

Mayor Kennedy O'Brien opened the Council Meeting at 7:01 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this January 9, 2017 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo,
Melendez, Novak,

Absent: None

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

Others Absent: None

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

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

☒ December 19, 2016 - Regular & Agenda Sessions

Seconded by Councilwoman Novak.

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

Nays: None

Abstentions: Councilman Melendez and Councilwoman Kilpatrick

- **PROCLAMATION & PRESENTATION (None)**

- **OLD BUSINESS** - (None)

- **NEW BUSINESS:**

a) Introduction of the following Ordinance(s):

ORDINANCE #350-17

CALENDAR YEAR 2017

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public hearing be held on January 23, 2017. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

• **CONSENT AGENDA/RESOLUTIONS**

At this time the Mayor opened the meeting for questions or comments on Consent Agenda Resolutions. There were no appearances. Mayor O'Brien called for a motion.

Councilman Buchanan moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Roll Call on Consent Agenda Resolutions:

Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak

Nays: None

RESOLUTION #2017-27

WHEREAS, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/Kennedy O'Brien
Mayor

/s/Daniel Buchanan
Councilman Daniel Buchanan

/s/Pasquale Lembo
Councilman Pasquale Lembo

/s/Steven Grillo
Councilman Steven Grillo

/s/ Ricci Melendez
Councilman Ricci Melendez

/s/ Victoria Kilpatrick
Councilwoman Victoria Kilpatrick

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

**Bill list of January 9, 2017 in the amount of \$8,232,395.79
in a separate Bill List File for 2016 (See Appendix Bill List 2017-A for this date).**

RESOLUTION #2017-028

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2016 Appropriation Reserves 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>		
Legal Services (1155-130-2-6220)	\$	\$ 10,000
Office on Aging (1428-720-2-11110)		2,000
Fuels & Lubricants (1460-415-2-9170)	12,000	
	<u>\$ 12,000</u>	<u>\$ 12,000</u>

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2017-029

WHEREAS, the Borough Clerk is in receipt of applications for **issuance of Annual Motel Licenses for the year 2017** covering the following locations

- Knights Inn Parkway
- Gallery Motel, Inc.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville that applications received and reviewed for the annual issuance of Licenses for Motels for the calendar year 2017 be and the same are hereby approved.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2017-030

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute an Public Health Interlocal Shared Services Agreement with the County of Middlesex to provide the Health Services associated with the Board of Health for the period of January 1, 2017 through December 31, 2017 with a cost not to exceed \$170,120.34.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2017-031

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

NAME OF APPOINTEE:	Cheryl McQuade
POSITION:	Clerk I
DEPARTMENT:	Recreation Department
EFFECTIVE:	January 17, 2017

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel.

/s/ Ricci Melendez, Councilman
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017 – 32
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, SUPPORTING POLICE OFFICERS,
FIREFIGHTERS, CORRECTION OFFICERS AND FIRST RESPONDERS**

WHEREAS, Police Officers, Firefighters, Correction Officers, and First Responders ensure the public safety and protection of citizens and place their lives on the line while performing their duties; and

WHEREAS, Congressman David W. Jolly (R-Florida) introduced H.R. 814, known as the “Thin Blue Line Act” on February 9, 2016 that amends Section 3592© title 18 of the United States Code; and

WHEREAS, this legislation provides that the killing of Law Enforcement Officers, Firefighters, Prosecutors, First Responders and Correction Officers while engaged in the performance of their official duties, because of the performance of their official duties or because of their status as a public official employee, shall be deemed as an aggravating factor while considering the imposition of the death penalty based on the status of the victim under federal law; and

WHEREAS, the recent murder of 5 Law Enforcement Officers in Dallas, Texas on July 7, 2016, as well as the deaths of numerous Law Enforcement Officers and First Responders in the United States are an example of the dangerous conditions which Law Enforcement Officers and other responders face on a daily basis; and

WHEREAS, the Borough Council of the Borough of Sayreville recognizes that all members of the Sayreville Police Department, Sayreville Fire Department, Sayreville Volunteer Rescue Squad and First Responders and all Law Enforcement Officers and First Responders throughout New Jersey and the United States place themselves in harm’s way in order to protect the public and ensure a safe community.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sayreville, County of Middlesex and State of New Jersey confirms for the record its support of H.R. 814 and urges the United States House of Representatives and U.S. Senate to enact this important legislation; and

BE IT FURTHER RESOLVED, the Borough Clerk shall forward copies of this Resolution, along with a letter from the Mayor to: Senator Cory Booker, Senator Robert Menendez, Congressman Frank Pallone, Jr., Speaker Paul Ryan, Senator Joseph Vitale, Assemblyman Craig Coughlin, Assemblyman John Wisniewski, the New Jersey State Police Chiefs Association, and all Mayors in Middlesex County, New Jersey.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O’Brien
Kennedy O’Brien
Mayor

• **APPOINTMENTS**

At this time Mayor O’Brien made the following appointments:

(Mayoral Appointment)

Planning Board

Atl. II - 2 Yr. Term - Jamillah Mantilla

Environmental Commission

Member - 3 Yr. Term - Arthur Rittenhouse

Alt. I - 3 Yr. Term - Maria Rittenhouse

Alt. II - 3 Yr. Term - Shirley Read

Motion was made by Councilman Lembo. Seconded by Councilman Grillo

Ayes: Councilmen Grillo and Lembo

Nays: Councilpersons Buchanan, Kilpatrick, Melendez, Novak.

Motion Failed.

Library Board of Trustees

Member - 5 Yr. Term - Lauren Bayer

Council President Buchanan asked if there was an application received from Ms. Bayer.

Clerk Farbaniec confirmed that an application was received back in December.

Council President stated that he understands that Ms. Bayer wants to be reappointed and that Mrs. Green applied for appointment so he asked the Attorney to look into if the council could expand the Library Board.

Councilman Lembo moved the Mayors appointment.

Mayor said that the discussion on expanding the Library Board could be carried over to the Agenda Session seeing as that is where that should be done.

Mayor said that there was a Motion made to Re-appoint Lauren Bayer to a 5 Yr. Term, as the recommendation of the Library Board of Trustees who contacted him.

Mayor asked for a second. Motion was seconded by Councilman Grillo.

Comments:

Councilwoman Kilpatrick agreed with Councilman Buchanan and would like to see the board expanded.

Councilman Melendez asked what it would take to expand the Board. Attorney DuPont stated that he would need authorization to amend the Ordinance. Councilman Melendez said that with that he would be vote yes.

Councilwoman Novak said that she did not see an application for Ms. Bayer either and that she reached out to Co. Kilpatrick and Buchanan and they did not have one either, but they did have one from Mrs. Green. Co. Novak said she would be interested in expanding the Board and said that because this falls under Recreation asked if Co. Melendez would like to have a meeting with the committee to discuss this in the meantime.

Roll Call: Ayes: Councilmen Grillo, Lembo, Melendez

Nays: Councilpersons Buchanan, Kilpatrick, Novak

Clerk Farbaniec announced that there was a tie vote.

Mayor votes in the Affirmative to re-appoint Lauren Bayer. Appointment carried.

Motion made by Council President Buchanan to appoint the following:

Planning Board

(Council Appointment)

Class III - 1 Yr. Term - Councilman Pat Lembo

Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Council President Buchanan moved the appointment of:

Open Space Committee

Member of the Governing Body - 1 Yr. Term - Co. Mary Novak

Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Council President asked the Mayor to nominate USA Architects as the Borough Architect.

Mayor asked it to be held over.

Council President Buchanan asked that Larry Sachs be appointed as Special Council – COAH Matters.

Mayor asked if there were any objections to Larry Sachs being appointed as Special Counsel – COAH Matters for a one Yr. Term at his prevailing rate.

None Made.

Motion made by Council President Buchanan. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION:**

At this time the Borough Attorney announced that there is a need to go into Closed Session.

- 10 minutes / Tax Litigation & Personnel

Mr. DuPont read the following Resolution into record:

RESOLUTION FOR CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

Tax Litigation & Personnel

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

NOW, THEREFORE BE IT RESOLVED that the public be excluded and this resolution shall take effect immediately.

/s/ Daniel Buchanan, Councilman

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Voice Vote, All ayes.

Carried. Time: 7:15 PM

- **RECONVENE – 7:24 PM**

Councilwoman Novak made a motion to reconvene. Motion seconded by Councilman Grillo.

Roll Call: Voice Vote, all Ayes.

- **PUBLIC PORTION**

- **PUBLIC PORTION-**

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

There were no Appearances. The Mayor called for a motion.

Council President Buchanan moved the Public Portion be closed. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. Carried.

No further business.

- **ADJOURNMENT**

Mayor called for a motion to adjourn.

Council President Buchanan made a motion to adjourn. Motion seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Time: 7:24P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved