

MARCH 27, 2017
AGENDA MEETING

Mayor O'Brien opened the Agenda Meeting at 7:25 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, March 27, 2017 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 E. Frankel, Business Administrator
Wayne A. Kronowski, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Ed Washburne, Esq. for Michael DuPont, Esq.,
Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: None

- **OLD BUSINESS:**

-If the following Ordinance(s) were introduced at Council meeting they will be listed for Public Hearing and Adoption on April 11, 2017.

ORDINANCE #357-17

BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE DUHERNAL WELL FIELDS BY AND FOR 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 April 11, 2017)

ORDINANCE #358-17

AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE

(Handicapped Parking in Streets- Public Safety Committee – Public Hearing April 11, 2017)

ORDINANCE 359-17

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 13-7.3

(Clothing Donation Bins Public Works Committee – Public Hearing April 11, 2017)

- **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

A) Minutes & Departmental Reports:

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

- 1) Municipal Clerk's report for the month of February, 2017

- 2) CFO's Investment Activity report for the month of February, 2017
 - 3) Office on Aging Supervisor's report for the month of February, 2017
 - 4) Board of Education Minutes of March 7, 2017
- Seconded by Councilwoman Kilpatrick.

B) Applications received for **Bingo/Raffle Licenses** from the following Organizations:
 1) **Sayreville Little League Baseball Inc.** to conduct an Off Premise Draw Raffle on June 11, 2017 at Burke's Park (RL:2102)

- Approved.

C) Application for a **Social Affair Permit** received from St. Stanislaus Kostka RC Church to dispense beer & wine at their annual Carnival from June 21 – 24, 2017 on church property.

- Approved/ Resolution required.

D) Application received for approval of a **Person to Person Transfer** of PRCL #1219-33-052-005 from Flamingo Liquor, LLC to Jahanvi Mehta (an individual), and amend from inactive to pocket status.

- Approved / Resolution required

E) 2017 **Tax Appeals** filed by:

- Sayreville Plaza, LLC., Block 439.01, Lot 6, 960 Ropute 9
- Gerda Ameristeel Sayreville, Inc., Block 246, Lot 1.05, N. Crossman Rd.
- Dahlia Hamilton, Block 218, Lot 186, 7 Boehmhurst Ave.
- Vito Otero, Block 449.05, Lot 9, 38 Scheid Dr.
- Verizon New Jersey, Block 9999, Lot 1, Various properties
- Skytop Gardens, Inc., Block 449.07, Lot 4, Back Section #2
- Skytop Gardens, Inc., Block 449.07, Lot 4.01, Front Section
- 106 Fort Dix Realty LLC, Block 292.03, Lot 3, Highway 35
- 106 Fort Dix Realty, LLC, Block 295, Lot 3, 6056 Highway 35 & 9
- Fox Hill Run at Woodbridge, LLC, Block 429, Lot 2, 2 St. Peter Drive

- Refer to Tax Counsel.

F) Committee Reports:

- 1) Public Hearing on the Municipal Budget will be held on April 11, 2017.

- Approved / Resolution required.

• **PLANNING & ZONING – Councilman Lembo**

A) **Minutes & Departmental Reports:**

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

- 1) Board of Adjustment Minutes of February 22, 2017
- 2) Middlesex County Planning Board minutes of February 14, 2017
- 3) Construction Officials report, Zoning and Code Enforcement report, Fire Prevention report all for the month of February, 2017

- Seconded by Councilwoman Novak.

B) Application received from Northeast Remsco Construction to place a **temporary portable trailer** at the MCUA Pump Station, 56 Canal St., to be used for construction field office.

- Approved / Resolution required.

C) Councilman Lembo made a motion to receive and file the following **Planning Board Resolution** which were **Memorialized on March 15, 2017.**

- **Jarmolowski Minor Subdivision, 225 Tyler St.**
- **Jernee Mill Center, LLC, Preliminary Site Plan, Block 62, Lots 15 & 16**

D) Received the following Notice from:

- 1) Bhaktinidhi, Inc. to appear before the Zoning Board on March 22, 2017 on an application seeking preliminary and final site plan approval, use variances and bulk variance approvals for the construction of a new religious temple and a house of worship which includes 12 parsonage units within the proposed

structure on property known as block 208, Lots 1.02, and 1.03, 717 Washington Road.

