

Mayor 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 23, 2017 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,  
Melendez, Novak

Absent: None

Others Present: Mayor Kennedy O'Brien  
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:

- ☒ September 11, 2017 - Council, Agenda & Executive Session
- ☒ September 19, 2017 - Receipt of Bids (Sayreville Library Road replacement)
- ☒ October 3, 2017 - Receipt of Bids (2017 Roadway Paving & Reconstruction Project Phase II and Phase III)

Seconded by Councilwoman Novak.

Roll Call – Ayes: Councilpersons Buchanan, Grillo, Kilpatrick Lembo, Melendez, Novak.

Nays: None

- **EXECUTIVE SESSION – Litigation, Tax Matters, Personnel**

Mayor announced that the Council would be going into Closed Executive Session.

Borough 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 10 -15 minutes to discuss the following matters:

**Litigation – Tax Appeal – Personnel**

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. Motion seconded by Councilwoman Novak.**

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

Nays: None.

Time: 7:02 PM

#### **Reconvene**

Council President Buchanan made a **motion to reconvene**. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. - Time 7:18 PM

Mayor called for the next order of business.

- **PROCLAMATION & PRESENTATION:**

Council President Buchanan read the following Proclamation into record:

# Proclamation

## Borough of Sayreville

**WHEREAS**, veterinary technicians are important members of the veterinary health care team, work in veterinary medicine throughout the nation, and are extremely important in the effort to provide quality animal health care to insure the humane treatment of all animals;

**WHEREAS**, there are over sixty accredited programs throughout the United States which provide intensive study of the skills and knowledge to work competently as a Veterinary Technician, including, anatomy, physiology, microbiology, clinical techniques, pharmacology, anesthesiology, surgical and medical nursing, radiology, and clinical pathology training;

**WHEREAS**, it is extremely important that each veterinary technician maintain certification, registration, or licensure through the successful completion of a national and or state examination, practice lifelong learning through continuing education and uphold high ethical standards;

**WHEREAS**, veterinary technicians will be joining their colleagues across the country to urge all to become aware of the important contribution of veterinary technicians to the health and wellbeing of all animals;



**NOW, THEREFORE**, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, do hereby proclaim the third week in October be designated National Veterinary Technician Week in the Borough of Sayreville.

Kennedy O'Brien  
Mayor

**Council President Buchanan moved the Proclamation be adopted on Roll Call Vote. Motion seconded by Councilwoman Novak.**

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

Nays: None.

**OLD BUSINESS:**

b) Public Hearing on the following Ordinances:

Mayor opened the meeting to the public for questions or comments on Ordinance 378-17, reminding everyone of the five minute limit.

**ORDINANCE #378-17**  
**AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC,**  
**OF THE REVISED GENERAL ORDINANCES OF THE**  
**BOROUGH OF SAYREVILLE**

Handicapped Parking Space – Laurel Street

**BE IT ORDAINED** by the Mayor and Council of the Borough of Sayreville, County of Middlesex and State of New Jersey, as follows:

**Section 1.** That Chapter VII, Traffic, Section 7-3.7, Handicapped Parking Spaces In Streets, is hereby supplemented to add one additional handicapped parking space, as follows:

**7-3.7 Handicapped Parking Spaces In Street.**

**a. \*\*\***

**b. \*\*\***

***Laurel St.***

**One (1) parking space, easterly side, beginning at a point 47' north of the prolongation of the northeast curb line of Ridgeway Ave. and extending to a point 22' south thereof.**

**Parking space to service 585 Ridgeway Ave. Apt. #2**

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**Section 3.** Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon passage and publication as provided by law.

/s/Steven Grillo, Councilman  
(Public Safety Committee)

**ATTEST:**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/Michael DuPont, Esq.  
Borough Attorney

There were no appearances. **Councilman Grillo moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.**

Roll Call: Ayes – Councilpersons Grillo, Buchanan, Kilpatrick, Lembo, Melendez, Novak.  
Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #379-17

**ORDINANCE No. 379-17**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XII OF THE REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF SAYREVILLE TO AMEND SECTION 12-3.5  
PROPERTY RENTAL AND RESALE INSPECTION**

**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:

**I. Adoption of standards by reference.**

A. Property Maintenance Code. The ***Current*** International Property Maintenance Code ~~2006~~, together with all amendments, supplements, revisions and updates, as the same are approved and published every three years by the Building Officials and Code Administrators International, Inc., be and it is hereby adopted as the Property Maintenance Code of the Borough of Sayreville in the State of New Jersey for the control of all buildings and structures, both residential and commercial, and industrial which are located within the Borough of Sayreville, and a copy of the International Property Maintenance Code ~~2006~~ shall be on file in the Department of Code Enforcement and Zoning of the Borough of Sayreville.

**V. Fees**

***D. For a resale property that is in such disrepair, that Code Compliance cannot be obtained. At the discretion of the Director of Code Enforcement and Zoning an "AS IS" letter can be obtained in lieu of the certificate of resale compliance. Conditions of the "AS IS" letter must be within thirty (30) days of the closing. Failure to meet these conditions within thirty (30) days can result in a court appearance and the issuance of a \$1,250.00 penalty. The fee for an "AS IS" letter be \$500.00.***

***D. E.*** All said fees shall be paid with the application for inspection and/or with the request for re-inspection. The fee for the fire inspection shall be that which is

established in the Uniform Fire Safety Act set forth in said Act and the Revised General Ordinances of the Borough of Sayreville.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Twelve - Building and Housing**, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said 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/ Pasquale Lembo, Councilman  
(Planning and Zoning Committee)

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

There were no appearances. **Councilwoman Novak moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.**

Roll Call: Ayes – Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #380-17.

**ORDINANCE #380-17**  
**ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO PROVIDE FUNDS FOR THE PREPARATION OF AN APPROVED TAX MAP; AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES IN THE AMOUNT OF \$350,000 TO FUND THE SPECIAL EMERGENCY APPROPRIATION; AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE**

**WHEREAS**, it has been found necessary to make a special emergency appropriation in the amount of \$350,000 to meet certain expenses incurred or to be incurred as a result of the need for the preparation of an approved tax map in the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Borough"), and no adequate provision was made in the 2017 budget for the aforesaid purpose; and

**WHEREAS**, N.J.S.A. 40A:4-55 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant hereto; and

**WHEREAS**, N.J.S.A. 40A:4-55 authorizes the Borough to issue special emergency notes in order to fund a special emergency appropriation; and

**WHEREAS**, the Borough hereby desires to make a special emergency appropriation and to authorize special emergency notes in order to fund such appropriation;

NOW, THEREFORE BE IT ORDAINED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

Section 1.

Pursuant to N.J.S.A. 40A:4-53, a special emergency exists as a result of the need for the preparation of an approved tax map for the Borough and a special emergency appropriation is hereby made in the amount of \$350,000 for said purpose. The \$350,000 appropriated herein is sufficient to fund the special emergency.

Section 2.

The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$70,000 annually in each of the next five years' succeeding budgets.

Section 3. Special Emergency Notes (the "Notes") in an amount of \$350,000 are hereby authorized to be issued. The Notes shall be issued in one series and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue and maturity, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey (the "Local Budget Law"). The Notes shall be entitled "Special Emergency Notes, Series 2017" or any other designation determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer").

Section 4.

All of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of The Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

Section 5.

The Chief Financial Officer be and he hereby is authorized and directed to determine all matters in connection with the Notes not determined by this ordinance or a subsequent ordinance or resolution and his signature upon the Notes shall be conclusive as to such determinations.

Section 6.

The Chief Financial Officer be and he hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amounts as he may determine at not less than par and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 7. That any instrument issued pursuant hereto shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 8. The Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant hereto is made, such report to include

the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

Section 9.

The Mayor of the Borough, the Chief Financial Officer and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

Section 10.

The Borough intends to issue the Notes in order to finance the cost of the special emergency appropriation for the purposes of providing funds for the preparation of an approved tax map. The Borough expects that the maximum principal amount of notes which will be issued to finance such costs is \$350,000. If the Borough incurs any such costs prior to the issuance of the Notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the Notes.

Section 11.

The Notes may be renewed from time, but at least 1/5 of such Notes, and the renewals thereof, shall mature and be paid in each year so that all Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of the adoption hereof.

Section 12.

Two certified copies of this ordinance shall be filed with the Director of the Division of Local Government Services.

Section 13.

This ordinance shall take effect as provided by law.

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

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

Exhibit A

No. 2017-\_\_

CUSIP \_\_\_\_\_

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

BOROUGH OF SAYREVILLE  
in the County of Middlesex, New Jersey

SPECIAL EMERGENCY NOTE, SERIES 2017

The BOROUGH OF SAYREVILLE, a municipal corporation of the State of New Jersey (the "Borough"), for value received promises to pay to the bearer of this Note, or if it be registered other than to bearer, to the registered owner hereof, in lawful money of the United States of America, the sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) together with interest

thereon from the date hereof at the rate of \_\_\_\_\_ per centum (\_\_\_%) per annum, on \_\_\_\_\_, 201\_, upon presentation and surrender of this Note at the office of the Chief Financial Officer of the Borough, Sayreville, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the "Notes") kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey, and an ordinance adopted by the Borough Council of the Borough. This Note is a Special Emergency Note. This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding one year.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of the State of New Jersey.

IN WITNESS WHEREOF, the BOROUGH OF SAYREVILLE, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the \_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:  
(SEAL)

BOROUGH OF SAYREVILLE

\_\_\_\_\_  
CLERK OF THE BOROUGH COUNCIL

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF FINANCIAL OFFICER

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough Council of the Borough HEREBY CERTIFIES that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of notes of which the within note is one is available for inspection at the Office of the Chief Financial Officer of the Borough and a copy thereof may be obtained by the owner hereof upon request.

\_\_\_\_\_  
CLERK OF THE BOROUGH COUNCIL

REGISTRATION CERTIFICATE

It is hereby certified that the within note is registered as to principal and interest as follows:



Date of Registry

Name of Registered Holder

Registered by

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There were no appearances. **Councilwoman Novak moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.**

Roll Call: Ayes – Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays – None

- **NEW BUSINESS:**

- a) Introduction of the following ordinances: (None)

- **CONSENT AGENDA/RESOLUTIONS**

- At this time Mayor O'Brien opened the meeting to the public on Consent Agenda Resolutions.

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There were no appearances. **Council President Buchanan moved the public hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.**

Roll Call – Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak.

**RESOLUTION #2017-307**

**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/Ricci Melendez  
Councilman Ricci Melendez

/s/Victoria Kilpatrick  
Councilwoman Victoria Kilpatrick

/s/Mary J. Novak  
Councilwoman Mary J. Novak

**Bill list of October 23, 2017 in the amount of \$8,923,561.41  
in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for  
this date).**

**RESOLUTION #2017-308**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Engineer is hereby authorized and directed to prepare digital tax maps for the Borough for a fee not to exceed \$350,000.00.

/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 #2017-309**

**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 2018.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-310**

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

<b>NAME OF APPOINTEE:</b>	John Klosek
<b>POSITION:</b>	Laborer
<b>DEPARTMENT:</b>	Public Works Department
<b>EFFECTIVE:</b>	November 1, 2017

**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/ Victoria Kilpatrick, Councilman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-311**

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

**NAME OF APPOINTEE:** Michael Gerbasio  
**POSITION:** Water Treatment Plant Operator-  
Licensed  
**DEPARTMENT:** Water & Sewer Department  
**EFFECTIVE:** September 1, 2017

**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, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-312**

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

**NAME OF APPOINTEE:** Patricia Stahon  
**POSITION:** Omnibus Operator  
**DEPARTMENT:** Office on Aging  
**EFFECTIVE:** October 25, 2017

**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/ Mary J. Novak, Councilwoman  
(Commission on Aging)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-313**

**WHEREAS**, on November 9, 2015 the Borough of Sayreville awarded a contract for "Traffic Light Repairs and Maintenance" to Jen Electric, Inc., 631 Morris Avenue, Springfield, NJ 07801 for one (1) two (2) year term; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for an additional one (1) year term 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 one (1) additional year;

**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 Light Repairs and Maintenance" is hereby renewed for one (1) additional (1) one-year term at no additional increase in price.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-314**

**BE IT AND IT IS HEREBY RESOLVED** that the proper borough officials are hereby authorized and directed to purchase through State Contracted Vendor Game Time Company of Spring Lake, New Jersey, for the purchase of Playground Equipment for the Sports Complex and that they be paid at a fee not to exceed \$99,701.29 after grant in the amount of \$39,370.00.

/s/ Ricci Melendez  
Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

*Place-To-Place Transfer*

**RESOLUTION #2017-315**

**WHEREAS**, an application has been filed for a Place-To-Place Transfer of Plenary Retail Consumption License Number 1219-44-047-008, issued to P. T. Waterfront, Inc. from its current premises located at 960 Route 9 South, Sayreville, PO South Amboy, NJ 08879; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

**WHEREAS**, the applicant has duly advertised in the Home News Tribune on September 25, 2017 and October 2, 2017, as required by law, and has produced proof of publication as to such advertising; and

**WHEREAS**, no objections or protests have been received with regard to said transfer; and

**WHEREAS**, all other necessary requirements have been fulfilled; and

**NOW, THEREFORE BE IT RESOLVED** that the Licensing Authority has reviewed the applicants request for waiver of Ordinance #6-5.8 in order to locate within 2,000 feet of any other Plenary Retail Licensed Premise and the waiver is hereby approved.

**BE IT FURTHER RESOLVED** that the Governing Body of the Borough of Sayreville does hereby approve, effective October 30, 2017, the Place to Place transfer of the aforesaid Plenary Retail Consumption license premises, from its **former location at 960 Route 9 South, Sayreville**, P.O. South Amboy, NJ to its **new location at 980 Route 9 South, Sayreville**, P.O. South Amboy, NJ 08872 and does hereby direct the Borough Clerk of the Borough of Sayreville to endorse the license certificate as required by law.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

• **PUBLIC PORTION**

Mayor O'Brien stated before opening the Public Portion that the Borough Attorney has a Statement for the Record.

Michael DuPont stated that for the record that upon review regarding the five minute rule on the public speaking during the public portion that he does not seem to find that rule or ordinance.

Clerk Farbaniec indicated that there is an ordinance and it is also contained in the Council's Rules of Order. Mr. DuPont stated that inasmuch as it has been verified the five minute rule can be applied so that everyone from the public has an opportunity to speak and the meeting is run in an efficient manner.

Public Portion – Those appearing were:

- Steve Melanaski, 28 Scarlett Drive

1) Questioned if the proformer of estimated costs for COAH has been calculated to cost the taxpayers of this town.

2) Asked if the Chairman of the Planning Board could come to a meeting and present what took place at their meeting and advise the governing body and public what their plans were for the rest of the year for transparency.

3) Asked how many homes were approved as well as affordable but not built as in the language in Ord. 364-17 and what we have lost out on over the past 10 years.

Mayor O'Brien deferred the questions to Councilman Lembo.

Councilman Lembo stated that during the upcoming Planning Board session he would go over his issues but at the last Planning Board meeting which was very short there was only one letter to the Mayor and Council which he will be reading into record during his report.

Mr. Leoncavallo addressed the Proformer question, which he stated that he does not have the Order signed from the Judge yet. Mr. DuPont indicated that that Order had been signed. Mr. Leoncavallo then addressed the 10 year lookback. He said that after talking with the Tax assessor it cannot be done by looking at the aggregate. Someone would have to look at each individual line item.

Mayor asked if he could have these figures ready for the next meeting.

Mr. Melanaski asked if it could be put on the next agenda. Mayor said he would have it on Admin. & Finance Report.

- Jim Robinson, 11 Borelle Square.

At the last meeting he asked if Gillette Manor was included in the COAH Count.

Mr. Leoncavallo said that he did not have the opportunity as he has other report to provide to the Mayor and Council.

Mr. Robinson felt this would be relevant if the borough opts to appeal the Judge's decision. Mayor asked that the Borough Engineer work in tandem with the Planner and forward the information to the council, borough attorney and business administrator prior to the next meeting.

- Janice Benedetto, 1 Thomas Avenue, Melrose

Asked for an update on the National Lead Intervenor status and what the appeal process was. Mr. DuPont indicated that no further action has taken place as of this day and that the appeal process deadline is 45 days from that date of the entry signed of the Order.

Questioned the version of 366-B17 was actually referred to in the Court Order. Councilwoman Novak said that it was the higher density ordinance with just the Camelot I and Camelot II sites.

Questioned what the Builders Immunity was.

Responded to by the Borough Attorney.

Questioned the status of the National Lead/Cross Avenue site being included for Open Space and have we received any Appraisals on the property.

Councilwoman Novak stated the topic is on the Agenda Session tonight.

Questioned the grant applications for Open Space Grants.

Council President Buchanan said that he has not heard anything yet.

There were no other questions or comments. Mayor O'Brien called for a Motion.

**Councilwoman Novak made a motion to close the Public Portion. Seconded by Council President Buchanan.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business. Councilwoman Novak moved to adjourn the Council Session. Motion was seconded by Councilman Lembo.

Roll Call – Voice Vote, all ayes. Carried.

Time 7:40 P.M.

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Theresa A. Farbaniec, RMC

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Date Approved