

Combined Meeting of the Mayor and Borough Council held on Monday, February 12, 2012, in the Borough Hall, 167 Main Street, Sayreville, was called to order by Mayor Kennedy O'Brien at 6:36 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, Novak, Perrette.

Absent: None

Others Present: Mayor Kennedy O'Brien
Municipal Clerk Farbaniec
Engineer Cornell
Attorney DuPont
C.F.O. /Acting Business Admin. Kronowski

Absent: None

- **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES.**

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

- Special Meeting - September 21, 2011
w/Weber Avenue Flood Committee
- Receipt of Bids - November 15, 2011
HVAC Replacement, Repair & Maintenance
- Receipt of Bids - November 22, 2011
Auto Side Loading Refuse Truck
- Regular Meeting - November 22, 2011
- Regular Meeting - December 12, 2011
- Executive Session - December 12, 2011

Motion seconded by Councilman Bella.

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

- **SWEARING IN OF POLICE OFFICER THOMAS PIZZILLO**

Mayor O'Brien called forward Police Chief John Zebrowski for comments on new police officer Thomas Pizzillo.

Police Chief explained the significance of Thomas Pizzillo being appointed and sworn in as police officer. He said that his officers represent "HIP"- honor, integrity and professionalism. He said that family comes from a line of law enforcement as well as community service in the military. His grandfather was a member of the Port Authority Police Dept., his father rose to the ranks of Chief of the South Amboy Police Department. He said that he has served his community by his service in Iraq and Afghanistan. He said that he was also a police officer in Monroe Twp. and saw the need and applied in Sayreville when this position became available.

He then introduced our new police officer, Thomas Pizzillo and his family and asked that them come forward.

Municipal Clerk Farbaniec swore in Police Officer Thomas Pizzillo.

- **PRESENTATIONS**

Certificate of Recognition presented to Anthony & Liz Mele for outstanding bravery and courageous actions in rescuing an occupant who was trapped in a burning vehicle as a result of a motor vehicle accident on January 26, 2012, their actions exemplify the true meaning of hometown heroes.

- **PROCLAMATIONS**

Borough of Sayreville
YOUTH ART MONTH 2012
Proclamation

WHEREAS, art education contributes powerful educational benefits to all elementary, middle, and secondary students including the following:

*art education develops students' creative problem-solving and critical thinking abilities;

*art education teaches sensitivity to beauty, order, and other expressive qualities;

*art education gives students a deeper understanding of multi-cultural values and beliefs;

*art education reinforces and brings to life what students learn in other subjects; and

*art education interrelates student learning in art production, art history, art criticism, and aesthetics.

WHEREAS, our national leaders have acknowledged the necessity of including arts experiences in all students' education.

NOW, THEREFORE, BE IT RESOLVED, that I Kennedy O'Brien, Mayor of the Borough of Sayreville, proclaim March as **YOUTH ART MONTH** and urge all citizens to take interest in and give full support to quality school art programs for children and youth.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 13th day of February, 2012 and the same duly attested by the Municipal Clerk.

/s/ Kennedy O'Brien, Mayor

Attest:

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

Proclamation moved by Councilman Bella, seconded by Councilman Buchanan.
Roll Call: Voice Vote, all Ayes.

- **OLD BUSINESS**

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

- **NEW BUSINESS:**

- a. Municipal Clerk Farbaniec reported having received the Supplemental Debt Statement from CFO Kronowski, effective February 13, 2012.

Councilman Perrette moved the Supplemental Debt Statement be received and Filed. Seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

- b. Introduction of the following Ordinance(s):**

ORDINANCE #175-12

BOND ORDINANCE PROVIDING FOR WEBER AVENUE FLOOD RELIEF PROJECT - PHASE II IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION

Mayor said that he would like to break from the regular tradition of ordinance introduction and asked if Fran O'Conner would like to say anything before they vote on this introduction.

Councilman Henry asked that this Ordinance be held over in order for the Borough Attorney to look into if the borough could get some money from the one-million dollar bond that was passed by the State Legislature to be used towards this project.

The Mayor said that the Senate Bill passed and was signed by the Governor but he also commented that there wasn't any money for it. He then asked Ms. O'Conner comment as she had a lengthy discussion with the Director of the DEP.

Ms. O'Conner said that the million dollars that was passed by the state is tied up in red-tape. She does not have an exact status of it but hopes to have one by the end of the week. She explained the overview of it all. She said that there was a bond act passed back in 2003 and there is apparently One-Million dollars still left in the bond, however it had previously been appropriated to other municipalities for their flood work. The remaining money is un-used portions that is still sitting in the DEP, so the money is there just not for Sayreville. She explained different options they are trying to get that money back, but we all know how long it took to get this bill passed. If this bill has to be re-legislated she does not see it passing very quickly.

She said that it was her understanding that this bond money tonight is for the repair of the sewers.

Mr. Kronowski clarified that this particular ordinance is for the repair of the drainage pipe, from the road to the pump station as well as additional funds for the engineer to continue with the permit work and revisions to the specifications that may be required for the actual reconstruction of the flood relief project. This is not impacted by the one-million dollar state fund this is separate from that.

Councilman Henry asked how much of this \$400,000. is appropriated for the sewer pipes and how much is for the continuation of the permits, etc.

Mr. Kronowski said approximately \$200,000. each.

He said that it was his understanding that if we receive that million dollars we could use the \$200,000. toward the actual project itself.

Mr. Kronowski said that if we get the money from the state we would use it for the project, or as a down payment so that would not have to be raised through taxes.

Councilman Henry said that is why he would like the Attorney to look at where the bill sits.

Mayor said that Ms. O'Conner just explained it.

Ms. O'Conner explained that there is a public safety issue, with sink holes being created by the corroded sewer pipes.

Councilman Henry agreed that the sewers should be fixed. He said that he was referring to the money needed for the additional permits and the project itself. He said that funding would have to be in place for this ten million dollar project.

She said that at their next meeting they will be doing a presentation to the County for funding. When all is said and done they will be coming back to the borough. There is a lot of work that needs to be done. She said that part of this money in the ordinance is for public safety and the other is to move them forward and obtain the permits and authorization from the DEP so that they can request the funding. She explained many other things that they are working on to keep it moving forward. She asked the council to keep in mind as they vote, that their houses are going to fall down. They are coming up to the two year anniversary of that March flood and stood before them at that time expressing the extreme damage. She said that they took action on the State, County and Federal level. She said that if this does not pass giving the engineer the ability to move ahead with permits they will be ground to a halt.

Councilman Perrette asked the engineer if the money we are looking at spending now is money we would have to spend anyway.

The engineer explained that the \$300,000. that was appropriated in the previous ordinance has been utilized. There is additional money needed to keep the project moving forward. He said that \$200,000. is to award a bid for the replacement of the storm sewers and the other \$200,000. is money that is anticipated to get them to a point where we could bid the Weber Avenue Improvement project. You do not need to have the money today, but going forward in order to keep the permit process moving and eventually to finalize plans and specifications.

Councilman Bella asked if this was discussed at the last meeting.

The Borough Engineer said the council had a discussion on the Sewer Replacement Ordinance but when he and Wayne reviewed the account the found that the previous authorizations that were in place for the permits had been utilized so they felt that instead of having another authorization and go through the whole process again, which would be necessary, they rolled it into one.

Councilman Bella questioned if the balance of this money would take us to the construction phase.

The Borough Engineer anticipated that this money would take the borough to the bidding phase of the project. He also explained that he wasn't sure how long the permit process may take.

Councilman Bella then asked the CFO when the borough would have to actually float these bonds.

Mr. Kronowski explained that the bonds would not be sold until later in the year as they would be combined with other ordinances that would be passed throughout the year. He also explained that if the borough received money from the State for this project we could apply it towards that bond ordinance and reduce the amount of debt authorized.

Councilman Bella expressed other concerns.

Borough Attorney DuPont recommended that this ordinance be passed as introduced he would then talk to Ms. O'Conner and see where funding stands and the final vote will be held on February 27th.

Mayor asked if this is satisfactory. Councilman Henry said that it was.

Councilman Perrette moved the Ordinance be introduced on first reading, advertised according to law and a Public Hearing be held on February 27, 2012. Motion seconded by Councilman Buchanan.

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

Mayor O'Brien said that it was his understanding that we would save the two areas in Sayreville, the Weber Avenue and William Street neighborhoods. It is going to be expensive but if we don't we will lose vital parts of our community. He expressed his concerns for them every time there is a storm and if anyone has a different point of view now is the time to speak up. He also explained how financially strapped those residents are at this point.

Councilman Bella said that before he commits to ten million dollars he would like to see a plan in place. He would like to know where we stand with the Army Corp funding. He asked if there was any possibility of getting some type of funding for buying people out and which is more cost effective. He confirmed that both communities need help but wanted to know what the cost is to fix these issues because it will fall on the entire borough and their responsibility is to the entire borough and wants to be sure they are spending as efficiently as possible.

Ms. O'Conner told Mr. Bella that before the borough expends the money he would have a complete summary of all the work they have been doing over the past two years.

Further comments by Councilman Bella.

Mayor interjected in the conversation and asked that the meeting move forward while Councilman Bella wanted to continue to speak.

Councilwoman Novak called for a Point of Order asking that everyone on the Council respect one another.

Mayor noted her Point of Order and called for the next Ordinance.

Municipal Clerk read the following Ordinances:

ORDINANCE #176-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD SECTION
7-30.4 TO ADD "ENFORCEMENT OF TRAFFIC
REGULATIONS ON PRIVATE PROPERTY"

Councilman Bella moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 27, 2012. Motion Seconded by Councilman Henry.

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

ORDINANCE #177-12
AN ORDINANCE AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO EXPAND
THE SPECIAL ECONOMIC DISTRICT
(Main Street)

Councilman Henry moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on February 27, 2012. Motion Seconded by Councilman Buchanan.

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

c. Discussion on Resolution to be read in full.

- Resolution of the Borough of Sayreville, making Application to the Local Finance Board for the approval of refunding prior bonds, pursuant to N.J.S.A. 40A:2-51 et seq.

Wayne Kronowski, C.F.O./Acting Business Admin. explained that this resolution was placed on the agenda for tonight because there is a deadline for filing with the Local Finance Board, which is February 22nd, he further explained that there would be an accompanying bond ordinance that puts the issues together which would be listed for introduction at the next meeting but would like approval placing this resolution on the Consent Agenda Resolution list for vote tonight.

The Borough Attorney said that a motion would have to be made placing this item on the Consent Agenda Resolution list for tonight.

Councilwoman Novak moved the motion. Seconded by Councilwoman Eicher.

Roll Call: Voice Vote, all Ayes.

CONSENT AGENDA/RESOLUTIONS

• ***PUBLIC PORTION ON CONSENT AGENDA ITEMS ONLY***

At this time Mayor O'Brien opened the meeting to the Public on the Consent Agenda Resolutions. No one appeared.

Council President Eicher moved the Public Hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Seconded by Councilwoman Novak.

Councilman Buchanan asked the Resolution #2012-53 be tabled until next meeting (Feb. 27, 2012).

No objections.

Roll Call: Councilpersons Bella, Buchanan, Eicher, Henry, Novak, all Ayes.
Councilman Perrette, Nay to Resolution #2012-54, Ayes to all the rest.

RESOLUTION #2012-49

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

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

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

/s/ Kennedy O'Brien
Mayor

/s/ Frank J. Bella
Councilman

/s/ William J. Henry
Councilman

/s/ Daniel Buchanan
Councilman

/s/ Mary J. Novak
Councilwoman

/s/ Lisa Eicher,
Councilwoman

/s/ Nicholas J. Perrette
Councilman

**Bill list of February 13, 2012, in the amount of \$13,300,701.90
(Bill List - See Appendix 2012-A for this date, in a separate Bill List File for 2012).**

RESOLUTION #2012-50
RESOLUTION MEMORIALIZING ACTION TAKEN ON
CERTAIN COMMUNICATION ITEMS AT THE
JANUARY 23, 2012 COUNCIL MEETING

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution hereby memorializes action taken by the Governing Body at the January 23, 2012 Council Meeting approving the following:

- a) Approving applications for Bingo and Raffle licenses received from:
 - Harry S. Truman School, PTO, Inc. to conduct an Off-Premise Draw Raffle on Feb. 29, 2012 (RA:1732).

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

<u>ATTEST:</u>	<u>BOROUGH OF SAYREVILLE</u>	Formatted: Font: Cambria, Bold
<u>/s/ Theresa A. Farbaniec</u> Municipal Clerk	<u>/s/ Kennedy O'Brien</u> Mayor	Formatted: Font: Cambria, Bold

RESOLUTION #2012-51

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
Allied Construction Group, Inc. 330 Milltown Rd., Suite C21 Bordentown Ave.	Two (2) – Temp. Office	Blk. 16, Lot 1 3753

WHEREAS, said application has been referred to the proper department for investigation and review; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of a said trailers and requesting the fees be waived for this Borough project known as the Bordentown Avenue Water Treatment Expansion Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate two (2) temporary trailers for office use and waive the fees associated with it.

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

<u>ATTEST:</u>	<u>BOROUGH OF SAYREVILLE</u>	Formatted: Font: Cambria, Bold
<u>/s/ Theresa A. Farbaniec</u> Municipal Clerk	<u>/s/ Kennedy O'Brien</u> Mayor	Formatted: Font: Cambria, Bold

RESOLUTION #2012- 52

WHEREAS, on January 5, 2012 the Mayor and Council of the Borough of Sayreville received bids for "Sayreville Senior Center Boiler Replacement Project"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 13th day of February, 2012, that:

1. Contract for the " Sayreville Senior Center Boiler Replacement Project " be awarded to Estock Piping Co., LLC of 569 Chesterfield-Arnytown Road, Chesterfield, NJ 08515 on their bid price of \$151,056.00 plus Alternate #1 in the amount of \$11,525.00 for a total amount not to exceed \$162,581.00 as appears on copy of bid document attached hereto and made a part hereof.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2012-53 - Tabled until Feb. 27, 2012

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

NAME OF APPOINTEE: Kevin Kania
POSITION: Sewer Equipment Operator
DEPARTMENT: Water & Sewer
EFFECTIVE: 2/14/12

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.

Councilman Daniel Buchanan

ATTEST:

APPROVED:

Theresa A. Farbaniec, Municipal Clerk

Kennedy O'Brien, Mayor

RESOLUTION #2012-54

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

NAME OF APPOINTEE: Wayne Kronowski
POSITION: Acting Business Administrator
DEPARTMENT: Administrative & Executive
EFFECTIVE: 1/10/12

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/ Councilman Frank J. Bella

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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RESOLUTION #2012-55
RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY

MAKING APPLICATION TO THE LOCAL FINANCE BOARD

PURSUANT TO N.J.S.A. 40A:2-51 et seq.

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (the "Borough") has heretofore issued its (i) General Improvement Bonds of 2004 and Water Improvement Bonds of 2004, each dated November 15, 2004 in the original aggregate principal amount of \$6,266,000 (the "2004 Bonds"); (ii) General Improvement Bonds of 2005 dated December 1, 2005 in the original aggregate principal amount of \$4,545,000 (the "2005 Bonds"); (iii) General Improvement Bonds of 2006 and Water Improvement Bonds of 2006, each dated December 15, 2006 in the original aggregate principal amount of \$5,000,000 (the "2006 Bonds"); (iv) General Improvement Bonds of 2007 and Water Improvement Bonds of 2007, each dated November 1, 2007 in the original aggregate principal amount of \$6,744,000 (the "2007 Bonds"); and (v) General Improvement Bonds of 2008 and Water Improvement Bonds of 2008, each dated October 7, 2008 in the original aggregate principal amount of \$5,904,000 (the "2008 Bonds" and together with the 2004 Bonds, the 2005 Bonds, the 2006 Bonds and the 2007 Bonds, the "Prior Bonds"); and

WHEREAS, the Borough desires to refund all or a portion of the Prior Bonds, at one time or from time to time in one or more series, in order to achieve debt service savings; and

WHEREAS, the Borough desires to make application to the Local Finance Board for its review and/or approval of the proposed refunding(s) of the Prior Bonds; and

WHEREAS, the Borough believes:

- (a) it is in the public interest to accomplish such refunding(s);
- (b) said refunding(s) is for betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said refunding(s) are not unreasonable or exorbitant;
- (d) the proposed refunding(s) is an efficient and reasonable means of providing for the needs of the inhabitants of the Borough and such refunding(s) will not materially impair the credit of the Borough or substantially reduce the Borough's ability to pay punctually the principal of and interest on its debts and to supply other essential public improvements or services; and
- (e) the proposed refunding(s) will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Borough's Bond Counsel and Financial Advisor (as defined herein), along with other representatives of and professional advisors to the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The application is hereby authorized to be submitted to the Local Finance Board.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by N.J.S.A. 40A:2-51 et seq.

Section 4. The Clerk of the Borough is hereby directed to file a certified copy of this resolution with the Local Finance Board and to forward a certified copy of this resolution to the Borough's Financial Advisor to be included in the application.

Section 5. The Borough hereby appoints Phoenix Advisors, LLC to provide the specialized financial advisory services necessary in connection with the refunding of the Prior Bonds (the "Financial Advisor"). The Clerk of the Borough is hereby authorized to cause to be printed any notice required by N.J.S.A. 18A:18A-5(a)(1) in connection with such appointment.

Section 6. This resolution shall take effect immediately.

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

ATTEST: _____ **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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COMMUNICATIONS/COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE** – Councilman Perrette
 - a) **Minutes:**
Councilman Perrette moved the following minutes be received and filed:
 - o Board of Education January 17, 2012
 Seconded by Councilwoman Novak.
 - b) **Received the following application(s) for Bingo/Raffle Licenses:**
 - Application from **Harry S. Truman School PTO, Inc.** to conduct a Bingo Games on March 23, 2012 (BA:469).
 - Application from **Lakeview Development Social Club** to conduct Bingo Games effective Feb. 2012-2014. (Sr. non-profit groups are allowed to apply for 2 years at a time).
 - Application from **Camp Dill Foundation** to conduct On-Premise 50/50's on 28 various dates in 2012 (RA:1733).
 - Application from **Music Association for the Visually Impaired Students of New Jersey** to conduct an On-Premise Draw (Tricky Tray) Raffle on May 18, 2012 (RA:1734).
 - Application from **Wilson School PTO, Inc.** to conduct an On-Premise Draw (Tricky Tray (RA:1735), and On Premise 50/50 (RA:1736) on March 30, 2012.
 - Application from **Southwood School PTA** to conduct an On-Premise Draw (Tricky Tray #RA:1737) and an On-Premise 50/50 (#RA:1738) on April 20, 2012.

- Application from **Sayreville Middle School PTO** to conduct an On-Premise 50/50 (RA:1739) and an On-Premise Draw (Tricky Tray #RA:1740) on March 9, 2012.

c) Application for Special Permit for Social Affair received from FFLEBHMC to serve Beer at a charity event to be held at Burkes Park on May 6, 2012 (rain date May 20, 2012) from 12 noon – 5 P.M.

- b & c Approved/Resolution Memorializing Council Action on Feb. 27, 2012.

d) Request received from Donna Brodzinski, Tax Collector, for a Resolution authorizing the Tax Collector to refund a portion of 2010 taxes in the amount of \$3,100.23 and 2011 taxes in the amount of \$6,860.40, covering 49 Nickel Avenue, Block 67, Lot 81, due to the approval of a 100% Disabled Veteran Tax Exemption by the Tax Assessor effective July 14, 2010.

- Resolution.

e) ALLIANCE FOR FAMILY EDUCATION

Requesting a Resolution authorizing the execution on an Agreement with the County of Middlesex and the Borough of Sayreville authorizing the acceptance of the 2012 Municipal Alliance funds in the amount of \$36,442.00 which is used for municipal alliance activities.

- Resolution.

f) Received Annual Debt Statement and Annual Financial Statement which have been filed with the Division of Local Government Services as required by law.

-Councilman Perrette made a motion to receive and file. Seconded by Councilwoman Novak.

g) Committee Reports:

Progress.

• **PLANNING & ZONING** – Councilman Henry

a) Minutes-

Councilman Henry moved the following minutes be received and filed:

- Sayreville Board of Adjustment – December 14, 2011
- Sayreville Planning Board – January 4, 2012

Seconded by Councilman Buchanan.

b) Received copy of Ordinance Amendment from the Twp. of Old Bridge, #2012-05 Amending their Chapter 250-105 “Land Development Code- Professional Review Fees and Escrows”.

Councilman Henry made a motion to receive & file. Seconded by Council President Eicher.

c) Received Notice to Adjacent Property Owner

from:

1) For applications before the Zoning Board of Adjustment on Feb. 22, 2012:

a) Robert Downey - to convert an existing detached garage into two family building requiring a use Variance and a Density Variance for Block 188, Lot 1.01, 26 & 28 Brookside Ave.

b) New Cingular Wireless PCS, LLC (AT&T) for use variance, height variance, and amended minor site plan approval in order to modify and expand existing telecommunication facility by replacing six antennas on existing monopole with six new antennas and related equipment located at 1899 Rt. 35 So., Blk 459, lot 2.02.

- 2) For application before the Planning Board on Feb. 15, 2012:
- a) Camelot at Towne Lake - to reduce the sq. ft. in the clubhouse, tot lot in lieu of bocci courts, residential building modifications, entrance to development will be a "t" involving property known as Block 136.15, Lot 76 and Block 136.16, Lot 77, Sayreville Boulevard South.

-Councilman Henry made a motion to receive & file. Seconded by Councilwoman Novak.

d) Committee Reports – Progress.

• **PUBLIC SAFETY** – Councilman Bella

a) Minutes

- Councilman Bella moved the following minutes be received and filed:
 - o Board of Health – December 1, 2011 & Jan. 5, 2012
- Seconded by Councilman Buchanan.

b) Application for membership to Sayreville Engine Co. No. 1

-Councilman Bella moved the application of Matthew J. Kenny be approved. Seconded by Councilwoman Novak.

c) Request received from the Sayreville Emergency Squad to conduct their Annual Fund Drive during the Months of May and part of June, 2012.

-Councilman Bella moved for approval. Seconded by Councilwoman Novak.

-Resolution.

d) Request for authorization for Clerk to advertise for auction of various vehicles and equipment no longer required for public use.

-Councilman Bella moved for approval. Seconded by Councilwoman Novak.

-Resolution.

e) Authorization for the Borough Clerk advertise for the receipt of bids for Fire Services Life Safety Rope System.

-Councilman Bella moved for approval. Seconded by Councilwoman Novak.

-Resolution.

f) Resident's request for speed bumps to be installed on Jackson Ave. between Bielak & Roginski Streets do to speeding in a 25MPH zone.

- Councilman Bella referred the request to the Police Traffic Bureau for review and report back to council.

g) Request from The Camp Dill Foundation (nonprofit org.) to conduct their classic car show fund raiser at the Raritan Street Commuter Parking lot on Sunday, Sept. 30, 2012 (rain date Sun. Oct. 7, 2012).

- Notice sent, must file application for Special Event

h) Report from the Police Chief regarding the need for an Ordinance to enforce a No Left Turn Sign at the Samsel Upper Elementary School on Ernston Road.

- Attorney to prepare Ordinance.

i) Committee Reports:

Councilman Bella expressed his concerns about why some ordinances are not listed and the agenda for discussion and others just show up on the Friday's packet without prior discussion.

• **PUBLIC WORKS** – Councilwoman Novak

a) Minutes:

- Councilwoman Novak moved the following minutes be received and filed:
 - o - Rent Leveling Board – January 10, 2012
- Seconded by Councilman Henry.

b) Authorization to award contract for Senior Center Boiler Replacement Hazardous Abatement Service to Environmental Tactics of Matawan, NJ on their quote of \$7,943.00.

-Councilwoman Novak moved for approval. Seconded by Councilman Perrette.

-Resolution.

c) Authorization for the Borough Clerk to advertise for

- o HVAC Heating/Cooling System Upgrade
- o Hook Lift Swap Loader Truck with Attachment

-Councilwoman Novak moved for approval. Seconded by Councilman Perrette.

-Resolution.

d) Authorization to extend current contract for a period of two (2) years for Heil Replacement Parts with THC Enterprises, Inc. with no increase in price.

-Councilwoman Novak moved for approval. Seconded by Councilman Perrette.

-Resolution.

e) Authorization for Resolution for the submission of the **Recycling Tonnage Grant for 2011.**

-Councilwoman Novak moved for approval. Seconded by Councilman Buchanan.

-Resolution.

f) Request from the Shade Tree Commission to reinstate the salary of their Secretary for reasons stated in their letter.

- Held Over for further review.

g) Committee Reports:

- Councilwoman Novak made a motion to receive and file the following reports:

-Parks for the month of November, 2011.

-Road Department for the months of October & November, 2011.

Seconded by Councilman Buchanan.

-Councilwoman Novak stated that there have been complaints about the roadway conditions of Cliff Avenue, residents say it is a paper street. She said that she will gather further information and bring it back to the council at a later date.

• **WATER & SEWER** – Councilman Buchanan

a) Minutes (None)

b) Committee Reports:

Reports: Progress

• **RECREATION** – Councilwoman Eicher

a) Minutes:- (none)

b) Request from Triple Threat Ministries and Faith Fellowship Ministries to conduct their Summer Jam event on August 13, 2012 at War Memorial Park / Boro Hall Basketball Courts.

- Notice sent, must file application for Special Event

c) Request from Sayreville Day Committee to conduct their annual event “Sayreville Day 2012” on Sunday, September 16, 2012 (rain date, Sept. 23, 2012).

- Municipal event/no application necessary – Approved.

d) Committee Report –

Councilwoman Eicher reported on various Recreation department events and sign ups.

Councilwoman Eicher then reported that the Bordentown Avenue park upgrade is now complete and that the Truman Avenue Park improvements are almost complete. She thanked Jerry Ust from Recreation and Phil Quigley from the Parks Dept. as it was

their initiative to purchase the equipment at the end of the season and save the borough money.

Councilwoman Eicher said that dancers from "A Step in Time" performed before the Nets game this past Saturday night. She acknowledged how proud she was when they were announced prior to the game representing Sayreville.

Councilwoman Eicher then reported that she met with Dan Balka, the Police Dept. and an IT Representative to evaluate our system. She said that they spent approx. 1 hour at each area, evaluation how our system works and will coming back with recommendations. She said that it was an enlightening experience. She said that while they were performing their evaluation she was told that the phone system was down and that is a reoccurring issue. She asked if the borough attorney could write a letter to Paetec terminating them as our service provider.

- Council President Eicher made a motion to **appoint Samuel Klein & Co. as the Municipal Auditor**. Seconded by Councilman Buchanan.

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

Council President Eicher made a motion to **appoint Roselli & Roselli as Public Defender**. Seconded by Councilman Buchanan.

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

Council President Eicher appointed **Jackie Smigleski to the Board of Health**, Member, 3 Year term. Seconded by Councilman Buchanan.

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

Council President Eicher made a motion to rescind the appointment of Wayne A. Kronowski as the JIF, Alternate and **appoint him as the JIF Commissioner**. Seconded by Councilman Buchanan.

Council President Eicher made a motion appointing **Danielle Ogden as JIF Alt**. Seconded by Councilman Bella, Buchanan, Eicher, Henry, Novak, Perrette, all Ayes. Carried.

Council President Eicher made a motion to **appoint Robert Foley to the Library Board** member, 5 year term. Seconded by Councilman Henry.

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

- **MAYOR** – Kennedy O'Brien
- a) **Appointments**
- b) **Other Business**

BUSINESS SESSION AGENDA – February 13, 2012

NEW BUSINESS –

BUSINESS ADMINISTRATOR –

- D) CDBG Discharge of Mortgage on 113 North Edward Street.
- Resolution.

II) Authorization to enter a participation agreement with Middlesex County Regional Education Services Commission to seek bids on a cooperative basis for natural gas.

- Resolution.

III) Sayreville Emergency Squad Roof Repairs/Replacement – Authorize Engineer to inspect and estimate amount required for Capital Budget.

- Resolution.

IV) Boehmhurst Ave. near 6th Street – Complaints received by Public Works regarding flooding of street during rainstorms due to clogged drainage. Engineer needs to be authorized to prepare the NJDEP permit applications

in

order to allow the Mosquito Control Commission to clean out existing drainage ditches.

- Resolution.

V) Personnel – Permanent Title Upgrades

- Resolutions.

C.F.O.- Wayne Kronowski

I) Transfer **Resolution**

II) **Bill List Resolution**

III) Budget Preparation Update – Dates for Budget workshop. Introduction March 12th meeting.

IV) Sewer Rate Calculation – Ordinance required to amend rates. Recommendations should be ready for the next meeting.

V) Refinancing of Outstanding Bonds – Resolution and Ordinance required. (this item was discussed earlier).

Before moving on Councilman Bella said he neglected to report that the Public Safety Committee met last week with the Police Chief and his staff and the chief had two initiatives. He asked Wayne if the Chief spoke with him about these initiatives. Wayne responded that they had spoke.

Councilman Bella also asked Councilwoman Eicher about the Housing Authority appointments.

-Councilman Bella made a motion to appoint Kenneth Olchaskey to the Housing Authority for a 5 Year Term. Seconded by Councilman Henry.

Roll Call: Councilpersons Bella, Eicher, Henry, Novak, Ayes.
Councilmen Buchanan & Perrette, Nays.

• **PERSONNEL ADDENDUM**

Title Upgrades:

Finance Department – Yvonne Burdynski to Senior Account Clerk.

Tax Collection Department – Katherine Elichko to the title of Cashier.

Office on Aging – Jeanne Monte to the title of Keyboarding Clerk I (formerly the Clerk Typist title).

ENGINEER -Jay Cornell

I) Weber Avenue Storm Sewer Improvements – Receipt of Bids

- Resolution, subject upon bond ordinance being adopted.

Councilman Henry questioned if the Bond ordinance should be split into two parts to assure that the part for the award of this bid passes.

Mayor suggested that we wait and see how the vote goes at the next meeting.

II) Improvement to South Pine Avenue – Closeout of Contract
Resolution.

Councilwoman Eicher asked the engineer for a copy of the Roadway Improvement schedule. She was informed that it is on the web. She further commented that Taft Place was really bad and wanted to see where it was. Engineer informed her that that roadway would be going out to bid soon.

BOROUGH ATTORNEY - Michael DuPont

PUBLIC PORTION

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

Those appearing were:

- Charles Lukie, Oak Street, Melrose Section

He said that he appears before the council regarding the MCUA and the odor. He said that he had recorded 149 complaints that he instituted to the State. He said that he also asked Mr. Pallone to intercede on his behalf with the EPA and still has not received a reply. He said that today was another day that the odor was bad. He asked who the Health Official was for Sayreville.

Mayor responded that he had arranged for Bob Latham a representative from the MCUA to attend the Melrose Improvement Association meetings. He also explained that there is a very bad design flaw at that facility and that when the huge doors open and the wind is blowing a certain way that makes life insufferable for the people in Melrose and don't know how that can be corrected.

Mr. Lukie asked for help. He then questioned how the borough planned to have the 2,000 homes sold in the redevelopment area, when they smell the odor.

Mayor talked about a hot line that there was supposed to be directly with the MUCA for when this occurred.

Councilwoman Eicher asked if there was anything the borough could do from a legal stand point.

Mr. DuPont said that he will review the contracts we have with the MCUA as well as write letters to the representatives of the MCUA and visit them with the list of complaints the residents have.

Mr. Lukie requested that he send a letter to the Federal EPA requesting that they come and meet with the attorney and the residents expressing to them how bad the odor is Melrose.

Councilman Bella asked if there could be a policy that if there a number of complaints we could fine the MCUA.

Mr. DuPont explained that he would need to review the agreements.

Mr. Lukie then complained about the roadway conditions on Oak Street.

Mayor referred it to the engineer. Mr. Cornel said that it is at the top of the list but not scheduled to be paved. The Mayor then asked Councilwoman Novak to review and see if it can be part of the 2012 paving list.

- Bob Kominkiewicz, 103 Ernston Road
 - He reported that Shop Rite will be adding additional handicapped parking spaces.
 - He questioned why an out of town firm was appointed as Public Defender. Response by Councilwoman Eicher.

-He asked when the borough's contract with Middlesex Water would be expiring and that when the new water plant is completed if we would be terminating that contract.

Councilman Buchanan said that the contract will be expiring in April of 2013 and that it is our goal to be self sufficient.

-Questioned how much money is in the Open Space Fund and if any of that money could be used for the Weber Avenue flood relief project, deeming it Green Acres and creating open space.

CFO Kronowski responded that there is over four million dollars in that fund.

- Paul DeSarno, 451 Main Street

-Thanked the Council for the opportunity to serve as Public Defender for the past several years.

- Theresa Strek, 140 McCutcheon Avenue.

-Asked the council to clarify the action taken on Resolution #2012-53.

Mayor stated that it was being held over until the next meeting.

- Barbara Kilcomons, 22 Schmitt Street

-Questioned Ordinance #178-12, enforcement of traffic regulations of private property.

Councilman Bella said that LaMer Homeowners Association requested this action due to parking issues and this would now give the police the authority to enforce parking regulations on private property.

-Questioned the SED Ordinance #177-12 and what property this covered.

Mayor O'Brien responded that it covered the old Crossman sand pit property.

- She asked if this was Peter Mocco's Property and if this would go under SERA.

The engineer responded that this is not SERA property. He explained that last year there was an ordinance adopted that changed the zone of approximately 100 acres on Main Street and that this ordinance is the same with some minor revisions.

-She made remarks to Councilman Henry on the need for Bond Ordinance #175-12 in order to help the residents of Weber Avenue.

Councilman Henry responded that he was asking the Attorney to look into One Million Dollar Bond issue that was passed by the State and see if we could use that money to pay for that Two Hundred Thousand Dollar request.

No further questions or comments. Council President Eicher made a motion to close the public portion. Seconded by Councilman Bella.

Roll Call: Voice Vote, all Ayes.

EXECUTIVE SESSION - None

ADJOURNMENT

No further business.

Council President Eicher made a motion to adjourn. Motion seconded by Councilman Henry.

Roll Call: Voice Vote, all Ayes.

Time: 8:21 P.M.

SIGNED:

Theresa A. Farbaniec, Municipal Clerk

Date Approved

