

Regular and Business Session of the Mayor and Borough Council held on Monday, November 14, 2011, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Acting Mayor Kenneth P. Kelly, Sr. at 6:32 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:** Councilpersons Bella, Buchanan, Eicher, Henry, Kelly, Perrette.

Absent: Mayor Kennedy O'Brien (Excused Absence)

Others Present: Business Admin. Bertrand
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont
C.F.O. Kronowski

Absent: None

Approval of Previous Council Meeting Minutes: (none)

PRESENTATIONS -

- **PROCLAMATION - Presented to the Library Board of Trustees, Library Director, staff and volunteers by Councilwoman Eicher**
In recognition of the Sayreville Public Library for being voted One of the Best Public Libraries in Central Jersey and chosen as the Readers Choice Winner of 2011.

PROCLAMATION

WHEREAS, the Sayreville Public Library offers an environment conducive to reading and learning, critical thinking, creative expression, investigation and research, professional growth, and curriculum development and enhancement; and

WHEREAS, the Library is enriched by its dedicated staff and volunteers; and

WHEREAS, The Home News Tribune annually asks their readers to vote for their favorite businesses and organizations; and

WHEREAS, the Sayreville Public Library was voted One of the Best Public Libraries in Central Jersey and was the Readers Choice Winner of 2011.

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, would like to recognize the Library Director, the entire staff of the Sayreville Library and the Library Board of Trustees for their continuous effort, determination and pride in their work.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 14th day of November, 2011 and the same duly attested by the Municipal Clerk.

/s/Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C. - Municipal Clerk

Comments made by Susan Kaplan, Library Director

Councilman Buchanan moved the proclamation be accepted into record as read. Seconded by Councilman Perrette.

Roll Call: All Ayes.

PROCLAMATION - Presented by Councilwoman Eicher

Proclaiming November 16, 2011 as National Education Support Professionals Day in the Borough of Sayreville.

PROCLAMATION

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, Education Support Professionals are integral to the education process; and

WHEREAS, Education Support Professionals provide a safe and healthy learning environment for students; and

WHEREAS, Education Support Professionals work tirelessly to serve our children and communities with care and professionalism.

NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville, do hereby proclaim November 16, 2011 as **National ESP Day** and recognize and acknowledge the importance of Education Support Professionals in our public schools.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 14th day of November, 2011 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C. - Municipal Clerk

Comments made by _____ thanking the governing body for this honor on behalf of the cafeteria workers, Para-professionals, secretaries, security and everyone who works in the public school system as they really do believe in everything they do for the children of Sayreville.

Councilman Buchanan moved the proclamation be accepted into record as read. Seconded by Councilman Henry.

Roll Call: All Ayes.

Councilman Bella commented to Mrs. Strek who has engaged him in the past regarding the Library and their budget and expenses, that the Library director and Board of Trustees were in attendance here tonight and that perhaps she could ask the questions of them while they are present.

OLD BUSINESS

- a. Public hearing on the following Ordinance(s): (None)

NEW BUSINESS:

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

ORDINANCE #169-11
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
CHAPTER 12, SECTION 6.3 RENT INCREASE LIMITATION
(Co. Buchanan - Public Hearing November 28, 2011)

Councilman Buchanan moved the Ordinance be advertised on first reading,
advertised according to law and a public hearing be held on November 28, 2011.
Seconded
by Councilman Bella.

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

ORDINANCE #170-11
BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 960-
06 FINALLY ADOPTED SEPTEMBER 25, 2006 BY THE BOROUGH
OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW
JERSEY, IN ORDER TO PROVIDE FOR A CHANGE IN THE
IMPROVEMENTS AUTHORIZED BY SUCH ORDINANCE
(Co. Perrette - Admin. & Finance - Public Hearing November 28, 2011)

Councilman Perrette explained that this bond ordinance would add street improvements to a previous ordinance and there would be no additional cost to the borough.

Councilman Perrette then asked that the Ordinance be approved on first reading, advertised according to law and a public hearing be held on November 28, 2011.
Seconded by Councilwoman Eicher.

Comments:

Councilman Bella asked what the total amount of this bond ordinance would be.

C.F.O. Kronowski said that this is an ordinance amending a bond ordinance previously adopted in 2006. He explained that there are monies left over in it and we are going to use those monies for Cliff Avenue, Liberty Street, Gondek Drive and Chevalier Avenue. The Ordinance has to be amended to include these additional streets.

