

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 25, 2016 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, Novak, Rittenhouse

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  
Jay Cornell, P.E., Borough Engineer  
Michael DuPont, Esq., Borough Attorney

Others Absent: None

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

Council President Buchanan moved the following minutes be approved on roll call vote, subject to correction if necessary:

- ☒ December 14, 2015 - Regular, Agenda and Executive Sessions
- ☒ December 30, 2015 - Receipt of Bids (Uniforms)
- ☒ January 1, 2016 - Agenda & Re-Organization meetings
- ☒ January 11, 2016 - Regular & Agenda Sessions

Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **PRESENTATION:**

Certificates of Achievement presented to **Sayreville Leprechauns Jr Pee Wee Cheer Team**

**4th Grade**

- Christina Fritz
- Khadirah Ismail
- Crystal Margotta
- Heather Pechulis
- Makayla Pugh
- Megan Zsorey
- 
- 

**5th Grade**

- Kelley French
- Jasmine Gonzalez
- Emma Hochron
- Mya Jackson
- Jaden Kaiser
- Jayden Mann
- Jaleigh Matos
- Kylie Taeschler

**Coaches:**

- Head Coach - Kaitlyn Freyer
- Asst Coach - Jessica Crimmins
- Asst Coach - Andrew Hochron

- for their placing:

- 2<sup>nd</sup> in the Central Jersey League Competition
- 2<sup>nd</sup> in the Eastern Regional Competition
- 4<sup>th</sup> at the Pop Warner Cheer and Dance National Championships.

- **OLD BUSINESS**

- a) Discussion – Letter received from resident of Parkview Blvd. requesting the council facilitate a meeting between the Sayreville Housing Authority and residents of Oak Tree to discuss the proposed redevelopment of 340 Ernston Road as senior housing.

Mayor called forward:

- Dr. Kelly  
Representing residents of Oaktree development and expressed their concerns about the proposed low income senior housing development on the property behind their homes and requests a meeting with the parties interested in developing the land and themselves, the residents before any decisions are made. Asked the governing body to help facilitate a meeting with those organizations and the Sayreville Housing authority.

Mayor asked Dr. Kelly for a few dates and locations he would like to schedule.

Mayor asked the clerk if she forwarded a copy of the letter to the Housing Authority and if they responded. Ms. Farbaniec stated she had and had not received a response.

Dr. Kelly said that one reason why he is here tonight because of talk that the matter would be going to the Planning Board. Mayor indicated that Resolution #2016-43 requests the Planning Board to conduct a feasibility study to determine if the area of Ernston Road, identified by SERA meets the criteria as an area in need of redevelopment. Mayor asked if they could have their meeting before this gets referred to the Planning Board. Mayor said that would be possible if the council would pull the resolution. Mayor referred it to Co. Grillo, the liaison on the Planning Board asking him if he would table the Resolution.

Co. Grillo asked when this matter would appear before the Planning Board.

The Clerk responded that if the resolution is adopted it would be forwarded to the Planning Board and they would hear, have a study performed and refer the recommendation back to the Council. She stated that this is only for a study to determine if the area could be deemed as an area in need or redevelopment.

Co. Grillo asked Dr. Kelly if he understood that this was a resolution authorizing the Planning Board to perform a study just to see if the area could be deemed as an area in need of redevelopment. This is not for permitting or approvals for any construction.

Dr. Kelly expressed his concerns that the study would involve costs which could be avoided if the area was not developed at all regardless of the use based upon the impact on the surrounding neighborhood.

Co. Grillo expressed his opinion that as a professional city planner and a member of SERA, the genius of this was just to find out if the area could be redeveloped and we're just following the steps and the study could come back in the affirmative or negative but understands his concerns that this area is not adequate for any development. He said that the protocol should be followed and is not comfortable in tabling this resolution. He would like the Housing Authority to meet with them as well as himself, but feels that this should not be delayed because this is very laborious and long process. He would rather expedite the meeting and get all the parties in line instead of delaying the process.

Councilman Buchanan suggested to Dr. Kelly and the residents that they appear before the Planning Board and express their concerns to them and have it on record. Mayor said that is why they are here and from his experience being on the Redevelopment Agency is that the property would have to lay fallow for 10 years to qualify. He asked how long the property laid untouched. Dr. Kelly said since 1991 when he moved in and his development was built in 1962 and has acted as a buffer.

Councilman Grillo stated that the study should be performed to see if the area should be re-redeveloped and there are concerns for residents so this process

needs to get started and as Co. Buchanan stated you should go before the Planning Board and air your grievances before them and that this is your opportunity to have a discourse, so delaying or avoiding the process would do you a disservice.

Mr. Kelly just wanted to save the money in the preparation of the survey if it wasn't necessary.

Co. Grillo asked the Borough Engineer if he felt that they should have a discussion prior to it going before the Planning Board. Mr. Cornell stated that the Planning Board's process does not select the use it just determines if the area meets the criteria as an area in need of redevelopment. The planning board is going to hold public hearings and want input prior to any action being taken on the feasibility study.

He explained that what will happen is that the Resolution will go to the Planning Board, the Planning Board will authorize their planner to conduct the study to see if the area meets the criteria for redevelopment. There will be Public Hearings. If the Planning Board recommends it be redeveloped it will come back to the Council for further review. If the Council agrees then the next step would be to determine what type of uses can go on the property.

Mr. Kelly said that they know it is developable and don't understand why spend the money and go through the process.

Mayor expressed that there was a push on this moving forward. The Housing Authority is trying to meet a deadline which if they don't meet it this year they can next year. The Council is here to do what the residents of Sayreville want and everything begins with the governing body. The residents of the neighborhood should be allowed to find out what the proposal is to make a determination if it fits in with the neighborhood before it goes any further. Felt we should find out if the neighborhood actually wants this and not spend the money.

Councilwoman Novak said that the Mayor is referring to one particular project that the Housing Authority brought up and we're talking about whether or not this land meets the criteria to be deemed as an area in need of redevelopment. We may have many RFP's after these points. The Housing Authority has one idea there may be many ideas after we call for RFP's.

Mr. Kelly expressed his concerns about the traffic congestion and number of accidents at that intersection and the development if anything would not be in the best interest of the people who travel down Ernston Road. She said that the neighbors should be bringing up their concerns to the Planning Board.

Mayor stated that this is borough property

And questioned if we're looking to model after Edison with development, and wondered what justification we would have in developing borough property in its natural state that has acted as a buffer for area residents for over 50 years.

Mr. Kelly said that this is why he wants to have a discussion now with the Planning Board and the Housing Authority.

Councilman Grillo went through the step process again for Mr. Kelly and again stated he felt that they should appear before the Planning Board and possibly SERA.

This would give them an opportunity to plead their case effectively. He said that it is very early in the whole process and understands his position.

The Mayor disagreed and asked if the neighbors wanted anything done with that property and the residents in attendance said no. Mr. Kelly responded, no especially the people that directly abut it. The Mayor felt it was incumbent upon the governing body to listen to the residents of the neighborhood and felt that the rest of the neighbors should come and voice their opinion for the Council to listen.

Councilman Grillo said that he has a Masters Degree in Planning and has been working the field for decades and stated that a feasibility study gets us to make a decision that is what this community planning is based upon.

Mayor asked if anyone wanted to make a motion to Table the Resolution #2016-43 on the Consent Agenda.

Motion was made by Councilman Rittenhouse and seconded by Councilman Lembo.

Roll Call: Ayes: Councilman Lembo  
Councilman Rittenhouse  
Nays: Councilman Buchanan, with comment  
Councilman Grillo,  
Councilwoman Kilpatrick, with comment  
Councilwoman Novak, with comment

2 – Ayes

4 – Nays

Resolution will stay on the Consent Agenda.

Mayor asked if there was anyone else who wished to speak on this topic.

Those appearing were:

- Meg Heekin, 50 Driftwood Drive

Asked why after 55 years it is decided that this needs to be re-developed.

Felt Sayreville is taking every piece of land and developing it. Building more houses, stores and creating more traffic and that there are other residents who could not attend that are not in favor of developing the property.

Councilman Grillo explained that it was the Housing Authority who brought this to SERA. This was not generated by the governing body or the planning board. He reiterated that the residents should go the Housing authority and ask these questions. He said that there is no concrete proposal.

Mayor stated that this is borough property and every taxpayer owns a portion. It is incumbent upon the governing body to do the wishes of the people.

Councilwoman Novak said that it started with a survey from the Housing Authority to the seniors that generated this.

Councilman Rittenhouse said that the concept had stores on the bottom level and units above.

Mayor said that we have an Open Space Committee and this should remain on our Open Space Inventory. He felt it was a terrible location for anything and this property stood as a buffer for these residents for 55 years. He then commented about the ratables and taxes.

Mrs. Heekin then commented about the dumping in the area.

She made it clear that they want to be part of the system.

Mr. Grillo concurred with the Mayor that Open Space may be the way to go but there is a process.

- Rich Brauchle, 20 Scheid Drive, Parlin  
Questioned the process and how things progressed to this point.  
Response by Councilman Grillo.

Mr. Brauchle mentioned the number of accidents in that area and did not know how an ingress/egress would ever be able to be put there.

- Ed Streck, 58 Nickel Avenue  
Understands their concerns – concerned about the residents of Sayreville.

- Frank Heekin, 50 Driftwood Drive  
Asked if the borough could use the open space fund and develop it as a park land system.

Response by the mayor

- Barbara Kilcomons, 22 Schmitt Street  
Mayor said Ditto to Mr. Heekins comments.  
Commented that she does not trust SERA. Requested their meetings be held here and be video recorded and on TV. She commented on the SERA meetings she attended in the past and the precedent being set for PILOT's moving forward.

William Kilpatrick, 21 Wick Drive  
Felt a feasibility study is relevant and needs to be done, it is at the beginning stages and it is relevant.

Mayor advised Dr. Kelly to inform his neighbors to review the recording and to plan a course of action but the resolution will be passed and referred to the Planning Board.

Mayor called the Police Chief and the IT Director Tom Bracken

b) Police Chief John Zeborwski & IT Director Tom Bracken  
- The Police Chief came forward and gave a status report on Borough wide radio system and after sitting with various vendors and discussed various types of radio systems and what would be the best for Sayreville as well as subscribers or the radios. Requested authorization to continue to utilize V-Comm Telecommunication Engineering to put together the specifications for our particular radio system this will give the specific requirements as to what we need so that any vendor who makes an application and proposal to the Borough will have a similar format and review the proposals for the Borough wide radio system. He spoke on the application process before the FCC to utilize the 700MHZ range. If everything goes according to schedule we could have a new radio system by December.

Mayor asked if there were any questions.

Councilwoman Kilpatrick thanked the Police Chief and his department for their quick response to threats made against our schools this past week and keeping everyone safe.

Councilman Lembo made a motion authorizing the Police Dept. to contract with V-Comm. Telecommunication Engineering to review the needs and prepare the

specifications for the Borough wide radio system at an amount not to exceed \$31,000.00. Motion seconded by Councilwoman Kilpatrick.

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

Councilwoman Novak asked if the figures were submitted for the budget and the chief said that they were.

Mayor thanked our IT Director for quickly getting the video of the council meetings on the borough's web site.

Mayor called for the next order of business

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

The Clerk Read the heading for Ordinance #317-16 and the Mayor opened the meeting to the public for questions or comments on **Ordinance #317-16**.

The Business Administrator explained what the percent is on the water portion of the bill and the other needs covered by this ordinance and that we are the third lowest in the County as far as water rates go.

Mayor O'Brien opened the meeting to the public for questions or comments on this Ordinance.

Those appearing were:

- Barbara Kilcomons, 22 Schmitt St.  
She stated that she does not agree with the way the department is ran and why we are in such a need of an increase. She also commented about the current director not holding a T-4 License so we pay someone else who hold this license.

The Business Admin. explained the hiring process of the Water & Sewer Director and the criteria involved in this process and their reason for their decision on hiring the current director. He is currently in the process of obtaining his T-4 License and that he is managing and directing that department very well.

Mil. Kilcomons commented on his attendance record then about the amount of money it is costing to renovate the old treatment plant and about the polluted Hercules wells.

Mayor said that this town is ran very tight. He said that the Hercules wells are in the process of being cleaned up and flushed out. We have also become partners with DuPont and Hercules in the Spotswood reservoir.

Further comments about the purchase of Duhernal and the costs associated with that purchase.

Councilwoman Novak commented on the use of surface water and the sludge and its clean-up and the costs associated with the disposal of the sludge as well as the water main breaks and the number that we had last year and the large amount of costs associated with them being over budget.

Mayor said that the increase is approximately \$12.00 per year.

No further questions or comments.

Councilman Rittenhouse made a motion to close the public hearing and that the Ordinance be adopted on second and final reading and advertised according to law. Motion was seconded by Councilman Lembo.

Roll Call: Ayes: Councilpersons Lembo – with comment,  
Novak, Rittenhouse

Nay: Councilpersons Buchanan- with Comment  
Grillo, Kilpatrick

Clerk announced that it was a tie vote.

Mayor Votes Ayes to break the tie and the Ordinance was passed.

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

**ORDINANCE #317-16**

**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV,  
“WATER & SEWER”, SECTION 16.1 OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF SAYREVILLE, 1986, AS  
SUPPLEMENTED AND AMENDED**

(Water & Sewer Committee – Public Hearing Jan. 25, 2016)

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville that chapter XIV “Water & Sewer”, Section 16.1 “Rates for Water Consumed” is hereby supplemented and amended by deleting 14-16.1 and inserting in lieu thereof, the following:

**14-16 RATES.**

**14-16.1 Rates for Water Consumed. Effective February 1, 2016** the rates for water consumed shall be as follows:

- a. For the first one thousand (1,000) cubic feet per quarter, the quarterly payment shall be twenty-five dollars and fifteen cents (\$25.15).
- b. For the next ten thousand (10,000) cubic feet or less per quarter, exceeding the minimum charge quantity, forty dollars and seventy-five cents (\$40.75) per one thousand (1,000) cubic feet.
- c. For the next forty thousand (40,000) cubic feet or less per quarter, forty-two dollars and seventy cents (\$42.70) per one thousand (1,000) cubic feet.
- d. For the next fifty thousand (50,000) cubic feet or less per quarter, forty-four dollars and twenty cents (\$44.20) per one thousand (1,000) cubic feet.
- e. For all water consumed above this quantity, forty-five dollars and ninety-five cents (\$45.95) per one thousand (1,000) cubic feet.

**Effective January 1, 2017** the rates for water consumed shall be as follows:

- a. For the first one thousand (1,000) cubic feet per quarter, the quarterly payment shall be twenty-six dollars and forty cents (\$26.40).
- b. For the next ten thousand (10,000) cubic feet or less per quarter, exceeding the minimum charge quantity, forty-two dollars and eighty cents (\$42.80) per one thousand (1,000) cubic feet.
- c. For the next forty thousand (40,000) cubic feet or less per quarter, forty-four dollars and eighty-five cents (\$44.85) per one thousand (1,000) cubic feet.
- d. For the next fifty thousand (50,000) cubic feet or less per quarter, forty-six dollars and forty cents (\$46.40) per one thousand (1,000) cubic feet.

e. For all water consumed above this quantity, forty-eight dollars and twenty-five cents (\$48.25) per one thousand (1,000) cubic feet.

A discount of five (5%) percent shall be approved on current bills to senior citizens sixty-five (65) years or older. Proof of age is required to be submitted to the Water Director to be entitled to the senior citizen discount. The senior discount will only apply to residential owner occupied dwelling units.

/s/ Arthur Rittenhouse, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

**APPROVED AS TO FORM:**

/s/ Michael Dupont, Esq. Borough Attorney

Votes: Ayes: 3

Nays: 3

Mayor Voted Ayes and broke tie

• **NEW BUSINESS:**

a. Municipal Clerk Farbaniec reported on having received from CFO Wayne A. Kronowski the **Annual Debt Statement and Annual Financial Statement** which was filed with the Division of Local Government Services for Budget year ending **2015**.

Councilwoman Novak made a motion to receive and file. Seconded by Council President Buchanan, all Ayes.

b) Introduction to the following Ordinance(s):

**ORDINANCE #318-16**  
**AN ORDINANCE FIXING THE SALARIES OF CERTAIN**  
**BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES**  
**FOR THE YEARS 2014, 2015 AND 2016**  
(Admin. & Finance Committee – Public Hearing Feb. 8, 2016)

Councilwoman Novak moved that the ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 8, 2016. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick Lembo, Novak, Rittenhouse, all Ayes. Carried.

**ORDINANCE # 319-16**  
**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE**  
**IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**  
**AMENDING THE WATERFRONT REDEVELOPMENT PLAN**  
**AND MASTER PLAN**  
(Planning & Zoning Committee – Public Hearing Feb. 8, 2016)

Councilman Grillo moved that the ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 8, 2016. Motion was seconded by Council President Buchanan.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick Lembo, Novak, Rittenhouse, all Ayes. Carried.

**ORDINANCE # 320-16**  
**CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL**  
**BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

(Admin. & Finance Committee – Public Hearing Feb. 8, 2016)

Councilwoman Novak moved that the ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 8, 2016. Motion was seconded by Council President Buchanan.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick Lembo, Novak, Rittenhouse, all Ayes. Carried.

**ORDINANCE # 321-2016**  
**AN ORDINANCE AMENDING THE REVISED RULES OF**  
**ORDER OF COUNCIL OF THE BOROUGH OF SAYREVILLE**

(Council President Buchanan, Sponsor – Public Hearing Feb. 8, 2016)

Council President Buchanan moved that the ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 8, 2016. Motion was seconded by Councilwoman Novak.

Comments:

Mayor advised against this ordinance. He said that this ordinance changes the Governing Body's Rules of Order and felt it was for political purposes.

Councilman Rittenhouse said that he did not see this until he received his council's packet on Friday. He said that we are going against Roberts Rules of Order and that this was against him and no one talked to him.

Councilwoman Novak stated that this was discussed at the last meeting, it was on the agenda. Council President Buchanan said that this discussion started last year and that this is to keep our process transparent and takes the politics out. He said that the person introducing the matter should stand behind it and vote for it.

Councilman Rittenhouse said that is not necessarily true as it is past practice that the liaison is the person introducing it. It does not mean that the person agrees or disagrees. He said that he fully followed Roberts Rules of Order. He mentioned that Co. Buchanan would meet with the attorney.

Council President Buchanan said that this had been discussed in the past and the reason for it is for transparency and takes politics out of the process, that if you are moving something you should be able to support it and vote for it.

Councilman Rittenhouse spoke about past practice and the vote on the water rate ordinance in the past.

Mayor asked if there were any further comments on this Ordinance then asked for a Roll Call:

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

**CONSENT AGENDA/RESOLUTIONS**

Mayor O'Brien opened the meeting to the public for questions or comments on the consent agenda items.

There were no appearance.

Council President Dan Buchanan made a motion to close the public portion 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, Novak

Ayes with exceptions to Resolution 2016-43:  
Councilpersons Lembo- yes with the exception of 2016-43;  
Rittenhouse- yes with the exception of 2016-43.

**RESOLUTION #2016-33**

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

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

That all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/ Kennedy O'Brien  
Mayor

/s/ Daniel Buchanan  
Councilman

/s/ Pasquale Lembo  
Councilman

/s/ Steven Grillo  
Councilman

/s/ Mary J. Novak  
Councilwoman

/s/ Victoria Kilpatrick  
Councilwoman

/s/ Arthur Rittenhouse  
Councilman

**Bill list of January 25, 2016 in the amount of \$2,754,853.60 in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).**

**RESOLUTION #2016-34**

**BE IT AND IT IS HEREBY RESOLVED** that the following transfers between 2015 Appropriation Reserves be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<b><u>CURRENT FUND</u></b>		
Fire Department (1260-301-2-2040)	\$	\$ 2,000
Telephone (1440-940-2-18150)		2,000
Fuels & Lubricants (1460-415-2-9170)	4,000	
	<u>\$ 4,000</u>	<u>\$ 4,000</u>

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-35**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

**NAME OF APPOINTEE:** Matthew Misiewicz  
**POSITION:** Laborer 1 – Per Diem

**DEPARTMENT:** Dept. Public Works

**EFFECTIVE:** January 26, 2016

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

/s/ Victoria Kilpatrick, Councilwoman  
(Public Works Committee)

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2015-36**

**WHEREAS**, the following named persons have applied for the renewal of an auto wrecker's license under the existing ordinances covering the following locations for the year 2016:

<b><u>APPLICANT</u></b>	<b><u>LOCATION</u></b>
Joseph V. Juliano Julian's Garage	919 Route #9 South Amboy, NJ 08879
John Krist A-1 Auto Center	236 Main Street Sayreville, NJ 08872
Donald M. Rzepka Al's Auto Body	2070 Hwy. #35 South Amboy, NJ 08879
Wayne Wagner-Wagcar, Inc. Walter's Auto Body	502 Raritan Street Sayreville, NJ 08872
Steve Vrabel Economy Auto, Inc.	Victory Bridge Plaza South Amboy, NJ 08879
Thomas DePasquale Wayne's Auto Body	South Pine Ave. & 10 <sup>th</sup> St. South Amboy, NJ 08879

**WHEREAS**, the Governing Body has considered the applications and the same appear to be in conformity with the terms of the ordinances; and

**WHEREAS**, it further appears that there are no present violations pending against said applicants;

**NOW, THEREFORE, BE IT RESOLVED:**

- 1.) That the said applications are hereby approved and granted for the year 2016.
- 2.) That upon receipt of the proper insurance coverage and satisfactory wrecker inspection reports, the Borough Clerk is hereby authorized and directed to issue said licenses.

/s/ Pasquale Lembo, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-37**

**WHEREAS, the Borough Clerk is in receipt of applications for issuance of Annual Motor Vehicle Licenses for the year 2016 covering the following** locations

- Knights Inn Parkway

Formatted: Font: Cambria, Bold

Formatted: Font: Cambria, Bold

- 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 2016 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 #2016-38**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND  
BOROUGH CLERK TO EXECUTE A RISK MANAGEMENT  
CONSULTANT'S AGREEMENT WITH NORTH AMERICAN  
INSURANCE MANAGEMENT CORPORATION (NAIMC)**

**WHEREAS**, the Borough of Sayreville (the "Borough") is a member of the Middlesex County Joint Insurance Fund (JIF); and

**WHEREAS**, the Borough desires the services of a consultant to provide professional risk management services to be compensated by the JIF; and

**WHEREAS**, the Borough has determined that the Borough's needs may be met by North American Insurance Management Corporation in both a cost effective and comprehensive manner; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(m) provides for the purchase of insurance coverage and consultant services without the need for public bidding in accordance with the requirements for extraordinary un-specifiable services; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services is defined in paragraph two (2) of the Risk Management Consultant's Agreement; and

**WHEREAS**, the term of this Contract shall be from January 1, 2016 until December 31, 2016, unless sooner terminated in accordance with law and the contract; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit a Business Entity Disclosure Certification, which Certification will provides that no contributions have been made that would bar the award of these contracts pursuant to P.L. 2004, c.19 and, further, that no reportable contributions to municipal political or candidate committees of the elected officials of the Borough will be made through the term of these contracts; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit the Political Contribution Disclosure Form required pursuant to P.L. 2005, c.271, which form will be on file with the Municipal Clerk ten (10) days following to the adoption of this Resolution.

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

1. The recitals set forth above are hereby incorporated into the body of this Resolution as if set forth at length herein.

2. The Mayor or the Business Administrator of the Borough of Sayreville is hereby authorized to execute an agreement with North American Insurance Management commencing January 1, 2016 and terminating on December 31, 2016, which shall provide that all payment for the performance of

the services contemplated thereunder shall be the responsibility of the Middlesex County Joint Insurance Fund; and

**BE IT FURTHER RESOLVED** that the award of the herein contract shall be published in the official newspaper of the Borough setting forth the "nature, duration, service, and amount of the contract" and a copy of the contract and this Resolution shall be on file in the office of the Borough Clerk for public inspection during regular business hours pursuant to N.J.S.A. 40A:11-5(1)(a)(ii); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately; and

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification, Political Contribution Disclosure Form, and the Determination of Value be placed on file with this Resolution.

/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 #2016-39**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE**  
**COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING**  
**THE EXECUTION OF AN AGREEMENT BETWEEN THE**  
**BOROUGH OF SAYREVILLE AND THE**  
**ASSOCIATED HUMANE SOCIETIES, INC.**

**WHEREAS**, the Governing Body of the Borough of Sayreville has determined that it is in need of a provider of services for animal protection which will be available on a daily basis; and

**WHEREAS**, the Governing Body of the Borough of Sayreville has come to an agreement with the Associated Humane Societies, Inc., a non-profit, charitable organization to provide the Borough services including but not limited to, the rescue, custody and care of injured animals, trapped animals, sick animals and animals whose lives are endangered or animals that present a danger to humans, including those that have bitten a person; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials and the Borough Administrator are authorized and directed to execute the Agreement between the Borough of Sayreville and the Associated Humane Societies, Inc. which Agreement will run from the 1<sup>st</sup> day of March, 2016 through the 28<sup>th</sup> day of February, 2017.

/s/ Pasquale Lembo, Councilman  
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-40**

**WHEREAS**, on December 30, 2015 the Mayor and Council of the Borough of Sayreville, have received bids for "**Uniform Rental and Cleaning**"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 25th day of January, 2016 that:

1. Contract for “**Uniform Rental and Cleaning**” be awarded to American Wear, Inc., 261 N. 18<sup>th</sup> St., East Orange, NJ 07017 on their bid price, as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Victoria Kilpatrick, Councilwoman  
(Public Works Chairman)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-41**

**WHEREAS**, on January 12, 2016 the Mayor and Council of the Borough of Sayreville, have received bids for “**Fort Grumpy Storage Facility**” project; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 25th day of January, 2016 that:

1. Contract for the “**Fort Grumpy Storage Facility**” project be awarded to B & W Construction Co., of NJ, Inc., of South River, NJ on their bid price, as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Victoria Kilpatrick, Councilwoman  
(Public Works Chairman)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2016-42**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE RELEASE OF PERFORMANCE BOND OF  
RED OAK POWER-RED OAK URBAN RENEWAL**

**WHEREAS**, the Governing Body of the Borough of Sayreville passed Resolution No. 2015-359 allowing the execution of a Limited Release between Red Oak Power-Red Oak Urban Renewal and the Borough of Sayreville to settle a dispute regarding untreated water delivered to the property known as Block 49.01, Lot 1 on the Tax Assessment Map of the Borough of Sayreville;

**WHEREAS**; the Governing Body of the Borough of Sayreville required that a Performance Bond in the amount of \$90,000.00 be posted by Red Oak Power-Red Oak Urban Renewal as insurance that Condition 1(b) of the Borough of Sayreville’s Planning Board Resolution of October 12, 1999 be fulfilled; and

**WHEREAS**, the Governing Body of the Borough of Sayreville in accordance with Red Oak Power Consent Order as approved by Resolution No. 2015-359 is satisfied with the tree restoration and in compliance with Planning Board Resolution of Approval for Red Oak Power-Red Oak Urban Renewal has accomplished the tree restoration on the property; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Governing Body of the Borough of Sayreville acknowledges that all conditions of the Planning Board Resolution of October 12, 1999 have been met and the Red Oak Power-Red Oak Urban

Renewal Performance Bond in the amount of \$90,000.00 be and is hereby released.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION 2016 - 43**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE**  
**COUNTY OF MIDDLESEX, NEW JERSEY, TO REQUEST THE**  
**PLANNING BOARD OF THE BOROUGH OF SAYREVILLE TO**  
**CONDUCT A FEASIBILITY STUDY**

**WHEREAS**, the Governing Body of the Borough of Sayreville received a recommendation from the Sayreville Economic Redevelopment Agency (SERA) for a study to be conducted to determine if an area of Ernston Road meets the criteria as an area in need of redevelopment; and

**WHEREAS**, the Mayor and Council agree that certain areas of Ernston Road be studied by the Planning Board to determine if the area meets the criteria as an area in need of redevelopment; and

**BE IT AND IT IS HEREBY RESOLVED THAT** this Resolution authorizes the Planning Board of the Borough of Sayreville to conduct a study to determine if the area of Ernston Road identified by SERA meets the criteria as an area in need of redevelopment.

/s/ Steven Grillo, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Mayor Returned Unsigned  
Mayor

**PUBLIC PORTION**

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

Those appearing were:

- Thomas Biasiada, 17 Greenhill Avenue, Parlin  
Commented about a notice that Madison Park residents received from DuPont regarding water contamination.  
- Issue was addressed by the borough engineer.

Requested that the ordinance regarding no parking while streets are snow covered be enforced and people get ticketed.

Questioned why there were so many ordinances last year and how much it cost.

Questioned who the Sayreville Economic and Redevelopment Agency Reports to.  
Mayor responded that they are an independent agency under the law.

Councilwoman Novak said that they make recommendations to the governing body and the governing body acts on the recommendations.  
Mr. Biasiada requested that SERA meet in the Council Chambers, have the meetings taped and televised for transparency and that items discussed in closed session be announced.

Council President Buchanan stated that he believes that this request had been made in the past.

Mr. Biasiada requested that a resolution be passed requiring them to audio and video record their meetings.

Councilman Rittenhouse stated reasons he believes why he no longer serves on SERA was because he requested their meetings televised.

Mayor asked the clerk to research the action that had been taken in the past regarding this issue.

Councilman Rittenhouse said that SERA chairman stated that if that ever happens he would move the meetings out of the building.

Mayor asked if someone would like to make that motion.

Motion made by Councilman Rittenhouse and seconded by Councilman Buchanan that the SERA meetings be recorded and televised whether it is in Council Chambers or 310 another room capable of recording the meetings to be televised.

Discussion on where they should be meet.

Borough Attorney DuPont stated that this is a resolution requesting that SERA to ensure that it audio and video tapes all of its meetings whether it is in Council Chambers, Room 308 or 310;

Roll Call: Ayes: Councilpersons Buchanan, Kilpatrick, Lembo, Novak,  
Rittenhouse.

Nay: Councilpersons Grillo

- Barbara Kilcomons, 22 Schmitt Street  
Questioned the bid process on borough vehicles and if the person bidding had to bid on everything.  
It was responded to that it was one package.

Commented on the poor plow job after the last snow storm.

- Response by Mayor O'Brien that this was not just a snow storm but a blizzard and the protocol during a state of emergency and under the circumstances they did exactly what they were supposed to do.

- Comments made by Councilwoman Kilpatrick on the number of men that were out during the entire storm and the number of streets that had to be plowed. She also mentioned the height of the storm and its difficulties. She also mention the man hours lost when men were called in for the Governor's Press Conference.

Mrs. Kilcomons commented on the old looking condition of the Trackless she saw out there.

Councilwoman Kilpatrick said that the borough has two and the one she saw was the old one that was to go out to pasture. She then went on to say that she drove to the press conference at the DPW but there were two council people who were picked up by our men out there with the snow plows and did not feel this was the right use of our men.

Response by Councilman Rittenhouse and Councilman Lembo and further comments by Councilman Buchanan.

Councilwoman Kilpatrick said she also approached the Deputy Governor about the borough needing help with a new public works facility and showed her the building around her. She then commented that that the Park and Ride lot needs to go back to a private plowing company. Mayor asked that the Business Admin. review and advise the council the best way to have this handled.

Councilman Buchanan moved the public portion be closed. Motion seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. Carried.

- **EXECUTIVE SESSION – None**
- **ADJOURNMENT**

No further discussion and No further business.

Mayor called for a motion to adjourn.

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

Roll Call: Voice Vote, all Ayes.

Time: 9:10 P.M.

SIGNED:

---

Theresa A. Farbaniec, RMC  
Municipal Clerk

---

Date Approved