

Combined Meeting of the Mayor and Borough Council held on Thursday, November 8, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:30 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 Bella, Buchanan, Eicher,  
Henry, Novak, Perrette

Absent: None

Others Present: Mayor O'Brien  
Business Administrator Daniel Frankel  
CFO Wayne Kronowski  
Municipal Clerk Farbaniec  
Engineer Cornell  
Attorney Mike DuPont

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES - None**

- **PRESENTATIONS & PROCLAMATIONS- None**

- **OLD BUSINESS**

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

Mayor O'Brien opened the meeting to the Public for questions or comments on **Ordinance #200-12.**

Councilwoman Novak made a motion to Table this ordinance at this time. Motion seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

**ORDINANCE #200-12**  
**TABLED**

**AN ORDINANCE ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE  
AS PART OF THE BOROUGH OF SAYREVILLE'S PARTICIPATION IN THE SUSTAINABLE JERSEY  
MUNICIPAL CERTIFICATION PROGRAM**

- **NEW BUSINESS:**

a. Introduction of the following Ordinance(s):

**ORDINANCE #202-12**  
**AN ORDINANCE APPROPRIATING \$100,000.00 FOR  
THE IMPROVEMENTS TO THE MAJOR DRIVE WATER MAINS IN  
AND BY THE BOROUGH OF SAYREVILLE,  
COUNTY OF MIDDLESEX, NEW JERSEY.**

(Co.Novak - Public Hearing Nov.26,2012)

Councilwoman Novak moved the Ordinance be introduced on first reading, advertised according to law and a public hearing to be held on November 26, 2012. Motion seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes.

**CONSENT AGENDA/RESOLUTIONS**

• *PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY*

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

There were no appearances.

Councilwoman Eicher moved the Public Hearing on Consent Agenda Resolutions be closed and the resolutions be approved on Roll Call vote. Motion seconded by Councilman Buchanan.

Roll Call: Councilpersons Bella voted Nay on Resolution #2012-268 and Ayes on all the rest. Councilpersons Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

**UREOLUTION #2012-265**

**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/ Frank J. Bella  
Councilman

/s/ William J. Henry  
Councilman

/s/ Daniel Buchanan  
Councilman

/s/ Mary I. Novak  
Councilwoman

/s/ Lisa Eicher  
Councilwoman

/s/ Nicholas J. Perrette  
Councilman

**Bill list of November 8, 2012, in the amount of \$12,752,812.60  
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

**RESOLUTION #2012-266**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase "Turnout Gear" from Skylands Area Fire Equipment & Training, LLC, through State Contract (#80948), at a total cost not to exceed \$30,000.00.

/s/ Frank J. Bella, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-267**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase, through the Middlesex County Common Cents Purchasing Program (Contract Co-Op #71-MCCPS – Bid #B-12-411), one (1) Twenty Passenger Senior Citizen Bus for the Borough of Sayreville, Office on Aging, from Alliance Bus Group, 51 Kero Rd., Karlstadt, NJ 07072, at a total cost not to exceed \$58,900.00.

/s/ Mary I. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-268**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase, through the MRESC Co-Op Program (Contract #65MCESCCPS – Bid #MRESC12/13-24), one (1) Grounds-master 7210 with attachments for the Borough of Sayreville, Department of Public Works Department, from Storr Tractor Company, 3191 Route 22, Branchburg, NJ 08876, at a total cost not to exceed \$30,585.21.

/s/ Mary I. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-269**

**WHEREAS**, on September 20, 2012 the Mayor and Council of the Borough of Sayreville, have received bids for the “Snow Plowing Services”; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 8<sup>th</sup> day of November, 2012, that:

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

- B & W Construction Co. of NJ, Inc.  
PO Box 574, South River, NJ 08882
  - Item 1
  - Item 2, Lines 5, 6, 7 & 8
  - Item 3, Line 1
- T. Marcinczyk 7 Son, Inc.  
3185 Bordentown Ave., Parlin, NJ 08859
  - Item 2, Lines 1, 2, 3, 4 & 9

/s/ Mary I. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-270**

**WHEREAS**, on March 15, 2012 Road Opening Permits were issued to Cruz Contractors, LLC to open the Sayreville Blvd. & Riverview Drive, permit #5209 and 51 Canal Street, permit #5210; and

**WHEREAS**, the Road Department has advised that the roads have been restored to their original condition and has recommended that a refund of a portion of said permit fee be made; and

**WHEREAS**, Maintenance Bonds in the amount of Five-Hundred (\$500.00) have been posted covering each permit.

**NOW, THEREFORE, BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to refund the sum of \$2,250.00 for permit #5209 and \$1,710.00 for permit #5210 to Cruz Contractors, LLC, 952 Holmdel Road., Holmdel, NJ 07733 upon submission of a properly approved borough voucher.

/s/ Mary J. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-271**

**BE IT RESOLVED**, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for One (1) Hook Lift Truck.

/s/ Mary J. Novak, Councilwoman  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-272**

**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 2013.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-273**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
AUTHORIZING THE MAYOR AND BOROUGH CLERK TO TERMINATE  
THE LEASE AGREEMENT WITH NEXTEL OF NEW YORK, INC.  
FOR ANTENNA SPACE AT 119 DEERFIELD ROAD**

**WHEREAS**, the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") and Nextel of New York, Inc. (formerly Sprint Spectrum Realty Company, L.P) (hereinafter "Nextel") are parties to a certain Communications Site Lease Agreement dated March 25, 2002 and amended by Resolution No. 2010-185 (the "Agreement"); and

**WHEREAS**, Nextel agreed to upgrade its antenna on the Tower at 119 Deerfield Road, according subject to approval of the Borough Engineer and the Department of Code Enforcement and Zoning and failed to do so; and

**WHEREAS**, because the technology used by Nextel at 119 Deerfield Road is obsolete, the Borough wishes to terminate the Agreement as of December 7, 2012 and Nextel shall remove the improvements and restore the premises to its original condition within thirty (30) days of termination.

**BE IT AND IT IS HEREBY RESOLVED** Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to terminate the Agreement between the Borough and Nextel dated March 25, 2002 and amended by Resolution No. 2010-185.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST: \_\_\_\_\_ BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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**RESOLUTION #2012-274**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
AUTHORIZING CME ASSOCIATES TO PREPARE PLANS AND  
SPECIFICATIONS FOR THE LEASING OF ONE (1) LOCATION  
OF ANTENNA SPACE AT 119 DEERFIELD ROAD**

**WHEREAS**, the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") is in need of an upgraded technology at the tower located at 119 Deerfield Road, in the Borough of Sayreville, County of Middlesex and State of New Jersey.

**WHEREAS**, in order to properly access the technology needs for a replacement of one (1) antenna space located at 119 Deerfield Road, plans and specifications must be created; and

**WHEREAS**, the Borough wishes its' Engineering firm, CME Associates, to prepare such plans and specifications;

**BE IT AND IT IS HEREBY RESOLVED** Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized to direct CME Associates to create plans and specifications for a new antenna to be located on the tower at 119 Deerfield Road, in the Borough of Sayreville, County of Middlesex and State of New Jersey.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-275**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures pending the results of his physical examination:

**NAME OF APPOINTEE:** Keith Szelweicki  
**POSITION:** Laborer  
**DEPARTMENT:** Department of Public Works  
**EFFECTIVE:** November 13, 2012

**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  
(Public Works Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-276**

**BE IT AND IT IS HEREBY RESOLVED** that the following transfers between 2012 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Prosecutor (1275-309-2-17210)	\$	\$ 5,000
Buildings and Grounds (1310-150-2-10160)		20,000
Natural Gas (1446-946-2-18150)	25,000	
	<u>\$ 25,000</u>	<u>\$ 25,000</u>

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-277**

**AUTHORIZING DISCHARGE OF MORTGAGE**

**WHEREAS**, the Borough of Sayreville (the "Borough") holds a mortgage given by Josephine Sokolowski on property located at 14 Smith Street, Sayreville; and

**WHEREAS**, the said mortgage was recorded on December 22, 1998 in the County of Middlesex, State of New Jersey, in Mortgage Book 05775 on Page 0165; and

**WHEREAS**, this mortgage was given by Josephine Sokolowski as security for a loan given by the Borough pursuant to the Sayreville Community Development Block Grant (C.D.B.G.) Program; and

**WHEREAS**, this Mortgage has been paid in full or otherwise satisfied and discharged of record; and

**WHEREAS**, the CDBG consultant has recommended that the mortgage be cancelled.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville, that the mortgage covering property located at 14 Smith Street, Sayreville, New Jersey, recorded in the Offices of the Middlesex County Clerk's Office on December 22, 1998 in Mortgage Book 05775, Page 0165, shall be cancelled of record; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute a Discharge of Mortgage canceling the mortgage, and the CDBG Coordinator is hereby directed to file the executed Discharge of Mortgage with the Middlesex County Clerk.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-278**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized and directed to refund property taxes for a portion of 2011 in the amount of \$760.40, effective November 22, 2011 due to the Approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 169.25, Lot 17.01, 95 River Road.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-279**

**BE IT AND IT IS HEREBY RESOLVED** that the proper borough officials are hereby authorized and directed to execute a contract with Whirl Construction, 187 Main Street, PO Box 110, Port Monmouth, NJ, who presented the lowest in the informal quotes for the installation of a GameTime equipment and wood fiber and filter fabric at Kennedy Park and that they be paid at a fee not to exceed \$21,600.

/s/ Lisa Eicher, Councilwoman  
(Recreation Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-280**

**WHEREAS, The Moorehouse-Speedwell, LP**, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2011 and 2012 affecting **Block 31, Lot 1 located at, 3101 Bordentown Avenue**; and

**WHEREAS**, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

**WHEREAS**, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **The Moorehouse-Speedwell, LP**, duly recommend the following:

- **Appeal of 2011 assessment will not be changed**
- **Appeal of 2012 be reduced to \$790,000**

**NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED**, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.
2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec                      /s/ Kennedy O'Brien  
Municipal Clerk                                      Mayor

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**RESOLUTION #2012-281**

**WHEREAS, Lorraine Munnia Mocco**, owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2006, 2007, 2008, 2009, 2010, 2011 and 2012 affecting **Blocks 249 & 250, Lots 1 & 1, and Block 251, Lot 1 located on Main Street**; and

**WHEREAS**, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

**WHEREAS**, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for **Lorraine Munnia Mocco**, duly recommend the following:

For Blocks 249 and 250 Lots 1 & 1:

- **Appeal of 2006 assessment will not be changed**
- **Appeal of 2007 assessment will not be changed**
- **Appeal of 2008 assessment will not be changed**
- **Appeal of 2009 assessment will not be changed**
- **Appeal of 2010 be reduced to \$3,000,000**
- **Appeal of 2011 be reduced to \$2,500,000**
- **Appeal of 2012 be reduced to \$2,250,000**
- **2013 assessment will be further reduced to \$1,900,000**

For Block 251 Lot 1:

- **All appeals (2006-2012) assessment will not be changed**

**NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED**, by the Mayor and Borough Council of the Borough of Sayreville as follows:

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec      /s/ Kennedy O'Brien  
Municipal Clerk                      Mayor

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**RESOLUTIONS READ IN FULL**

**BOROUGH OF SAYREVILLE**  
**RESOLUTION #2012-282**

**DEDICATION BY RIDER**

A Resolution Requesting permission for the Dedication  
By Rider for Super Storm Sandy 2012 Contributions  
Required by N.J.S.A. 40A:5-29

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of donations for disaster related purposes by the municipality to provide operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Super Storm Sandy 2012 Contributions are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Sayreville, County of Middlesex, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Super Storm Sandy 2012 Contributions.
2. The Municipal Clerk of the Borough of Sayreville, County of Middlesex is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2012-283**  
**Borough of Sayreville**

A Resolution Extending the 4<sup>th</sup> Quarter 2012 Tax Payment Grace period to November 30, 2012.

**WHEREAS**, 2012 Fourth Quarter Taxes are payable on November 1, 2012; and

**WHEREAS**, the grace period for payment without interest extends through November 13, 2012; and

**WHEREAS**, due to the widespread severe damage to the properties of residents of the Borough of Sayreville as a result of Super Storm Sandy;

**WHEREAS**, it is deemed that the grace period be extended due to the disruption and damage caused by Super Storm Sandy;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Sayreville, County of Middlesex, New Jersey that Tax Collector is hereby authorized to extend the grace period for the 4<sup>th</sup> quarter 2012 Tax Payments to November 30, 2012; and

**BE IT FURTHER RESOLVED** that any Fourth Quarter Tax payments received after November 30, 2012 shall accrue interest from that statutory due date of November 1, 2012.

/s/ Nicholas J. Perrette, Councilman  
(Admin. & Finance Committee)

**ATTEST:** \_\_\_\_\_ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

At this time Mayor O'Brien opened the meeting to the Public on the Resolution's 2012-282 and 2012-283.

There were no appearances.

Councilwoman Buchanan moved the Public Hearing on Resolution's 2012-282 and 2012-283. Seconded by Councilman Henry.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes.  
Carried.

## BUSINESS SESSION

### COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette
  - a) **Minutes & Departmental Reports: None**
  - b) **Received the following application(s) for Bingo/Raffle Licenses:**  
(Applications available upon request and are on file in the Clerk's Office)
    - St. Stanislaus Kostka HSA to conduct on Dec. 2, 2012:
      - ◆ On Premise Draw Raffle (Tricky Tray-RA:1775).
      - ◆ On Premise Non Draw Raffle (Wheels & Games-RA:1776)
    - St. Stanislaus Kostka Church to conduct an Off Premise 50/50 Raffle on Feb. 17; May 12; Sept. 15, 2013 –RA:1777.
    - HNS St. Stanislaus Kostka to conduct an Off Premise 50/50 Raffle on Jan. 1, 2013 – RA:1778.
    - St. Stanislaus Kostka Church to conduct Bingo Games on 49 various dates throughout 2013 BA:471.
    - St. Stanislaus Kostka H.S.A. to conduct Bingo Games on 48 various dates throughout 2013 BA:472.**- Approved.**
  - c) Request for a Special Permit for Social Affair received from St. Stanislaus Kostka Church to conduct a benefit dinner on Nov. 30, 2012 from 4-8PM on school property. (proceeds to benefit victims of Hurricane Sandy).  
**- Approved.**
  - d) **Committee Reports:**
    - 1. Progress.
- **PLANNING & ZONING** – Councilman Henry
  - a) **Minutes & Departmental Reports: None**
  - b) **Applications for Trailer Licenses** received from Stadium Holdings, LLC to locate one (1) temporary office trailers on their property, 82 Main Street, South Amboy.  
**- Resolution.**
  - c) **Committee Reports:**
    - 1. Progress.
- **PUBLIC SAFETY** – Councilman Bella
  - a) **Minutes & Departmental Reports: None**
  - b) **Committee Reports:**
    - 1. Progress.
- **PUBLIC WORKS** – Councilwoman Novak
  - a) **Minutes & Departmental Reports: None**
  - b) Request received from B&W Construction to release fees posted for Road Opening Permit #5228, road was never opened.  
**- Resolution authorizing the release of fees.**
  - c) **Committee Reports:**
    - 1. Progress.

- **WATER & SEWER** – Councilman Buchanan

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

b) **Committee Reports:**

1. Progress.

- **RECREATION** – Councilwoman Eicher

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

b) **Committee Reports:**

1. Progress.

- **MAYOR** – Kennedy O’Brien

Mayor gave a heartfelt thanks to all of the firefighters, EMS workers, police department, employees and all who helped, and continue to help, during the storm recovery efforts.

- **BUSINESS ADMINISTRATOR** – Daniel Frankel

- **C.F.O.** – Wayne Kronowski

a. Bill List **Resolution**

b. Transfer **Resolution**

- **ENGINEER** -Jay Cornell

a. Main Street By-Pass – Status of NJDEP Permits (Report Attached)  
- **Resolution.**

b. Raritan Bay Slag Site – Proposed Clean-up Plan (Copy of Letter)  
- **Report will be given during a future meeting.**

c. Major Drive Water System Improvements – Receipt of Bids (Verbal Report)  
- **Approved.**

d) Ernston Road/Bordentown Avenue Intersection Improvements  
– Status of Project (Verbal Report).  
- **Report will be given during a future meeting.**

- **BOROUGH ATTORNEY** - Michael DuPont  
(no report)

- **PUBLIC PORTION**

At this time Mayor O’Brien opened the meeting to the public for any and all issues. Before calling on the first person from the public he asked Kirk Miick, the Construction Official, to give a report.

- Kirk Miick, Construction Official

Stated this was an unprecedented storm and mentioned that he felt bad for the people of the Old Bridge section, Weber and MacArthur Avenue where the flooding usually occurred, and now we have other areas added this time. The people on Quaid, Dolan, Brookside, Boehmurst areas were also affected as a result of this storm. His office personnel has been out to all of the areas.

Thirty-Nine foundations collapsed, Two-Hundred Forty Six other homes throughout the area were also affected with storm related damage and flooding.

People have been going around handing out pamphlets with information to try and dispel some of the rumors. He explained the process for getting electric turned on and how Jersey Central and Public Service will be handling the utilities. He further explained that the homes that were placarded are unsafe structures. The service companies wanted to know who was without service in those areas which created a dangerous condition.

Mayor said that Mrs. Fran O'Connor put together the following punch list items for the residents:

- FEMA Center is set up at the Senior Center
- The stipend depends on the family size.
- Blue Acres Program Issues
- Housing issues
- Donation Center information
- Trash pick-up

Mayor O'Brien thanked Mayor McCormack of Woodbridge and their crew, as well as O'Neill properties for their crew and equipment to aid in debris removal. He said school will be starting on Tuesday.

Council President Eicher said that the Disaster Relief North Carolina First Baptist Men organization going around to the affected areas. They started in the Old Bridge section and left information at the doors informing them that they are a voluntary recovery group that helps with disaster relief recovery at no charge. They will take away anything from branches, and will gut and remove the interior of the residence at no charge. She also went over the types of items available at the donation center located at warehouses on Cheesequake Road and hours of operation

Business Admin. Frankel stated there are volunteers in room 308 and 310 to assist in filling out the applications for help from the North Carolina First Baptist Organization.

At this point the Mayor called forward the first resident.

Those appearing were:

- Fran O'Conner, Weber Avenue  
Thanked the police department and first responders, also thanked the Chief for his organizational skills, Barry Eck from the Office of Emergency Management for his coordination, Kirk Miick, the Mayor, Business Admin., Jay Cornell and the entire governing body for their assistance they have given to the people who have been devastated though out this terrible storm. Said she has been working diligently with the local, State and Federal government for the past three years to find flood protection and learned that no matter how hard you push everything takes time but now time is out. They have lost their homes, the homes on Weber Avenue cannot be rebuilt. They are dangerous and they are no longer safe in their homes and it does not make any economical sense to put any more money into their homes. She said she was not here in 1992 but when they flooded in March 2010 the community came together. They ripped out the furniture, walls, carpet and other belongings. They lost their cars and their possessions and began to rebuild. Then just 18 months later they were devastated again by hurricane Irene and their homes were further impacted. The foundations were compromised, the structures were compromised as well as the street and then again went through the same thing. Ripped out the walls, carpet and all other belongings to rebuild because they love their homes. This is the place where they raised their children. This time the water reached unprecedented levels into their homes. Areas that never flooded before did. Things they thought would be safe were totally devastated now with sewer water, sewerage, river water and mud. They need Sayreville's help. They, need the Federal government to understand that they spent \$62,000,000.00 in the Borough of Sayreville for one flood and that amount of money

could help to buy-out our homes. She implored our local government to get in touch with Senator Lautenberg and Senator Menendez to make sure they understand the severity of damage in this town. Weber Avenue, MacArthur Avenue as well as many other areas are lost. They need them to know what they are going through – they are now homeless.

- Joe DeOliveira, Weber Avenue  
He said he has lived in his home for 35 years. Was there for the 1992 flood and this time it's been 32 months – 3 floods and have been in a constant state of construction. There is no change in results only this time there is no point in starting over. Hopes that the council can get something done, need a buy-out.
- George Butterfield IV, MacArthur Avenue  
Lives in MacArthur Manor. Has a problem with the landlord. Lost heirlooms, pictures. FEMA is not helping with housing. Displacement due to flood-landlord is supposed to give the renter the security deposit back and was told that they were not going to get it as they would be breaking their lease. -Mayor asked that he leave his contact info with the Construction Official and they would have the matter looked into.
- Jennifer Herrick, Weber Avenue  
Third time flooder – have a raised ranch on Weber Ave. she described how fast the water came in and how she escaped from her home with the help from a neighbor Tom Pavlik. How the five of them made a human chain with water up to their necks escaped to St. Stan's church. She said they she will not put their family through this and homes should have never been allowed to be built there.
- Richard Bednarz, Weber Avenue  
Stated that this Country was built on the basic principal that government by the people and for the people – the people are here where is the government.
- Larry Gates, Weber Avenue  
Thanked the firemen and policemen of this town that came out and saved my wife. Thought like in the past could ride this one out. But found themselves attached to the side of their house in a rubber raft in extreme winds and current and if wasn't for the life saving capabilities of our town they would not be here today. But he is not going to rebuild on Weber Avenue, it is a death trap.  
Their committee have been working for three years for help and now need our local, state and federal government to buy us out and get them out. Need help now.

Mayor stated that everyone up at the dais are allies and that there is no one up there opposed. Before this storm they were working on getting a levy built to save the neighborhood and now they see that most are not coming back and are looking to get the testimony down to go to the right people to make this happen.

- Julissa Cruz, MacArthur Ave.  
Have a 4 year old and need a buy-out and lost everything, four floods in six years. Asked the governing body to help them and do something for them.
- Maruta Derevenska, Weber Ave.  
Have homeowners, flood and business insurance; Was denied FEMA because they have flood insurance; received \$2,800.00 from FEMA for a hotel. Said she has no one to help them as they are new to this country. She said that she trying to clean the first floor but have no water.

- The water issue was responded to by Walter Lesinski, Supervisor, Water Dept. and will be further looked into by the water & sewer dept. and will let them know.

- John Malak, 130 Weber Avenue  
Stated that he has extensive damage. He asked for some direction as to if he should go ahead and begin repairs or if wait and see if there will be a buy-out.

Mayor stated that there is four and one half million dollars in Open Space. and if you take the 240 homes wanting to be bought out it would cost well over sixty million dollars. He also indicated that Blue Acres is an underfunded program. So the professionals would have to find fifty five plus million dollars and Sayreville would have to compete with everyone other town that was devastated. The borough is set up to provide basic services right now. He indicated that the Blue Acres program is just starting to make purchases from Hurricane Irene so it is a long process.

Mr. Malak also asked when the gas would be turning back on.

The Construction Official indicated that the gas companies are taking it case by case and are in the area. He also explained what he is being told about the power outage from Jersey Central.

- Mama Tea from Winding Woods 27-5A Winding Wood Drive.  
Explained how the river rose so fast and came into the building. Apartments are dangerous with mold and a host of other conditions. She said that the people of Winding River were afraid. She explained how she helped the residents there with blankets and food. She requested help with the management to get the residents moved to higher apartments. Requested help with FEMA.

Mayor asked that the Construction official give a report.

Mr. Miick said that Middlesex County Health Inspectors went out and found no issues. The clean-up was compliant and within regulations. He said that the housing inspector also went out with the Board of Health and agrees and will be submitting his report tomorrow.

Mayor said that communication may be an issue there. He explained the number of residents living in the complex. He also explained that they will get the residents in that area the help needed.

-Terry Obal, 47 Charles Street  
Questioned what is going to happen to the homes, buy-outs, how do they pay their mortgages.

Mayor explained that this is a learning curve for everyone, but he should reach out to his mortgage lender.

- Dolores Beaton, 56 William Street (renter)  
Third flood, lost everything. Can't reach landlord. Explained here issue with her insurance, FEMA , etc.

-Theresa Mills, 65 William Street  
Explained her family story. Went to FEMA and was denied. Mayor questioned why and she said that they said because of insufficient damage and had utilities.

- Frank Mazzaroni, 40 William Street

Said that he appreciates what the borough has been doing. He said that a few of his neighbors foundations gave in and asked who could come and look at them and report on if they should rebuild or not. Can Sayreville help them or not this time. Should they go to the Governor who else should the go to help Sayreville help these residents. Afraid that he life savings and equity is now lost.

Response by Mayor O'Brien that Sayreville has the resident's backs.

Mr. Mazzaroni asked if the borough could get rid of JCP&L as a utility.

- Deanna McGlova, 80 William Street

1<sup>st</sup> floor completely destroyed. Had 25" of water and what are they supposed to do in the interim. FEMA has not gotten back to her. Questioned if she is now living out of town will her son still be able to go to Sayreville Hugh School.

Mayor responded that he would.

She further commented that these houses cannot be lived in they need a buy-out.

- Cody Buck, 18 William Street

Said that he and his wife bought the home four years ago and put everything they had into the home and he further said he was concerned on what they would now tell them what the house is worth. They need the money now to get out of there can't wait for two years.

-Janet Misiur, 54 Charles Street

Stated that they are taxpayers and need help and some have flood insurance and other do not.

-Ms. Tomasik, 50 David Street

Commented about the water in their home and know it will not be the last time. It is getting worse and worse. Would rather leave the neighborhood now that they are still young and not put them through this any longer. Have children in Sayreville schools.

Mayor said that the school will be opening on Tuesday and asked that the residents please give this information to the people waiting in the conference rooms this information and to make arrangements.

- Jennifer Herrick (also a teacher)

She said that if you have children in this district and you can't live here, state Law is that your considered homeless and that every school district has a homeless liaison and that liaison will make arrangements for transportation for your child.

Mayor said that every day since the hurricane they have had meetings every morning and afternoon and a representative from the board of education has been in attendance and they have indicated that they will provide the transportation but the residents need to get in touch with the school.

Ms. Herrick also indicated that the Dept. of Environmental Protection or the Office of Emergency Management in the State has a listing of properties that flood a lot – a repetitive flood list and a severe repetitive flood list. And that a majority of Sayreville properties are not on the severe flood list.

She then questioned if there would be a break on property taxes of houses they could not live in.

Mayor said that they are taking one step at a time.

-Lillian Lukacs, 48 Quaid Avenue  
Said that this was their first flood and hopefully their last and don't know what to do or who to call first.

Mayor responded that there are workers coming up and will help with the clean-up. He said that the borough is not a general contractor. The construction office can give general advice.

Mrs. Lukacs said that one of her neighbors who could not be here tonight, the one with the care in the basement was told not to take the water out of her basement.

Mayor explained the reason for not wanting to remove the water from the basement in that it creates equal pressure until the ground saturation dissipates.

- Christian Rizzo, 12 Weber Ave.  
Asked the Mayor what his intention was for the homes on Weber Avenue.

Mayor stated that the consensus of the residents on Weber Avenue as it is being relayed to him is that they no longer can wait or that a wall would be viable to attempt to save the neighborhood and that they would like the borough to pursue a buy-out but just don't know where the money will come from.  
Sayreville was devastated as well as other areas and other states.

Mr. Rizzo asked what Governor Christie's thoughts and what actions he is taking to provide this community in particular with relief.

Mayor said that he spoke very briefly with the Governor when he came to visit the day after the hurricane. He said that the Governor is a good and decent guy and his heart just came right out and he is here to help.

Mr. Rizzo asked the Mayor what his guidance was to the residents.

Mayor said that there are no magic answers. But their intend is to get everyone bought out at a fair and equitable price. But at this point cannot give advice to move, stay, rebuild....

Mr. Rizzo asked if the electric was going to be put back on. The Mayor responded that yes it was, where it could be.

The Construction Official said that if the homeowner had anything that was underwater such as your breaker box, replace it before JCP&L comes out because they will fail you and not get back for a while. PS&EG is going to enter and will need clear access to inspect the gas meter, facility, water heaters, HVAC Systems, heating systems. If they cannot gain access they may be required to turn off the gas or it will not be turned back on.

Mr. Rizzo then asked what protection will the residents have in the future from future flooding.

Mayor responded that he is asking each of the impacted areas; the William Street area, the and Weber Avenue area to again get a consensus as to whether they residents are looking to save the neighborhood or for a buy-out, so that the governing body has an idea what the residents are looking for.

Mr. Rizzo expressed his concerns that the buy-out will not take place for another 24 to 36 months. And if this would be a borough act, state act, a federal act.

Mayor responded that this would be a federal and state act with a much smaller but appropriate participation of the borough.

- Bruce \_\_\_\_\_, Weber Avenue

Questioned that if most of the breaker boxes were under water and not replaced we still will not have any power on Monday.

Mayor stated that this is not borough police but that of the utility company.

Mr. Miick, the construction official also responded that the information he gave was that of the utility company.

- Jennifer Buckwall, Winding Wood Apartments, Bldg 21

Concerned about living in Winding Wood following the storm due to health issues.

She said she was told that they could not leave now and need clarification on that issue.

Mayor asked the borough attorney to respond.

Mr. DuPont responded that she as a tenant, do have rights and these rights are enumerated in the Statute. You do have the right to leave if it is inhabitable as well as the right to pursue remedies against the landlord. He informed the residents that the local BAR Association has established a group of lawyers in each of the affected counties who are volunteering their time. He encouraged everyone to contact the Middlesex County Bar Association in New Brunswick for advise on rentals, mortgages, etc.

The Business Admin. stated that this information will be posted on the borough's web site.

Mayor also stated that he will have the Health Inspector out to her building.

Councilman Perrette gave the Middlesex County BAR Association phone number as 732-828-3433.

Borough Attorney also gave the phone number for the Legal Aid Service in Middlesex County as 732-249-7601.

Jennifer asked if there was any way to get more information out the residents of Winding Wood Apartments.

Mayor asked that she speak with Council President Eicher after the meeting.

- Kim Bosso, 14 John Street

Have 2 children with Cystic Fibrosis and they cannot live in a house with mold, water, etc. She said that she has flood insurance and they did not cover "Act of God" and because they have Flood Insurance they do not qualify for any help through FEMA.

Mayor stated that she would have to reach out for the legal help.

Ms. Bosso also asked if the street lights could at least be put on because it is so dark.

Mayor asked the Business Admin. to speak with Barry Eck to speak with Jersey Central.

Mayor also advised that Sayreville residents do not have to boil water, only the Melrose section that is serviced by Middlesex Water Co. Sayreville has their own water supply.

- Theresa Kurczynski, Weber Avenue

She stated that she was not affected by previous flooding and therefore was not prepared and did not think the water was going to come up and this time the people in the cul de sac's foundations caved in and her home received flooding this time. Asked when the electric comes on is it going to be all of Weber or house by house.

Mayor responded that it would be house by house.

The Business Admin. re-iterated once again that there are people in rooms 310 and 308 who will be taking down specific information from the residents and asked that they please stop in and speak with them.

- Bill Eppinger, Weber Avenue

Commented that with every flood the sewerage is becoming more and more with the flood water.

Mayor explained that this is not by choice and was further explained by the Borough Engineer that there is a gravity sewer line that runs down the center of Weber and leads to the Canal Street pumping station. That pumping station went under water and they had problems with the emergency generator so it was backing up in the sewer line and coming out the sewer lines onto Weber Avenue.

Mayor explained what happened to the pumping station on Canal St. and that everyone is working on it to get it going.

- Charles Wojtaszek, Sayreville Fire Chief

He publically thanked all of his fellow firemen who helped and extended his deepest and sincerest sorrows to everyone. He asked for a round of applause for his fellow firemen. There was applause by all in attendance.

Mayor stated that his department is a department of heroes as is the police and first aid and all the borough workers.

- Barbara Tyskiewicz, Weber Avenue

Asked if there was an estimated time that they anticipated having this pumping station repaired.

The Borough Engineer stated that in speaking with the MUA that they are in the process, they had generator manufactures out there making repairs to the generator and working on the pumps, so they are making the necessary repairs. We were told that they were supposed to be completed this week, but he is not positive when it is actually going to be done.

Mayor stated that they are strictly holding this public portion to hear from storm related and affected residents.

- Elaine Konopka, 97 Weber Avenue

Said her foundation caved in and she does not know she can clean out her house.

The Construction Official said that when the foundation collapses it is dangerous to move any of the furnishing, etc. He said that items such as personal belongings, medications, heirlooms to get out of the house, but advise against moving furniture and especially not to go in the basement. He said that

they are telling people to leave everything until the insurance company comes in and sures it up or tells them how to remove the furniture, but all 39 residents who had foundations collapse not to move furniture and to move out.

- Barbara Tyskiewicz, Weber Avenue  
Explained the insurance problems they were having and what she was told by her insurance company.

The Borough Attorney stated that if anyone is experiencing lengthy delays, response and call backs from insurance companies they should call the Department of Banking and Insurance at 609-292-5360 and complain to their commissioners and their employees regarding the failure for their insurance company to honor its obligations under its insurance policy.

- Arthur Rittenhouse, representing his sister-in-law, Theresa Zdep  
Having a lot of trouble with insurance and FEMA who told her over two weeks ago they would be out. Her insurance company still did not come out. He said that the MCUA must make it known that it was not the sewerage back-up that destroyed these homes that the back-up was caused from the storm.

- Samantha Herton, Bordentown Avenue & William Street  
Stated that her foundation collapsed and insurance or FEMA will not help. FEMA could only provide help with money for housing, but can't find anything and her son goes to school. Her mortgage company is still expecting them to pay their mortgage and don't know how they will be able to.

Borough Attorney stated the Ft. Monmouth is currently being renovated for housing. He just received an e-mail and it is called Fort Monmouth Economic redevelopment Agency and it is his understanding that within the next week or two temporary housing will become available.

Mayor asked if there were any further questions or comments.

None being made, Council President Eicher made a motion to close the public portion. Motion seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION - None**

- **ADJOURNMENT**

No further business the Mayor called for a motion to adjourn.

Councilman Buchanan called for adjournment. Seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 9:36P.M.

SIGNED:

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Theresa A. Farbaniec, Municipal Clerk

1/28/12  
Date Approved

<p>July 12, 2012 Receipt of Bids Water Dept. Chemicals</p>	<p>501</p>
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