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

- b. Other

CONSENT AGENDA/RESOLUTIONS

- ***PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY***
At this time Acting Mayor Kelly opened the meeting up to the public for questions or comments on the Consent Agenda Resolutions.

Those appearing were:

❖ Barbara Kilcomons, 22 Schmitt Street

Mrs. Kilcomons questioned the capital expenditures calling them unnecessary she further said that the improvements to Chevalier should be paid for completely by the NJ Turnpike Authority or Highway Authority.

Mr. Bertrand (Business Admin.) explained that the Turnpike project is not a resolution. He said that this item is listed later on in his agenda. He said that it was listed for discussion that the Turnpike Authority in a conversation with himself, CME Assoc., and Assemblyman Wisniewski regarding the Turnpike Authority picking up half the cost of the improvements. He said that the deterioration of Chevalier Avenue was from multiple years of water run, use, etc. He said that Chevalier Avenue does belong to the borough but had some issues with whose responsibility it was and through discussions we were able to get the Turnpike Authority to pay for half.

Mrs. Kilcomons further commented on the deterioration, feeling that having Assemblyman Wisniewski on the Transportation Committee should have pushed for the Turnpike Authority to pick up the entire tab.

No further questions or comments from the public.

Councilwoman Eicher moved to close the Public Portion on Consent Agenda Resolutions. Seconded by Councilman Bella.

Roll Call: Voice vote, all Ayes.
Carried.

Councilman Henry questioned Resolution #2011-257 and if it could be held over until the next meeting until such time as the borough attorney could review these proposals.

Mr. Kronowski, the CFO explained that the Financial Advisor that was chosen has assisted us with putting together the preliminary official statement. He said that it is out, published, listed for auction and that the Bond Sale is scheduled for Wednesday as was stated in the resolution the council passed in October. He said that the work is done already for this one particular bond sale. He said that going forward you could look at Financial Advisors again.

Clerk Farbaniec said that this Resolution was memorializing the action taken by the governing body on October 24, 2011.

Councilman Henry asked for the Borough Attorney's comments.

Borough Attorney DuPont stated that this item was added last minute with respect to the need to bond. He said that he spoke with Jeff and Wayne as to the urgency to get the public offering statement out by November 4th. He said that we did not do the regular review of this item as he did not see the bids and that there was a recommendation from Jeff and Wayne. He said the council has the right to rescind the resolution, NW Financial still has the right to get paid for the work performed, but you do have the right to rescind this resolution subject to his review of the bids that Jeff and Wayne reviewed. So the council's choice would be to pull or table this resolution or rescind the action taken on October 24, 2011 and at the next meeting you could re-appoint NW Financial or whoever is the lowest bidder.

Councilman Bella questioned if the most conservative action would be to Table this Resolution.

Mr. DuPont stated that he had spoke with Bond Counsel when this was issued and the big issue was to get the POS out. He said that the POS had been done and the borough would be selling bonds on December 4, 2011. So again, you could Table it or Rescind the action taken on October 24th.

Councilman Bella made a motion to Table this Resolution.

Attorney DuPont recommended that they Rescind and re-appoint at the next meeting after further review.

Councilman Henry then made a Motion to Rescind Resolution #2011-257. Attorney Dupont further clarified the Motion to – Rescinding any and all action taken on October 24, 2011, appointing the firm of NW Financial Group, LLC for the provision of Professional Finance Advisor Service associated with the issuance of municipal bonds and this matter could brought up again on November 28, 2011.

Mr. Bertrand stated that his concern is that all of the work is basically all done. Attorney DuPont stated that he recognized that but all this is doing is following the protocol that the borough has set forth with regards to the review of bids.

Councilman Perrette asked if there was a legal contract between the borough and NW Financial, that we have accepted them to perform the work for us.

Councilwoman Eicher questioned if we find out they were not the lowest bidder, what could happen.

The Borough Attorney responded that there could be a bid dispute.

Councilman Perrette stated that the council already awarded it and don't understand what they were trying to rescind because this resolution memorializes the action, so I don't understand what you are trying to rescind at this point.

Councilman Henry made a motion to rescind the action. Seconded by Councilman Buchanan.

Roll Call: Councilpersons, Bella, ayes;
Buchanan, ayes;
Eicher, ayes;
Henry, ayes;
Perrette, nay.

(See Councilman Kelly's Vote on Nov. 28, 2011)

Council President Pro Temp made a motion to approve the rest of the Consent Agenda Resolutions on roll call vote (except #2011-257 which was rescinded above). Seconded by Councilman Buchanan.

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

RESOLUTION #2011-254

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/ Kenneth P. Kelly, Sr.
Councilman

/s/ Lisa Eicher
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of November 14, 2011, in the amount of \$14,234,689.88
(Bill List - See Appendix 2011-A for this date, in a separate Bill List File for 2011)**

RESOLUTION #2011-255

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2011 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Human Resources (1105-108-2-3114)	\$ 5,000	\$
(1105-108-2-3115)	15,000	
Cost of Appraisals (1150-121-2-6030)		1,000
Traffic Control Costs (1290-320-2-11080)		6,000
Roads Repair and Maintenance (1290-401-2-15011)	7,000	
Telephone (1440-940-2-18150)		30,000
(1440-940-2-18311)		20,000
Natural Gas (1446-946-2-18150)	30,000	
	<u>\$ 57,000</u>	<u>\$ 57,000</u>

/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 #2011-256
**RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
OCTOBER 24, 2011 COUNCIL MEETING**

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the October 24, 2011 Council Meeting approving the following:

- a) Approving Raffle applications received from Dwight D. Eisenhower Elementary School PTO for an Off-Premise Draw and an On-Premise Draw Tricky Tray to be conducted on December 2, 2011 (RA:1723 & RA:1724)
- b) Approving Coin Toss requests from Sayreville Leprechauns on November 5, 2011 and the President Park Fire Co. No. 1 on November 25, 2011.

Councilman
Committee)

/s/ Nicholas J. Perrette,

(Admin. & Finance

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2011-257 - Rescinded
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE ACTIONS OF THE MAYOR
AND BOROUGH COUNCIL IN AWARDING
THE FIRM OF NW FINANCIAL GROUP, LLC THE
CONTRACT FOR PROFESSIONAL FINANCIAL ADVISOR SERVICES**

WHEREAS, the Borough of Sayreville advertised for Requests for Qualifications for the Provision of Professional Financial Advisor Services Associated with the Issuance of Municipal Bond; and

WHEREAS, on October 18, 2011 the Borough of Sayreville received the Request for Qualifications, and in reviewing the RFQ's and conducting a discussion at the Borough Council meeting on October 24, 2011 the governing body awarded the contract for Professional Financial Services to the firm of NW Financial Group, LLC; and

BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the necessary documents to award the contract to perform the services of Professional Financial Advisor Services to NW Financial Group, LLC, 10 Exchange Place, Jersey City, NJ 07302.

RESOLUTION #2011-258

WHEREAS, on May 21, 2011 Orsillo Construction, LLC filed a landscaping and site improvement bond with the Borough of Sayreville for Dunkin Brands, Inc. Site Plan, covering Block 335.03, Lot 1 in the amount of \$5,000.00; and

WHEREAS, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required work has been completed and has recommended the release of said bonds;

NOW THEREFORE, BE IT RESOLVED that the proper Borough Officials are hereby authorized and directed to release said cash bonds in the total amount of \$5,000.00 to Orsillo Construction, Inc.

/s/ William Henry, Councilman
(Planning & Zoning Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-259

BE IT AND IT IS HEREBY RESOLVED that the Mayor, Borough Clerk and the Borough Engineer are hereby authorized and directed to execute NJDEP, Army Corp of Engineer and Freehold Soil Conservation District permit applications for the Weber Avenue Relief Project.

/s/ William Henry, Councilman
(Planning & Zoning Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-260

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare permit applications for the Weber Avenue Flood Relief Project for a fee not to exceed \$110,000.00.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2011-261

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Improvements to Gondek Drive and that he be paid for said services at a fee not to exceed \$18,500.00.

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

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST: _____ **BOROUGH OF SAYREVILLE**

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/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION # 2011 -262

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, MEMORIALIZING THE AUTHORIZATION OF SHRI DWARKADHIS TEMPLE'S DIWALI CELEBRATION

WHEREAS, the Shri Dwarkadhis Temple's has requested permission from the Mayor and Council of the Borough of Sayreville to conduct its Diwali Celebration on October 23rd, October 24th, October 25th, October 26th, October 27th and November 5th; and

WHEREAS, the Mayor and Council wish the Borough of Sayreville to be an ecumenical community; and

WHEREAS, the schedule of the events are religious and holy in nature.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED that on October 24, 2011 the Borough Council authorized the Shri Dwarkadhis Temple to hold its Diwali Celebration on October 23rd from 5:00 p.m. to 9:00 p.m., October 24th from 5:00 p.m. to 9:00 p.m., October 25th from 5:00 p.m. to 9:00 p.m., October 26th from 5:00 p.m. to 9:00 p.m., October 27th from 6:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:30 p.m. and 5:00 p.m. to 9:00 p.m. and November 5th from 5:00 p.m. to 9:00 p.m.

BE IT AND IT IS HEREBY RESOLVED that any expenses incurred by the Borough of Sayreville will be borne by the Shri Dwarkadhis Temple, i.e.; auxiliary police, and will be at no cost to the Borough of Sayreville.

/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 #2011-263

WHEREAS, on September 20, 2011, the Mayor and Council of the Borough of Sayreville received bids for the One (1) "Refuse Cab & Chassis for an Existing 29 Yard Leach Body Installation"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 14th day of November, 2011 that:

1. Contract for the "Refuse Cab & Chassis for an Existing 29 Yard Leach Body Installation," be awarded to Mid Atlantic Waste Systems, 3011 W. Second Street, Chester, PA 19013 for a total of \$145,965.00 as appears on their bid documents and attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST: _____ BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2011-264

BE IT AND IT IS HEREBY RESOLVED, that the proper Borough officials are hereby authorized and directed to prepare and advertise a Request for Proposals for the Installation and Maintenance of Solar Equipment in the Borough of Sayreville.

/s/ Daniel Buchanan, Councilman
(Public Works Committee)

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2011-265

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract (#53804) One Hundred Seventy-Five (175) Minitor V Dual Channel, Stored Voice, VHF Pagers as described in attached quote received from WPCS International, Inc., 1985 Swarthmore Avenue, Lakewood, NJ 08701, at a total cost not to exceed \$86,222.50.

/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 #2011-266

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through State Contract (#76359) Thirteen (13) sets of Personal Protective Gear (Bunker Gear) from Skylands Area Fire Equipment & Training, 23 Hamburg Turnpike, Riverdale, NJ 07457, at a total cost not to exceed \$30,304.95.

/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 #2011-267

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

NAME OF APPOINTEES: Susan Clay
POSITION: School Traffic Guard
Part-Time (per diem)
DEPARTMENT: Police

EFFECTIVE: October 28, 2011

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/ 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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Acting Mayor Kelly stated that there was a special Resolution that would be presented tonight, Resolution #2011-253, in recognition of the service and patriotism of PFC James C. Shindle, Jr. and urge all citizens to honor him and all the brave men and women who have served and who are now serving in our Great Nation.

Acting Mayor asked that everyone stand.

The American Legion entered posting the Colors.

Invocation given by Rev. Fr. Kenneth Murphy

Mr. James C. Shindle, Jr. also entered with family members.

Acting Mayor Kelly stated that he had two Resolutions to present to Mr. Schindle. One from the Mayor and Borough Council and the other from State Legislature.

RESOLUTION READ IN FULL

RESOLUTION

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original 13 states, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, we owe a great debt to those who have served in defense of this nation; and

WHEREAS, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

WHEREAS, for many, that sacrifice has ended in permanent injury or death, yet their spirit remains in the continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; and

WHEREAS, on November 10, 1775, a resolution of the Continental Congress created a Corps of Marines to be formed of men so acquainted with maritime affairs as to be able to serve to advantage by sea on vessels of the Continental Navy; and

WHEREAS, it is also fitting that we remember and recognize the United States Marine Corps in which Marines have acquitted themselves with the greatest distinction, winning new honors in every battle and skirmish until the term "MARINE" has come to signify one that is highest in military efficiency, soldierly virtue and the cause of freedom; and

WHEREAS, James C. Shindle, Jr. served with courage and valor as a Private First Class in the United States Marine Corps during World War II. PFC Shindle distinguished himself as a Scout, Scout Dog Handler and Marine Sniper and participated in the epic battles on Iwo Jima and Guam. The distinctive accomplishments of PFC Shindle reflect credit upon himself and the United States Marine Corps.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of Sayreville recognize the service and patriotism of PFC James C. Shindle Jr. and urge all citizens to honor him and the brave men and women who have served and who are now serving our country.

/s/ Kennedy O'Brien, Mayor
(previously signed by the Mayor)

/s/Kenneth P. Kelly, Sr., Council President

/s/ Councilman Frank J. Bella

/s/ Councilman Daniel Buchanan

/s/ Councilwoman Lisa Eicher

/s/ Councilman William J. Henry

/s/ Councilman Nicholas J. Perrette

Acting Mayor then read a joint Legislative Resolution presented from the New Jersey Senate and General Assembly and signed by Senator Vitale, Assemblyman Wisniewski and Assemblyman Coughlin.

RESOLUTION

WHEREAS, the State of New Jersey is justifiably proud of it's sons and daughters who answered their Country's call to Arms and who left jobs, families and the security of life in America to serve during WWII; and

WHEREAS, James C. Shindle, Jr. has served with honor and valor as a Private First Class in the United Stated Marine Corps. And is especially commended as a man of Concern and character who has made a significant contribution to America's efforts to establish peace throughout the world; and

WHEREAS, James C. Shindle, Jr. who was assigned and completed advanced training as a Marine Scout, Scout Dog Handler and Marine Sniper participated in such significant military engagement as the battle of Iwo Jima and Guam. And he received numerous decorations; and

WHEREAS, an advert fisherman and hunter James C. Shindle, Jr. was an electrical inspector for Western Electric in Kearney for thirty-nine years prior to his retirement and the depth of his knowledge and the breath of his experience immeasurably enhanced the successful functioning of this enterprise ; and

WHEREAS, James C. Shindle, Jr. is respected as a friendly and caring family man, neighbor and member of his Middlesex County community; and

WHEREAS, James C. Shindle, Jr. has been upheld in his life efforts by his beloved wife of forty-five years Tlitha and his children Joanne and James III and he taken great pride and special delight of his grand children and great grand children; and

WHEREAS, it is altogether proper and fitting for the New Jersey Legislature to acknowledge James C. Shindle, Jr. as an outstanding citizen and to recognize his many fine virtues and interests.

NOW THEREFORE BE IT RESOLVED by the Senate and the General Assembly of the State of New Jersey that this Legislature hereby honors and salutes James C. Shindle, Jr., pays tribute to his meritorious record of service, leadership and commitment and extends sincere best wishes for continued happiness and success.

BE IT FURTHER RESOLVED that a duly authenticated copy of this Resolution signed by the Senate President and the Assembly Speaker and attested by the Senate Secretary and the Assembly Clerk and be transmitted to James C. Shindle, Jr.

Acting Mayor said a few words to Mr. Shindle thanking him for his service and congratulated him.

Applause by all in attendance.

Councilman Buchanan moved the Resolution of the Governing body be approved on Roll Call Vote. Seconded by Councilman Henry.

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

COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette

a) Minutes:

Councilman Perrette moved the following minutes be received and filed:

- Board of Education – October 18, 2011

Seconded by Councilman Buchanan.

b) Received the following application for Raffle Licenses:

- Raffle applications from HNS St. Stanislaus Kostka to conduct an Off-Premise 50/50 (#RA1725)

- Approved/Resolution memorializing action: 11-28-11

C) Tax Appeal Received from Margaret Klauder, 67 Kendall Drive, Parlin, Block 32.03, Lot 35. - Referred to Tax Counsel.

d) Reports:

- Councilman Perrette gave an updated Water Analysis Report.
- Councilman Perrette also reported on having asked the Borough

Attorney to look over the Weber Avenue matter as we move forward on that project and see if we start to implement improvements on our own as opposed to the Army Corp of Engineers if we would have any liability against us.

- Progress.

PLANNING & ZONING – Councilman Henry**a) Minutes-**

Councilman Henry moved the following minutes be received and filed:

- o Board of Adjustment - September 28, 2011
- o Planning Board - October 5, 2011

Seconded by Councilman Kelly.

b) Request to purchase borough owned property received from Robert Olson owner of 103 Harding Avenue, Block 356, Lots 49 & 50. Request is to purchase Block 356, Lots 51 & 52. He certified in his letter that that the lot would remain a lot. - **Referred to Open Space.**

b) Reports:

-Councilman Henry congratulated Mayor O'Brien, Lisa Eicher and Mary Novak on their victory in the election.
-Progress.

• PUBLIC SAFETY – Councilman Bella**a) Minutes**

Councilman Bella moved the following minutes be received and filed:

- o Board of Health - October 6, 2011

Seconded by Councilman Perrette.

Councilman Bella made a motion to approve the following:

b) Fire Department Equipment Travel Request received from Melrose Hose Co. No. 1 to attend a Christmas Parade in Wallington, NJ on November 26, 2011 utilizing Squad 3 from 3-10PM.

c) Applications for Fire Department membership received from:

- Michael Krehel, who was voted as a member of President Park Fire Co. No. 1 on October 3, 2011.
- Andrew H. Kashe, who was voted as a member of Melrose Hose Co. No. 1 on October 3, 2011.

d) Request for coin toss at the intersection of Ernston & Washington Roads received from:

- Knights of Columbus on March 10 & 11, 2012, from 10 a.m. - 2 p.m. at the intersection of Washington Rd & Ernston Roads

Motion seconded by Councilman Perrette.

• PUBLIC WORKS – Councilman Buchanan**a) Minutes**

Councilman Buchanan moved the following minutes be received and filed:

- Rent Leveling Board – October 11, 2011 & November 8, 2011

- Seconded by Councilman Perrette.

b) Reports:

- Progress.

• RECREATION – Councilwoman Eicher.**a) Minutes** (none)**b) Reports:**

- Councilwoman Eicher reported on various recreation events.

- Councilwoman than thanked Jerry Ust and the Recreation Board for their successful, well attended Trick or Treat Trunk Halloween event as well as all of the volunteers who decorated their cars and gave out candy.

- Councilwoman Eicher said that she knew that the contract for animal control expires in December and asked if we go out for RFP for this contract. Business Admin. Bertrand responded that we historically call around to other shelters and see if they were interested and if they have space and we plan on doing this again, but there are not that many who provide this service.

- Progress.

WATER & SEWER – Councilman Kelly

a) Minutes

Councilman Kelly moved the following reports be received and filed:

- Commission on Aging - October 21, 2011
Seconded by Councilman Buchanan.

b) Request from the Woodbridge Twp. Clerk that that Sayreville support and adopt a resolution urging the House and Senate Veteran's Affairs Committee to reevaluate the proposed cuts to veteran and military benefits, as cutting them would be a disservice to our nations defenders.

- **Resolution.**

c) Reports:

- Councilman Kelly congratulated the Mayor and Councilwoman Eicher on their re-election and Mary Novak on her election.
- Councilman Kelly reported on the Veteran's Day service and thanked Senator Lautenberg for his attendance. He also thanked the volunteers for their help on that date.

- **MAYOR** – Kennedy O'Brien
❖

BUSINESS SESSION AGENDA – November 14, 2011

1. **NEW BUSINESS**
2. **BUSINESS ADMINISTRATOR - Jeffrey Bertrand**

Administration & Finance:

- a. Authorization to renew the Horizon Blue Cross Blue Shield NJ for the provision dental care coverage for all full-time Borough employees for the period of December 1, 2011 through November 30, 2012 for continued coverage at the existing rates.
- **Resolution.**
- b. Review and discussion of November 2, 2011 letter from SERA regarding the acquisition of Borough owned property located at Block 257.02, Lot 1.01.
 - Engineer Cornell reported that this is a very small piece of property approximately two acres, adjacent to the right-of Way to Chevalier Avenue. It is right in the middle of the National Lead property so it does have an impact on the development of that property.
 - Mr. Bertrand further stated that it has no value to the borough other than we should go ahead and have SERA appraise the property. So, with the council's authorization we will ask SERA to conduct the appraisal and make an offer to the borough.
 - **Approval granted.**

- c. Authorization to enter into a lease agreement with Board of Education for the property located adjacent to Truman School which encompasses the park and recreational area on Taft Place. The Borough has historically maintained the property despite ownership by the Board. The execution of this agreement will provide clarity regarding responsibilities and liability for both entities. There is no cost to this agreement.

- Discussion followed regarding the property, its use, who has been maintaining it as well as the equipment purchase that is also listed on the agenda.

Business Admin. Bertrand stated that the agreement should replicate the one we have with Jesse Selover School property. He also explained that the equipment on the Truman School property is out dated and out regulated and should be replaced or removed. He informed the council that the park is heavily used because it is the only park that services that entire area President Park, Patriot Hill Development, etc. He explained that there is a grant program out there now which would be worked into the cost. Mr. Bertrand then jumped ahead to the authorization to proceed with playground equipment improvements and Truman School park and Bordentown Avenue Park through GameTime Matching Funds Grant program which offers a 40% discount from State contracted prices plus installation.

Councilman Bella questioned the funding.

Mr. Bertrand and Mr. Kronowski explained that this is already financed it is included in Park Improvement Ordinances which was already approved in 2009.

Councilman Henry questioned the exposure the borough may have in a Lease Agreement such as this.

Attorney DuPont stated that he is sure that the Lease Agreement will have the necessary indemnification provisions. Mr. Bertrand said that if approved, he will get the contract from the Bd. of Ed and will forward to the Borough Attorney.

Councilman Perrette brought up concerns if the board of ed, in the future would want to take over use of the property. Councilman Kelly asked if we could put in the agreement that if in the future the Board of Ed would want to take over the use of the property and the equipment would have to be moved that it would be at the Board of Ed's cost. Mr. Bertrand said yes.

Mr. Henry asked how long the lease agreement is for.

Mr. Bertrand responded that the lease agreement we have for Jesse Selover School is a one year agreement with successive one year renewals for a total of five years. He said he would like to see this agreement for as long as possible.

Acting Mayor asked if authorization is granted. They responded yes.

d. Discussion on proposed modifications to municipal fees and licenses such as liquor licenses, pet licenses, park rental fees. Discussion was also held regarding the establishment of a Non Spayed/Non Neutered Cat license Fee.

Councilwoman Eicher expressed her concern that if the borough were to tag on an additional fee for non spayed/neutered cats. She felt this would deter people from obtaining licenses.

- Ordinance to be introduced on Nov. 28, 2011.

Fees proposed were as follows:

Liquor License Renewal Fees to be increased by 20% as allowed by law:

Consumption License	\$1,392.00
Distribution License	\$1,392.00
Club License	\$ 100.00

Dog License Fees:	Spayed/Neutered Dog	\$15.00
	Non Spayed/Neutered	\$18.00

Cat License Fees:	Spayed Neutered	\$13.00
	Non Spayed/Neutered	\$16.00

Park Rental Fees will also be increased to cover the cost of the staff that work that day. These fees will be prepared and introduction in the ordinance on Nov. 28th.

Public Works:

- a. Update on Weber Avenue drainage issues including authorization for the Borough Engineer to develop plans and specifications for the replacement of the main storm drain pipe that leads to the pump station.
- b. Engineer reported that it is a corrugated metal pipe and the bottom of the pipe has rusted so there are structural issues that need to be taken care of. He said that as far as authorization, early on the council authorized them for additional work with the Weber Avenue project so they could go ahead and get this work done with that previous authorization.
- Approved.
- c. Discussion and acceptance of improvements (resurfacing) to Chevalier Avenue which includes 50% financing of the project by the NJ Turnpike Authority. This project is included in Ordinance #170-11 to be introduced at this meeting.
- Approved.
- d. Authorization to proceed with playground equipment improvements at Truman School Park and Bordentown Avenue Park through participation in the GameTime Matching Funds Grant Program which offers a 40% discount from State contracted prices.
- Approved – Need resolution memorializing the action at the next meeting.

Recreation: none**Water & Sewer:**

- a. Authorization to renew the contract for emergency storm and sewer pump maintenance and equipment with A.C. Schultes for an additional one year period through October 31, 2012. There is no increase in price related to this extension.
- Resolution.
- b. Authorization to renew the contract for the provision of ChargePac 36 Coagulant with Ashland Hercules Water Technologies for an additional year through September 30, 2012. There is no increase in price associated with this extension.
- Resolution.

Public Safety:

- a. Authorization to purchase 9 Crown Victoria police cars from Warnock as a result of the Borough participation in the Cranford Emergency Vehicle Cooperative Purchasing Program. The cost of each car through this competitive purchasing program is \$24,455.70. In addition, authorization is requested to purchase the emergency lighting, cage and computer mounts for each car at a price of \$7,807.67. The emergency lighting is purchased through the State Contract competitive purchasing program.
- Resolutions.
- b. Authorization to purchase 2 Chevy Tahoe SUVs for the Police Department from Day Chevrolet, a state contracted vendor (contract #A79010) in the amount of 33,190.40 each. In addition, authorization is requested to purchase the emergency lighting, cage and computer mounts for each vehicle at a price of \$6,934.31. The emergency lighting is also purchased through the State Contract competitive purchasing program.
- Resolutions.
- c. Authorization to execute an Interlocal Shared Service Agreement with Middlesex County for the provision of Health Services associated with the Board of Health for the period of January 1, 2012 thru December 31, 2012. The cost of this agreement is \$154,083.24 which represents a 2.0% increase over the 2011 contract for the same services.
- Resolution.

Planning & Zoning: none**Personnel:**

- a. Police Department: Request from Chief Zebrowski to establish a part-time Clerk position in the Police Department. This position would be utilized to bridge the gap created by retirements and a long term sick-leave. This position to be converted into full time once the other position becomes vacant.

Councilman Bella said that the previous Chief had some discussions about a program for ticketing and the elimination of a position.

Chief Zebrowski said that he is referring to e-ticketing program which they are still looking at purchasing. He said that this program would have substantial savings for the borough for both public safety and the court system. He said that the situation he currently has regarding the clerical staff is that from the last 3-4 years they have gone from 8 clerks down to 5 with 1 clerk now using extended time in anticipation of her retirement. So he really has half the number of clerks they have had before. He said the addition of a part-time clerk would assist in the area of records bureau and that position would stay regardless of whether they purchase the software or not.

Business Admin. Bertrand requested authorization to post internally for this position and if there were no interested parties they would review the applications on file.

- Approved.

- b. Retirement notice of Larry Unkel from the Sanitation Dept., effective January 1, 2012. Requesting authorization to begin the hiring process in order to replace this person come January 1, 2012. He said that they would contact the #2 person from the last interview process and if interested would be assuming this position on Jan. 1, 2012.

Councilman Buchanan asked if the other employees would have the opportunity to transfer. Mr. Bertrand said they would be going through that process.

- Approved.

c. Motel Ordinance should be ready for introduction next meeting.

d. Request for an ordinance for a smoking ban at the bus shelters.
Approved – Ordinance 11/28.

e. Request from the Marine Reserve Toys for Tots Program to place posters around

borough property and to provide one or two drop off boxes for the collection of

Toys for Tots.

- Approved.

Councilman Bella asked if there have been issues with regards to the Cable Access Channel. There have been reports about the sound and picture. Mr. Bertrand responded that there was an issue and was not sure what caused it but think it should be ok now.

3. C.F.O.- Wayne Kronowski

a) Transfer Resolution

b) Bill List Resolution

4. ENGINEER -Jay Cornell

a) Borough Hall Roof/Cupola Improvements – Status of Project (Verbal Report)

Mr. Cornell advised that council that that contractor probably will be mobilizing next week. There is going to be scaffolding set up around the building. There is going to be a staging area behind the building which will modify some of the traffic flow patterns. He provided a sketch to the council.

5. BOROUGH ATTORNEY - Michael DuPont

6. MAYOR – Kennedy O'Brien

• PUBLIC PORTION

At this time Mayor O'Brien opened the meeting to the public for any and all issues.

Those appearing were:

- Robert Olsen, 82 Cedar Terr.

He said that he is the person who is requesting to purchase borough owned property on Harding Street that was listed on tonight's agenda. He said that the property really needs to be taken care of. He said that it abuts a property he just purchased as an investment. He would certify that he would never build on it. Just keep it maintained.

- Mary Novak, 1 Scarlet Drive

She complemented the Library on their accomplishment. She also advised the council that for the past 10 years or so the Sayreville Emergency Squad was also chosen as the top in the Readers Choice Awards.

- Robert Kominkiewicz, Ernston Road
 - Commented about people blocking the intersection of Pine Street and Ernston Rd.
 - He also commented on the percent off on the playground equipment.
 - Opposed to the Dog license increase.
 - Complained about the Animal Control Officer never responding to a call.
 - Opposed to the ban on smoking at bus stops.
 - Sidewalk was removed from under the Ernston Road Bridge creating a dangerous condition.
 - Questioned the proposed Temple on Washington Road.Response from Councilman Bella that it is going before the Board of Adjustment for an interpretation at their December meeting.
Engineer Cornell clarified that that they are only appearing before the Board of Adjustment for an interpretation as to whether the apartments are permitted or not. If they are permitted then it is a Planning Board Application, if they are not permitted then it is a Zoning Board Application. Once that happens then they will make a Site Plan application which is going to include demolishing the existing building, constructing a new building with approximately one thousand parking spaces.

- Mrs. Strek, McCutcheon Avenue
She commented to Councilman Bella regarding his remarks to her to speak with the Library Board about their budget and expenses. Expressing that it would be tactless for her to question them here tonight.

Councilman Bella apologized stating that it was not his intent to direct her or embarrass her.

- Bob Kominkiewicz, Ernston Road
Questioned why the borough needs to maintain the bus shelters, pick up the garbage and plow the snow, when NJ Transit is making the money.
Response given by Mr. Bertrand stating that the arrangement across the state is that
NJ Transit will provide the shelter and install them and they are the borough's to maintain.

There being no further questions or comments Councilwoman Eicher moved to close the Public Portion. Seconded by Councilman Perrette

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION - None

ADJOURNMENT

No further business.

Councilwoman Eicher made a motion to adjourn. Motion seconded by Councilman Bella.

Roll Call: Voice Vote, all Ayes.

Time: 8:07 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

12/12/11
Date Approved

NOVEMBER 14, 2011

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REGULAR MEETING

185