

Mayor O'Brien opened the Agenda Meeting at 8:50 PM followed by a salute to the flag.

❖ **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Session Meeting being held on Monday, February 12, 2018 has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

• **ROLL CALL:**

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

Absent: None

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

Others Absent: None

• **OLD BUSINESS:**

-If the following Ordinance(s) were introduced at the Council meeting they will be listed for Public Hearing and Adoption on February 26, 2018.

ORDINANCE #395-18

BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE PULASKI AVENUE WATER TANK IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Admin. & Finance Committee – Public Hearing Feb. 26, 2018)

ORDINANCE #396-18

AN ORDINANCE AMENDING CHAPTER V – POLICE REGULATIONS TO AD A SUBSECTION ENTITLED “BASKETBALL HOOPS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

(Co. Kilpatrick, Public Works Committee – Public Hearing Feb. 26, 2018)

ORDINANCE #397-18

Revised

AN ORDINANCE AMENDING CHAPTER II, “ADMINISTRATION”, TO ADD SUBSECTION 2-68, “COAH OVERSIGHT COMMITTEE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

(Co. Grillo, Sponsor – Public Hearing Feb. 26, 2018)

ORDINANCE 398-18

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,850,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

(Co. Novak, Admin. & Finance – Public Hearing Feb. 26, 2018)

- **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

A) Minutes & Departmental Reports:

Councilwoman Novak moved the following Minutes/Reports be Received & Filed:

- 1) Board of Education Minutes of December 19, 2017 and January 2, 2018.
-Motion was seconded by Councilman Buchanan.

B) Applications for **Bingo/Raffle Licenses** received from the following Organizations:

- 1) **Sayreville Auxiliary Police Association, Inc.** to conduct an Off-Premise 50/50 on April 29, 2018 at their carnival in Kennedy Park (RA:2164).
- 2) **Southwood School PTA** to conduct an On-Premise 50/50 and an On Premise Draw (Tricky Tray) on March 23, 2018 at the Sayreville VFW (RA:2165 & 2166).
- 3) **Our Lady of Victories HSA** to conduct Bingo Games on April 13, 2018 (BA:523).
- 4) **Old Bridge School of Dance Competition Team** to conduct an On-Premise 50/50 and an On-Premise Draw (Tricky Tray) on March 11, 2018 at the Sayreville VFW (RA:2167 & 2168).
- 5) **Cheer Dream Scoliosis Foundation Inc.**, to conduct an On-Premise 50/50 and an On-Premise Draw (Tricky Tray) on March 3, 2018 at the Sayreville VFW (RA:2169 & 2170).
- 6) **Sr. Social Club of Lakeview Develop.** to conduct Special Bingo Games from March 1, 2018 – February 28, 2020.
- 7) **Dwight D. Eisenhower Elementary PTO** to conduct an On-Premise 50/50 and a On-Premise Draw (Tricky Tray) on March 2, 2018 (snow date, March 9, 2018).

- 1 thru 7) Approved

C) **Tax Appeal** received from the following

- 1) Fouad Waked, 3 Oakwood Drive, Blk. 449.01, Lot 2.

- Forward to Tax Counsel

D) Committee Reports – Councilwoman Novak:

- 1) Budget Workshop – Feb. 26, 2018 – 6PM operating budget to be discussed.
Budget was at 14.9 cents and has been reduced significantly.

- **PLANNING & ZONING – Councilman Lembo**

A) Minutes & Departmental Reports:

Councilman Lembo moved the following minutes be received and filed:

- 1) Planning Board minutes of January 3, 2018.

- Motion was seconded by Councilman Buchanan.

B) **Notice to Adjacent Property Owners** received from:

- 1) Bedell, LLC appeared before the Planning Bd. on Feb. 7, 2018 for waivers and variances from the Borough’s Design Standards to improve and construct an 11,650 sq. ft. free standing, two story office building, maintenance area and associated parking for the operations of the NJ Transit’s Access Link bus service located at 880 Main Street, Block 251, Lot 1.01.

- Receive & File

- 2) Twp. of Edison – A Cert. copy of a Resolution adopted on Jan. 24, opposing the 180 mile oil pipeline between Albany, NY and Linden, NJ to be constructed by Pilgrim Pipeline Co.

- Receive & File

C) Committee Reports:

- 1) Progress

- **PUBLIC SAFETY – Councilman Buchanan**

- A) **Minutes & Departmental Reports:**

- Councilman Buchanan moved the following Minutes/Reports be Received & Filed:

- 1) Board of Health Minutes of December 7, 2017.

- Motion was seconded by Councilwoman Novak.

- B) **Notice of retirement** received from Thomas Barbieri from his position as Acting Captain for the Borough of Sayreville Police Dept., effective December 1, 2018.

- Receive & File

- C) **Coin Toss requests** received from:

- 1) **Sayreville Bombers Golf team** to be held on April 15, 2018 from 10am-2pm at the intersection of Washington Road & Ernston Road.

- Approved

- D) **Notice of resignation** received from Joan McCarthy as a member of the Human Relations Commission.

- Receive & File

- E) **Request to Travel** received from:

- 1) President Park Fire Co. to travel to Belmar to attend a St. Patrick's Day Parade on March 4, 2018.

- 2) Melrose Hose Co. No. 1 to travel to Keyport to attend a St. Patrick's Day Parade on March 24, 2018.

- Approved

- F) **Application for Firefighters** received from John J. Cuff, Jr. (Regular Member) and Patrick T. Rourke (Associate member) of the Morgan Hose & Chemical Co. No. 1, both applications were approved at a regular meeting of the department.

- Approved

- G) **Resignation of Firefighter** Keri Pentek of Engine Co. No. 1, effective Jan. 31, 2018.

- Receive & File

- F) Committee Reports – Councilman Buchanan:

- 1) Asked the Business Admin. for a report on the replacement of Morgan Fire Dept. uniforms that were damaged by water during the roof replacement back in 2015. Mr. Frankel reported that he is still receiving information and would report at a later date.

- 2) Requested the Police Chief come forward and give a report the number of retiring officers and his request for hiring.

- Police Chief John Zebrowski addressed the Council on his recommendation on hiring three (3) Officers. His plan is to send them to the Academy starting in April given the number of officers that are retiring. He requested the Mayor and Council take the step and hire these three (3) Officers and then hire more officers for the August Academy, as well.

- Mayor again asked the Police Chief for the number of officers he is looking to hire. Chief Zebrowski said three for the April Academy Class. Mayor asked Councilman Buchanan for his opinion and he said that he was in agreement. The Mayor then asked if there was anyone not in agreement. There were no comments made.

- The Mayor then called for the Recreation Committee Report.

- **RECREATION – Councilman Melendez**

- A) **Minutes & Departmental Reports:** (None)

- B) **Special Event Application** received from:

- 1) **Shree Dwarkadhish Temple** to conduct Religious Celebrations on Saturday, March 10th & Saturday April 14, 2018 from 4-8PM.

- 2) **Sayreville Police Auxiliary** to conduct a fund raiser/carnival at Kennedy Park on April 26-29, 2018.

- 1 & 2 Approve/Resolution

- C) Authorization to establishing the following **Recreation Programs and fees** associated with said programs:

- Flag Football Sports Camp – Games from the Street

- 1 wk program - \$105. Residents/\$130. Non-Resident

- Approved/Resolution

D) Committee Reports: 1) Progress.

• **WATER & SEWER/ENVIRONMENTAL – Councilman Grillo**

A) **Minutes & Departmental Reports: (none)**

B) Committee Reports – Councilman Grillo:

1) Gave a report that was put together by our Engineer on the number of water main breaks over the last five (5) years and the cost to the borough and their locations (Report is on file in the Clerk’s Office). He said that the Engineer will make more of a formal report and give his recommendations during his report.

• **PUBLIC WORKS – Council President Kilpatrick**

A) **Minutes & Departmental Reports:**

Council President Kilpatrick moved the following Minutes/Reports be Received & Filed:

- 1) Minutes of the Solid Waste Advisory Council of Dec. 12, 2017.
- Motion was seconded by Councilwoman Novak.

B) **Notice of Retirement** received from Gary Aich from his position as Road Supervisor in the Dept. of Public Works, effective April 1, 2018.