- Receive & File.

E) Public Notice received from Boswell Engineering on a NJDEP Flood Hazard Area individual Permit and Freshwater Wetlands General Permit located at Reclamation Technologies, Inc., 3200 Bordentown Avenue, Old Bridge Twp.

- Receive & File.

F) Committee Reports: 1) Progress.

• **PUBLIC SAFETY – Councilman Grillo**

A) **Minutes & Departmental Reports:**

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

1) Board of Health & County reports for the month of February, 2017

2) Police Chief's report for the months of February and March, 2017

- Seconded by Councilman Buchanan

B) **Firefighter Application of David Rader** was accepted by President Park Fire Co. at their February 6, 2017 meeting.

- Approved.

C) Request received from **Williams Transco Pipeline** for an additional waiver of Borough Noise Ordinance 5-3.6 b3 to **extend the work time to 8:00 P.M.** as opposed to 6:00 P.M. as required by Ordinance.

-Approved/Resolution.

D) Committee Reports-Councilman Grillo:

1) Commented on a letter the council was copied on from COAH Attorney Larry Sachs to Judge Notali requesting a Case Management Conference other than the Final Judgement Hearing. He asked who would be in attendance or if we heard any additional information on if this is going forward or any other issues. Business Admin. Dan Frankel responded that there will be a conference on Wednesday, March 29th and that Larry Sachs, John Leoncavallo and himself would be in attendance. He also mentioned the Borough Attorney may not be there because of unusual circumstances. He said that he would report back to the council the following day.

2) Progress.

• **PUBLIC WORKS – Councilwoman Kilpatrick**

A) **Minutes & Departmental Reports -**

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

1) Public Works Supervisors' reports for Bldg. & Grounds, Parks, Recycling, Roads & Sanitation and Garage Services all for the month of February, 2017.

- Seconded by Councilwoman Novak.

B) Committee Reports – Councilwoman Kilpatrick:

1) Announced that the Shade Tree Commission received a Certificate of Approval for their successful completion of the approved 3-5 Year Community Forestry Plan in accordance with the New Jersey Shade Tree and Community Forestry Assistance Act.

2) Announced that Fort Grumpy will now be open every Saturday starting on April 1, 2017 for residents to dispose of their garbage, recyclables and large items.

• **RECREATION – Councilman Melendez**

A) **Minutes & Departmental Reports:**

Councilman Melendez moved the following minutes or reports be received and filed:

1) Recreation Director's report for the month of February, 2017,

- Seconded by Councilwoman Novak.

B) **Special Event Applications** received from:

- 1) St. Stanislaus Kostka R.C. Church, to conduct their Annual Parish Carnival on church property from June 21-24 from 5PM - Midnight.

-Approved/Resolution.

C) Committee Reports – Councilman Melendez:

- 1) Gave update on the Police Radios.
- 2) Thanked the Library for their participation in Citizenship Swearing Inn.
- 3) Recreation Dept. sponsored events.
- 4) Reported that the Sayreville Leprechauns and Parlin Panthers merged into one youth football organization.

5) Spoke about the use of **turf on our fields**. He said he met with the County about what programs they may offer to help with costs. He said that the borough would have to submit an application and concept plan and hope they would select us to be part of the financing plan. He **made a motion authorizing the Borough Engineer prepare a conceptual plan at a fee not to exceed \$2,000.**

Mr. Cornell stated that the concept plan would outline, showing what you would like to do and that he would need to submit it to the County and they would reimburse up to one half of a million dollars.

Motion was seconded by Council President Buchanan.

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

• **WATER & SEWER/ENVIRONMENTAL – Council President Buchanan**

A) **Minutes & Departmental Reports:**

Council President Buchanan moved the following minutes or reports be received and filed:

- 1) Water & Sewer Director's report for the month of February, 2017.

- Seconded by Councilwoman Novak.

B) Committee Reports – Council President Buchanan:

- 1) Reported that last week we lost one of the founding member of the Morgan First Aid Squad, Nick Weber.
- 2) Progress.

• **MAYOR – Kennedy O'Brien**

- 1) Commented on the retirement of Marie Esposito and Police Officer Rich Belotti.
- 2) Commented on the passing of Nick Weber
- 3) Commented on the passing of our Borough Attorney's wife and sent deepest condolences to him and his family.

- Mr. Frankel asked for a moment of silence for Mike DuPont's wife and his family.

A moment of silence was observed by all in attendance.

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

- Admin. & Finance

- 1) Authorization to execute a Grant Agreement between NJ Transit and the Borough of Sayreville for the award of an Extended Minibus vehicle under the Federal Transit Administration Section 5310 Program.

- Approved/Resolution.

- Planning & Zoning

- Public Safety

- 1) Authorization for the promotion of Peter Skarzynski to the title of Lieutenant and Kenneth Davern to the title of Sergeant.

- Approved/Resolution

- Public Works

- 1) Authorization to award a contract to Approved Fire Protection Co. of South Plainfield through a Non-fair and open process for NFPA Compliant Kitchen Suppression Systems in an amount not to exceed \$31,250.00.

- Approved/Resolution

- Recreation

- Water & Sewer

- Personnel / Confidential

• **C.F.O. - Wayne Kronowski**

- 1) Public Hearing and Adoption of 2017 Municipal Budget scheduled for April 11, 2017.
- 2) Resolution approving participation with the St. of NJ Federal Grant Program Administered by the Div. of Criminal Justice, Dept. of Law & Public Safety.

• **BOROUGH ENGINEER - Jay Cornell**

- 1) Bordentown Avenue Water Treatment Plant Raw Water Line Replacement - Receipt of Bids (Report Attached).
- Resolution was approved tonight.
- 2) Modifications to the Former Bordentown Avenue Water Treatment Plant – Closeout of Contract and Change Order (Report Attached).
- Approved/Resolution
- 3) Improvements to Smith Street – Receipt of Bids (Verbal Report).
- Approved for Resolution if bids are in order next week.
- 4) Duhernal Well Maintenance and Redevelopment Services – Receipt of Bids (Verbal Report).
- Approved for Resolution if bids are in order next week.

Councilwoman Novak asked about the work currently being done at the intersection of Washington Road and Pulaski Avenue if that was a County job or borough.

Mr. Cornell responded that the improvements are being performed by a Middlesex County project and improvements are being done to the traffic signal and handicapped ramps at the intersection. He said that when the borough paves Pulaski Avenue we will match into their improvements.

• **BOROUGH ATTORNEY – Ed Washburne**

- No report.

• **EXECUTIVE SESSION – None**

• **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
 - Commented on the retirement of Rich Bellotti
 - Thanked the governing body for the re-paving and drainage work on of Jackson Avenue.
- Commented on the Mocco property re-zoning lawsuit and how long we have been in court and the cost involved. He transitioned the comments to the borough's COAH obligation and his previous recommendation to the

governing body that the Mocco property (Crossman Pit) might be the appropriate spot for some of this housing. This might meet our COAH obligation and also release us from the lawsuit. Asked if there was any consideration to this recommendation or discussion.

Mayor stated the Mr. Mocco did apply to the Judge and he was denied participating because he did not file correctly. He suggested that he take is appeal to the Judge this Wednesday during the hearing.

Mr. Robinson asked if there had been any progress on this matter since the last time we appeared.

Mayor asked the business administrator for a response. Mr. Frankel stated that Ordinances had been prepared for the rezoning of particular properties for the inclusion of the COAH obligation agreement. These ordinances were listed for introduction at the last meeting and a vote was taken and the ordinances were not accepted by a majority of the council.

Mr. Robinson asked if there was a Plan B.

Mr. Frankel said that the matter would be brought before the judge on March 29th.

Mr. Robinson asked the council if their major concerns was the council did not know about the particular properties that were to be rezoned. Councilman Buchanan said that the density was not clarified also. Mr. Robinson went on about certain density.

Councilman Grillo said his concern now was that this was tabled so there could be more research, etc. Just hope two weeks from now there is a plan.

No further questions or comments. Council President Buchanan moved to close the Public Portion. Motion was seconded by Councilwoman Novak.

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 Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Time: 7:52 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved