he talked to Little League International and the issue regarding who takes ownership of the Girls Little League Organization has been clarified and is no longer an issue.

Mayor asked if there were any other issues.

In attendance were:

Joe Schlaine, 55 Jensen Road.  
Sayreville Girl's Little League President

He confirmed that the issues have been resolved and explained how the issues came about and how they were resolved. He did express his concerns over there being two girls leagues which would lead to low registrations and feared the leagues would die out. Mayor commented on an e-mail he was copied on and his concerns and what issues are to be handled through the Recreation Dept. The Mayor continued by asking if there were any other issues with the fields and sufficient play time and if he felt the boroughs fields were being used efficiently.

Mr. Schlaine indicated that everything was headed in the right direction and the Recreation Dept. has been working with them and has been more than generous. He said that he cannot speak to scheduling that is a recreation dept. issue but they have no issues.

Councilman Melendez expressed his concerns on their being two leagues and asked if the parents with a boy and a girl would have to pay two registration fees and fulfill two work bonds and asked that this issue be looked at.

Mayor asked that he provide a number of people and children that would be affected by this.

- Dennis Deans, 14 Wilmot Rd.  
He responded that they do not disadvantage anyone and if they knew of families that are having challenges to let him know.

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

Announced that there is a wrap up meeting on the storm matter this Friday at 9:30. He went on to say that today was the first closing on the buy-outs and explained the demolition process.

Mayor explained that the buy-out option is in lieu of the Army Corp's building the storm levy and those that choose to stay are staying at their own risk and peril. He said that this is the best offer they will ever get.

Councilman Henry asked if he received concrete answer that they stopped looking at putting up the levy.

Mayor said that he did not receive any official word that they have taken it off the table but it was not top of their list. It has been looked at over a generation. He said this area took three hits in row and this is what triggered the Governor to take their plight to Washington to get funding for the buy-outs and put Sayreville first in line, so with this in place he does not think the Army Corp. will be coming any time soon to build a levy.

Mayor thanked Dan Frankel and Danielle for working so hard and making it happen and to Rev. Bullock from Faith Fellowship and his staff in helping people negotiate with their mortgage companies, etc.

#### **Admin. & Finance**

1) Request for Authorization for the Borough Clerk to advertise for RFP for 2014 Professional Services .

**- Resolution.**

2) Authorization to execute/renew contract with Reliance Insurance Group as Broker of Record Services for Health, Dental Vision and Prescription plans and with North American Insurance Management Corp. to serve as Risk Management Consultants for the Borough of Sayreville.

**- Resolution.**

**Public Safety**

3) Request from Fire Chief for authorization for CME to further review and prepare plans and specifications for one (1) Wildland Urban Interface Fire Truck and upon approval of specifications authorization for the Borough Clerk to advertise for the receipt of bids.

**- Resolution.**

4) Authorization to renew the interlocal services agreement between the Borough of Sayreville and the Board of Fire Commissioners of Fire Dist. No. 1, Twp. of East Brunswick for the provision of fire protection service for the period 2012-2015. (2012/2013-2013/2014-2014/2015)

**- Resolution.**

**Public Works**

5) Authorization to join in the Middlesex County Co-Operative Purchasing System and request resolution authorizing the execution of the agreement.

**- Resolution.**

6) Request for authorization for CME Associates to prepare plans and specifications for HVAC Replacement, Repair & Maintenance and upon approval of plans and specs authorization for the Borough Clerk to advertise for the receipt of bids.

**- Resolution.**

**Water & Sewer**

7) Authorization to execute Utility Agreements between the State of New Jersey and the Borough of Sayreville for the adjustment and/or relocation of existing sanitary sewer system and existing water distribution system for State to undertake the design and construction of Route 35 SB Cliff Avenue to US Route 9.

**- Resolution.**

Report on the recycling bins being placed at bus stops and the sale of tasteful advertising on them.

**Personnel**

8) Closed Session Item – Contract negotiations

• **C.F.O.- Wayne Kronowski**

1) Bill List Resolution

2) Report of Bond Sale held on September 24, 2013 (Report in packet)

• **BOROUGH ENGINEER -Jay Cornell**

1) Melrose Firehouse Parking Lot Improvements – Change Order and Closeout of Contract (Report attached)

**- Resolution.**

• **BOROUGH ATTORNEY - Michael DuPont**

- 1) Discussion on Peddler's and Hawkers Licensing Ordinance  
(please review changes in draft copy supplied in packet)  
- Ordinance for Introduction on Oct. 28<sup>th</sup>.

## **PUBLIC PORTION**

Mayor opened the meeting to the public for any and all issues.

Those appearing were:

- Stanley Drwal, Bissett Street  
Commented on the article he read in the suburban about locating a Public Works Facility on Cheesequake Road he said that he thought this was a dead issue. He reminded the Council that the property was donated back in 2005 by DuPont and that it was supposed to be for Open Space, trails and benches. He suggested the facility be built on the Main St. Extension.

Councilman Henry said that plans were looked at for both locations. With discussions about not locating it on Cheesequake Road. But a decision has not been made at this point.

Mr. Frankel said that Mr. Drwal's points were well taken but it is important for the borough to look at all avenues, the cost factor analysis and other areas. He said that sometimes parts of these discussions be get published.

Councilwoman Novak said that a committee has been formed to look into sharing the costs of a public works facility with the City of South Amboy.

## **EXECUTIVE SESSION -**

Before going into closed session the entire governing body wished the clerk, Theresa Pilch-Farbaniec a Happy Birthday on this day of her birthday.

- **EXECUTIVE SESSION ITEMS** - Contract Negotiations 5 minutes

Mayor O'Brien announced that the Council will be going into Closed Session and they do not expect any action to be taken when we reconvene.

Attorney 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 5 minutes to discuss the following matters:

Contract Negotiations

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/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien

Mayor

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

Roll Call: Voice Vote, all Ayes. Carried.

Time: \_\_\_\_ PM

- **RECONVENE**

Councilman Buchanan moved to reconvene the meeting. Motion was seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes.

Time: 8:26 P.M.

- **ADJOURNMENT**

No further business.

Councilwoman Novak made a motion to adjourn. Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 8:26 P.M.

SIGNED:

\_\_\_\_\_  
Theresa A. Farbaniec, Municipal Clerk

11/25/13  
Date Approved