- Receive & File

C) Committee Reports - Council President Kilpatrick:

- 1) Thanked Mr. DuPont for his report on the COAH Litigation matter.
- 2) Requested a consensus on the type of park benches in order to get pricing and a plan phase as to which parks to start with. Asked her colleagues to submit their selection - They all agreed with the bench on the second page of the brochure.
- 3) Board of Education Sub-Committee met (Co. Kilpatrick, Lembo & Buchanan) and reviewed items they would like to bring back to the Board of Education. She said that she would provide meeting dates once coordinated with the Board of Ed.
- 4) Asked the Borough Attorney for an update on the Food Truck Ordinance.
- Mr. DuPont recommended that the Peddler’s License Section of the Ordinance #8-3 be amended to include a section for Food Trucks.
Hope to have draft prepared for next meeting.
- 5) Reported that the mulch in the parks will be phased out and replaced with rubber matting and would like to start with the Memorial Park and Burke’s Park in this years budget. This would save on maintenance and cost of re-mulching. Would also like to see the Soccer complex for a cost perspective.
- 6) Requested that the Miller’s Corner Park be named in honor of Matt Winston, a Park’s Dept. employee who recently passed away who always made this park his pet project in it’s upkeep.
Council President Kilpatrick made a **Motion to Dedicate Miller’s Corner Park memory of Mr. Matthew Winston**. Motion was seconded by Councilwoman Novak.

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

Councilwoman Kilpatrick then made a **motion to have a ceremony and Memorial Sign in his memory and have the park dedicated to Matt Winston**. Motion was seconded by Councilwoman Novak on the sign.

Roll Call – Voice Vote, all Ayes.

• **BUSINESS ADMINISTRATOR – Daniel E. Frankel**

- Admin. & Finance

- Planning & Zoning

1) Authorization to request that the Army Corp of Engineers de-authorize the Titanium Reach and the South Channel in order to be able to construct a marina facility at the proposed Riverton Brownfields Redevelopment Project.

- Resolution.

2) Authorization to appoint Lewis Hassel as Building Inspector ICS in accordance with Civil Service Promotional Procedures, effective March 1, 2018.

- Resolution.

3) Request received from Costa Verde Restaurant (Steve Roque, Rep.) to relocate a portion of Cross Avenue freeing up their property in order to add additional parking for their business (Their property has been paved over as a portion of Cross Ave.)

- Refer to Borough Attorney for further investigation and recommendation as to a solution.

4) Authorization for Peter Sockler of Sockler Realty Services Group, Inc. to review Transco appraisal value, at a fee not to exceed \$1,000.

- Resolution.

- Public Safety

1) Authorization to advertise for bids for Fire Truck Preventative maintenance and Repair.

- Resolution.

2) Authorization to advertise for bids for the Installation of a Pole Barn at the Police Firing Range.

- Resolution.

3) Authorizing the Borough Clerk to advertise for the receipt of sealed bids for abandoned and unclaimed Motor Vehicles, at various garages no longer required for public use in, accordance with N.J.S.A. 39-10A-1 et seq.

- Resolution.

4) Authorization for permission for the Sayreville Police Auxiliary to conduct a fireworks display at their carnival at Kennedy Park on April 27th with a rain date of April 28, 2018.

- Refer to Fire Prevention to file the proper paperwork. After permit is issued prepare Resolution.

- Public Works

1) Authorization for the Recycling Coordinator to submit a grant application for a Competitive Recycling Enhancement Grant through Middlesex County Department of Public Safety & Health.

- Resolution.

2) Authorization to execute a Shared Services Agreement between the Borough Sayreville and the County of Middlesex for Goose Control in Sayreville Parklands at a fee not to exceed \$10,180.32.

- Resolution.

3) Authorization to appoint Rita Januzzi, Keyboarding Clerk 4 in accordance with Civil Service Promotional Procedures, effective March 1, 2018.

- Councilwoman Novak requested that this promotion be effective back to January 1, 2018. Business Admin. to check with Labor Co.

- Resolution.

- Recreation

- Water & Sewer

1) Authorization to extend contract for Water Meters and Related Equipment awarded to HD Waterworks Supply of Edison for a two (2) year term with no increase in contract price.

- Resolution.

2) Authorization to purchase one (1) Tow Behind By-Pass Pump from Xylem Dewatering Solutions of Edison, NJ through NJ State Contract T2864/A85374.

- Resolution.

• **C.F.O. - Wayne Kronowski**

1) Transfer Resolution.

2) Budget Workshop Meetings.

- Feb. 26, 2018 – 6PM

3) Approval to fund the Winding Wood Pump Station Improvement with funds from the sale of the Melrose Pump Station excess capacity. (\$950,000.00)

- Approved

- **BOROUGH ENGINEER - Jay Cornell**

1) 2015 Roadway Paving & Reconstruction Project – Phase III
Closeout and Change Order (Report Attached).

- Resolution.

2) Borough of Sayreville Water Department – Review of Water Main Breaks (Report Attached). Mr. Cornell reiterated what Co. Grillo said regarding the number of water main breaks that occur and the amount of money spent on the repair as well as the locations this year. He said they occur more often on the heavily traveled roadways, such as Bordentown Avenue, Rt. 9, Main Street and Washington Road. He said they attempted to prepare a map to show exactly where the breaks occurred, however the information received was not specific enough to be able to pin point where those breaks occurred.

One recommendation is to try to get more specific information from the Water Dept. They have a handheld GPS Unit where they could physically track the location of a water main break and provide the information which could be put on the GIS Mapping so the next time you look there would be more specific information.

He said that the second recommendation is for funding the Water Master Plan Update, last update was done in 1988. The system has changed concerning the water plant; how it operates; your development is in town; how you get water through the system. This would allow you to go through and model your system to determine if you are over stressing certain mains. Maybe they have to be upgraded. Maybe that is why there are breaks. This is an item in your budget, so you may want to refer to the CFO for funding for that Master Plan.

- **BOROUGH ATTORNEY - Michael DuPont**

(Item discussed earlier in the meeting)

1) Discussion on amending Peddlers Licensing Ordinance to include Food Trucks and to establish areas of location.

- **MAYOR - Kennedy O'Brien**

1) Mayor said that he was approached by two union reps to discuss their contracts. He said this falls under the Business Admin. And he recommended that the BA meet with them with 2-3 other Council people (if they would like) and see what their issues are.

Mr. Frankel informed the Mayor that he has met with both Unions on a few occasions. They have talked and tried to gain some common ground which is difficult, but will keep moving forward until they find that common ground. Biggest issues are salaries and health benefits and he will try and work through the issues. He said that the PBA contract ended in 2017 and has reached to Mike Thiele, PBA President to open the discussion.

- **PUBLIC PORTION**

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

Those appearing were:

- Jim Robinson, 11 Borelle Square

Spoke about the Open Public Meetings Act and what an effective majority as opposed to a quorum. Spoke about the agenda session being held on a different night from the council meetings as they used to be and felt that was more effective. He suggested that the council go back to that schedule

Mr. Robinson asked that the COAH Ordinance be explained.

Councilman Grillo explained the COAH Oversight Committee Ordinance to Mr. Robinson why he felt the need for one.

- Steve Melaneski, Scarlett Drive

Questioned on Ordinance 297-18, Section 2-68.2

regarding the Mayor and Council being prohibited from nominating members to the COAH Oversight Committee and are simply empowered to approve the members nominated by each agency..... he also questioned who the report would go to and if it would be reported on at a Council meeting.

Co. Grillo explained that the Mayor and Council would not be able to participate in the appointment to keep this "A Political" so each board would stand as it is without any influence from the Governing Body. Co. Grillo also said that the report should be made to the Mayor and Council during the Agenda Sessions and if there is action that needs to be taken it could get listed.

- Ruth Ann Mahoney, 2 Gerard Place

Complemented the Water Dept., she said she had an issue and everyone who she talked to and come in contact with was so pleasant. She also had positive comments regarding the new sign in Morgan.

- Ken Olchaskey, 108 No. Edward Street

Said that he agrees with Mr. Robinson's suggestion about separate meeting nights for the council meetings and agenda meetings and be able to spend more time on important topics. He further commented on the lack of communication on the Planning Board and people just not doing their job that contributed to the COAH issues.

Comments were made between Co. Grillo and Mr. Olchaskey regarding the appointment of Susan Gruel.

Mayor O'Brien asked if there were any other questions or comments. There being none, Councilwoman Novak moved to close the Public Portion. Motion was seconded by Council President Kilpatrick.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION – Litigation and Personnel**

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

Borough Attorney DuPont read the following resolution into record.

RESOLUTION FOR CLOSED SESSION

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

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

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 5 minutes to discuss the following matters:

Personnel - Tax Collector

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 and there will be action taken following the Closed Session.

/s/ Victoria Kilpatrick, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Voice Vote, all Ayes.

Time: 9:42 PM

Reconvene -

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

Roll Call: Voice Vote, all Ayes. - Time 7:45 PM

Councilwoman Novak made a **motion to appoint Sean Nolan, Tax Collector**, Effective March 1, 2018 and that it appear on the **consent Agenda Resolutions at the February 26 meeting agenda**. Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business.

Mayor O'Brien called for a motion to adjourn.

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

Time: 9:47P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved