

Mayor 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**

Theresa Farbaniec, Municipal Clerk announced that this May 14, 2018 Council Meeting had 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  
Denise Biancamano, C.F.O./Treasurer  
Theresa A. Farbaniec, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney  
Jay Cornell, P.E., Borough Engineer

Others Absent: None

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

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

- ☒ April 5, 2018 - Special Meeting (COAH Matters)
- ☒ April 9, 2018 - Council Meeting & Executive
- ☒ April 9, 2018 - Agenda Meeting
- ☒ May 7, 2018 - Special Meeting (COAH Matters) & Executive Session  
Seconded by Councilman Buchanan.

Roll Call – Councilpersons Kilpatrick, Buchanan, Grillo, Lembo-except for March 26<sup>th</sup> as he was not present, Melendez, Novak, all Ayes.

### 3. PROCLAMATION & PRESENTATIONS –

- **Proclamation**  
-Buddy Poppies.

## **P r o c l a m a t i o n**

**WHEREAS**, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

**WHEREAS**, VFW Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans and the widows and orphans of deceased veterans; and

**WHEREAS**, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to “Honor the Dead by Helping the Living”.

**NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville**, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American Citizens.

**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 11<sup>th</sup> day of May, 2018 and the same duly attested by the Municipal Clerk.



Kennedy O'Brien, Mayor

**ATTEST:**

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

Council President Kilpatrick moved the Mayor's Proclamation be approved on Roll Call Vote. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

• **Presentations to:**

- **Sayreville Memorial Post #4699 - VFW**

Presentation of Buddy Poppies to Mayor & Council to kick off their annual Buddy Poppy Drive throughout Sayreville.

**Proclamation read into record:**

- **Lyme Disease Awareness Month**

## **Proclamation**

**WHEREAS**, May marks Lyme Disease Awareness Month, reminding us to take care to avoid tick bites when exploring the great outdoors to avoid catching the disease.

**WHEREAS**, The Centers for Disease Control and Prevention estimate that 300,000 people are diagnosed with Lyme disease in the US every year. It is the most commonly reported tick-borne infection in the United States. Children are especially hard-hit by Lyme disease with the highest in incidence among children between the ages of 5 to 14.

**WHEREAS**, Given the advances made by modern medicine, there is neither a reliable diagnostic test for Lyme disease, nor an effective treatment for long-term Lyme.

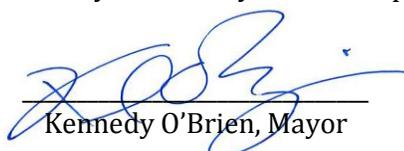
**WHEREAS**, Lyme disease can require expensive treatment and the cost is often not covered by insurance. Catching Lyme disease quickly means that patients can be treated with the appropriate antibiotics in the early stages, which usually means a quick and full recovery.

**WHEREAS**, Lyme disease has been found on every continent except Antarctica. It is found all across the United States, with a particularly high incidence in the East, Midwest, and West Coast. Rates have increased significantly over time. Some of this increase may be because of disease spread, but it is also likely that it reflects growing public awareness of the disease.

**NOW, THEREFORE, I, Kennedy O'Brien, Mayor of the Borough of Sayreville**, do hereby proclaim May 2018 as Lyme Disease Awareness Month. I encourage all community members to take advantage of the resources available to them and help to spread Lyme Disease awareness and prevention education.



**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 14<sup>th</sup> day of May, 2018 and the same duly attested by the Municipal Clerk.



Kennedy O'Brien, Mayor

Attest:

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

Councilwoman Novak moved the Mayor's Proclamation be approved on Roll Call Vote. Seconded by Council President Kilpatrick.

Roll Call: Voice Vote, all Ayes

Accepting the Proclamation and speaking on behalf of her daughter who suffers from chronic Lyme disease was Barbara Sarnecki.

Councilman Grillo addressed Mrs. Sarnecki and her daughter said that maybe the Borough could put something on our website and cable access about the dangers of ticks and importance of checking yourself and children. Sometimes the ticks are so small you really have to take an in-depth look at your children to be sure they do not have any on their skin.

Mayor O'Brien asked that she leave her contact information with the Clerk. He also asked Councilman Grillo to take a leadership roll on this to spread the word and get the information out.

Mayor called for the next order of business.

- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

Municipal Clerk Farbaniec read the heading for the following ordinances listed for Public Hearing:

Mayor O'Brien opened the meeting to the public on Ordinance #406-18.

The Business Administrator gave a brief synopsis of the ordinance.

Those appearing were:

-Scott Kominkiewicz, 309 Main Street, South Amboy

He thanked the governing body for asking for input from his father and himself and Tom Nagle. He said that he appreciated the work of Terry (Borough Clerk) and Michael (Borough Attorney) for helping craft this ordinance. He stated that the provisions already exists for food trucks or vendors alike in the current ordinance.

-Tommy Nagle, 15 Dodd Place, South Amboy

He repeated that Terry and Mike's input was very helpful with the ordinance.

There were no further appearances. Councilwoman Novak moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilman Buchanan.

There being no other questions or comments on this ordinance he called for a motion.

Councilwoman Novak moved the Ordinance be approved on Roll Call:

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

Nays: None

**ORDINANCE # 406-18**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VIII LICENSING - SECTION 3 OF THE REVISED**  
**GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
**"PEDDLERS AND HAWKERS"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

### **8-3 – PEDDLERS AND HAWKERS.**

**8.3-3 Type of License.** Each and every peddler shall be required to obtain one (1) of the following licenses which shall conform to the actual activity of each peddler:

- a. P-1 Food/Beverage Peddler – Mobile.

Each and every peddler who engages, in whole or in part, in the activity of business of selling or distributing food/beverage using a motor vehicle shall first obtain a P-1 (Food/Beverage Peddler – Mobile) license. Such a license holder shall nevertheless be prohibited from engaging in such activity or business at a specific location as defined in subsection 8-3.1. The purpose of this license is to stop, make a sale and move on.

- b. P-2 Food/Beverage Peddler – Site Specific.

Each and every peddler who engages, in whole or in part, in the activity or business of selling or distributing food/beverage at a specific location shall first obtain a P-2 (Food/Beverage Peddler-Site Specific) license.

- c. P-3 Bait and Tackle at River Road Waterfront Park.

Each and every peddler who engages in whole or in part in the activity of selling or distributing bait and tackle at the River Road Waterfront Park shall first obtain a P-3 (Bait and Tackle Peddler) license. This license shall be limited to the sale of bait, tackle and water. There shall be a limit of two (2) licenses, issued on a first come/first serve basis only at the River Road Waterfront Park. The hours of operation shall be from dawn to dusk and expiring on December 31<sup>st</sup> of the licensed year.

~~Any other provision of this section or any other provision of Section 8-3, subsections 8-3.1 or 8-3.2 of the Revised General Ordinances of the Borough of Sayreville to the contrary notwithstanding.~~

**No P-2 license shall be issued to any peddler unless the peddler has a valid P-2 license on the effective date of this subsection.**

***d) Transferability of a P-2 License***

***A peddler holding a valid P-2 license, or the legal representative for the estate of a peddler which held a valid P-2 license, may transfer the license to any individual providing that the new holder be subject to a background check by the Sayreville Police Dept. and Business Administrator for any history of business malfeasance or crimes that may affect the operation of a food peddler with the Borough. An application for transfer of a P-2 license shall be processed in the same manner as an application for a new license. In the event that a peddler holding a P-2 license fails to renew his license in a timely manner prior to the expiration of the license, the license shall be deemed to have been abandoned and such licenses shall no longer be renewed nor reissued.***

### **8-3.5 Special Event Permit.**

Any other provision in this section notwithstanding a permit may be issued to a peddler for the sole purpose of selling merchandise or food/beverage at a special event. The duration of such special event permit shall not exceed two (2) weeks or the actual duration of the special event, whichever is less. ***The Special Event License holder is also restricted to operate only on the premises of the event and may not conduct business elsewhere in the Borough before, during, or after the event. Fees will be waived for any current holder of a P1 or P2 License who applies to participate in any Special Event within the Borough of Sayreville.***

### **8-3.6 Fees**

- d) Annual Peddlers License (after 7/1) (after December 31<sup>st</sup>) fee surcharge:***
- 30 days late - \$ 50.00

- **60 days late - \$100.00**
- **90 days late - \$200.00**

**8-3.7 Use of Streets**

**a)** No peddler shall have an exclusive right to any location, nor shall the peddler be permitted to operate in any congested area where the operations might impede or inconvenience the public. For the purpose of this section, the judgement of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

**b) No Peddler Holding a P-1 (Mobile) License may operate within a two-mile radius of any P-2 (Site Specific) License holder.**

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Eight, Section 8-3** of the Revised General Ordinances of the Borough of Sayreville, shall be added to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

b) Appointments:

Council President Kilpatrick appointed Favor King to the Human Relations Commission. Motion was Seconded by Councilman Grillo.

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

- **NEW BUSINESS:**

a) Clerk reported on receiving the Supplemental Debt Statement from CFO Denise Biancamano, as of May 14, 2018.

Councilwoman Novak moved to have the Supplemental Debt Statement received and filed. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Clerk read the following Ordinances into record for introduction:

b) Introduction of the following ordinances:

**ORDINANCE #407-18**  
**AN ORDINANCE APPROPRIATING \$285,500.00**  
**FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT**  
**IN THE WATER DEPARTMENT FOR AND BY THE BOROUGH OF**  
**SAYREVILLE, COUNTY OF MIDDLESEX, NEW JERSEY**

(Admin. & Finance – Co. Novak, Public Hearing May 29, 2018)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Council President Kilpatrick.

Roll Call – Voice Vote: all Ayes.

**ORDINANCE #408-18**  
**AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC  
SECTION 7-3.3 “PARKING PROHIBITED AT ALL TIMES ON CERTAIN  
STREETS” OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF SAYREVILLE**  
(Public Safety – Co. Buchanan, Public Hearing May 29, 2018)

Councilman Buchanan moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Council President Kilpatrick.

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

**ORDINANCE #409-18**  
**BOND ORDINANCE PROVIDING FOR THE ACQUISITION  
OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE  
BOROUGH OF SAYREVILLE, NEW JERSEY,  
APPROPRIATING \$1,320,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$1,254,000 BONDS OR  
NOTES OF THE BOROUGH  
FOR FINANCING PART OF SUCH APPROPRIATION**  
(Admin. & Finance – Co. Novak, Public Hearing May 29, 2018)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Council President Kilpatrick.

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

**ORDINANCE # 410-18**  
**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
ADOPTING THE HERCULES REDEVELOPMENT  
PLAN AND AMENDING THE ZONING MAP**  
(Planning & Zoning – Co. Lembo, Public Hearing May 29, 2018)

Councilman Lembo moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Councilman Grillo.

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

**ORDINANCE #411-18**  
**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, AMENDING CHAPTER VII OF THE BOROUGH  
CODE OF THE BOROUGH OF SAYREVILLE, ENTITLED “TRAFFIC”**  
(Public Safety – Co. Buchanan, Public Hearing May 29, 2018)

Councilman Buchanan moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Council President Kilpatrick.

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

**ORDINANCE # 412-18**  
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV,**  
**“WATER & SEWER”, SECTION 49, SCHEDULE A, SEWER USER CHARGES**  
**OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF**  
**SAYREVILLE, 1986, AS SUPPLEMENTED AND AMENDED**  
(Water & Sewer – Co. Grillo, Public Hearing May 29, 2018)

Councilman Grillo moved the Ordinance be approved on first reading, advertised according to law and a public hearing be held on May 29, 2018. Motion was seconded by Councilwoman Novak.

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

- **CONSENT AGENDA/RESOLUTIONS**

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

Council President Kilpatrick moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilman Grillo.

Councilman Lembo questioned the need for Resolution 2018-155 and what it encompasses. Mr. Frankel said that with all of the changes with the land use law the ordinance needs to be updates as well as the zoning map.

Roll Call on Consent Agenda Resolutions:

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

Nays: None.

**RESOLUTION #2018-136**

**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  
Kennedy O'Brien, Mayor

/s/Daniel Buchanan  
Councilman Daniel Buchanan

/s/ Pasquale Lembo  
Councilman Pasquale Lembo

/s/Steven Grillo  
Councilman Steven Grillo

/s/ Ricci Melendez  
Councilman Ricci Melendez

/s/Victoria Kilpatrick  
Councilwoman Victoria Kilpatrick

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

**Bill list of May 13, 2018 in the amount of \$15,160,395.40  
in a separate Bill List File for 2018 (See Appendix Bill List 2018-A for this date).**

**RESOLUTION #2018-137**

**A RESOLUTION ACCEPTING THE SAFE AND SECURE COMMUNITIES  
GRANT #18-1219 WITH THE STATE OF NEW JERSEY FEDERAL GRANT  
PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL  
JUSTICE DEPARTMENT OF LAW AND PUBLIC SAFETY  
FOR THE PERIOD OF JUNE 1, 2018 TO MAY 31, 2019**

**WHEREAS**, the Mayor and Council of the Borough of Sayreville does hereby approve the acceptance of funding in the amount of \$60,000.00 with a match of \$288,037.56 for a total cost of approximately \$348,037.56 for a project under the State

of New Jersey known as Safe and Secure Communities Grant Program #18-1219 for the period of June 1, 2018 – May 31, 2019; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Borough of Sayreville for the purposes described in the application;

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

1. As a matter of public policy the Borough of Sayreville wishes to participate to the fullest extent possible with the Department of Law & Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

/s/Daniel Buchanan, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-138**

**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:	Paul Eginton
POSITION:	Violations Clerk
DEPARTMENT:	Municipal Clerk
EFFECTIVE:	May 16, 2018

**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/ Daniel Buchanan, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-139**

**BE IT RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to extend a Shared Services Agreement with the Township of Woodbridge for the period of March 1, 2018 through February 28, 2019 for the

Opioid Overdose Recovery Program Services in accordance with the terms and conditions set forth in the agreement.

/s/ Daniel Buchanan, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-140**

**WHEREAS**, Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 5:

- Project: Radio Communication System
- Contractor: Tactical Public Safety  
1036 Industrial Way  
West Berlin, NJ 08091
- Net Increase: \$2,846.00
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said QPA referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-141**

**WHEREAS**, on March 14, 2016 the Borough of Sayreville awarded a contract for the collection and disposal of e-waste recycling services to ECOvanta, LLC; and

**WHEREAS**, said agreement, which initial term expired on December 31, 2016; and

**WHEREAS**, the Borough of Sayreville renewed the agreement on January 23, 2017 for a one (1) additional year term expiring December 31, 2017; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract agreement for a one (1) additional year term and that the 2017 pricing be extended through 2018; and

**WHEREAS**, ECOvanta, LLC, has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for Collection and Disposal of Electronic Waste Recyclables is hereby renewed for one additional year period at no additional increase in price.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-142**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for the Veteran's Field Rest Room Improvements at a fee not to exceed \$12,200.00 and upon approval of said plans and specifications that Borough Clerk/QPA is further authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-143**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough officials are hereby authorized to do emergency repairs to Borough Hall basement, through the Educational Services Commission of NJ Contract #16/17-19, from Magic Touch Construction Co., Inc., 59 W. Front St., Keyport, NJ 07735, at a total cost not to exceed \$21,865.21.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-144**

**BE IT RESOLVED** that the proper officials are hereby authorized to execute Agreement and Application for permission to conduct Fireworks Display between Starfire Corporation, 682 Cole Road, Carrolltown, PA 15722, and the Borough of Sayreville, covering display to be held at Kennedy Park on June 30, 2018

(rain date July 1, 2018) at a cost not to exceed \$17,000.00, subject to Starfire Corporation providing the appropriate insurance coverage as required by the Borough and further subject to said insurance indemnifying the Borough with regard to liability caused by the fireworks including personal injury and or property damage.

/s/ Ricci Melendez, Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-145**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough of Sayreville hereby grants a waiver of all municipal fees associated with Special Event Permits and Food Handlers permits for the June 30, 2018 Independence Day Celebration and that these fees are hereby incorporated into one general "Special Permit/Fee" which will be issued by the Recreation Department for this event and that said fee will be in the amount of \$300.00.

**BE IT FURTHER RESOLVED** this action does not eliminate the requirement for each vendor to obtain the necessary permits from the Board of Health and the Municipal Clerk.

**BE IT FURTHER RESOLVED** that the Recreation Department must supply the Board of Health, Municipal Clerk and the Police Chief with a list of all vendors in order to insure that the proper permits are obtained from their respective departments, if necessary.

/s/ Ricci Melendez, Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-146**

**WHEREAS**, on May 9, 2016 the Borough of Sayreville awarded a contract for various Water Department Chemicals; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract for a final two (2) year term at no additional increase in price contained therein with the below companies; and

- Citric Acid – Coyne Chemical - \$18,040.90
- Sodium Hypochlorite - Miracle Chemical Co. - \$130,485.00

**WHEREAS**, Miracle Chemical Company and Coyne Chemical, has indicated their interest in extending their terms of the aforesaid contract for a final two (2) year term;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contracts is hereby renewed for a final two year period at no additional increase in price.

/s/ Steven Grillo, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION # 2018-147**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE OF A  
SPECIAL EVENT PERMIT TO ST. STANISLAUS KOSTKA R.C. CHURCH  
TO CONDUCT A PARISH CARNIVAL**

**WHEREAS**, St. Stanislaus Kostka R.C. Church has requested permission from the Mayor and Council of the Borough of Sayreville to conduct a Parish Carnival on the property of St. Stanislaus Kostka’s Church and School from June 20, 2018 through June 23, 2018.

**WHEREAS**, it is the belief of St. Stanislaus Kostka R.C. Church that the Parish Carnival provides activities which are family and community oriented;

**WHEREAS**, the Mayor and Borough Council agree that the event proposed will enhance community spirit; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that St. Stanislaus Kostka R.C. Church is granted permission to conduct a Parish Carnival on the property of St. Stanislaus Kostka’s Church and School from June 20, 2018 through June 23, 2018 without posting any fees.

/s/Ricci Melendez, Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O’Brien  
Mayor

**RESOLUTION # 2018-148**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE OF A  
SPECIAL EVENT PERMIT TO DARUL ARQAM SCHOOL  
TO HOLD A PRAYER SERVICE**

**WHEREAS**, Darul Arqam School has requested permission from the Mayor and Council of the Borough of Sayreville to conduct a prayer service at Kennedy Park on June 15, 2018; and

**WHEREAS**, it is the belief of the governing body that these events provides activities which are family and community oriented;

**WHEREAS**, the Mayor and Borough Council agree that the event proposed will enhance community spirit; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Darul Arqam School is hereby granted permission to hold this Special Event and that a permit be issued for a prayer service to be conducted on June 15, 2018 at Kennedy Park from 9:30 am to 1:00 pm.

/s/Ricci Melendez, Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O’Brien  
Mayor

**RESOLUTION 2018-149**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: 2014 Roadway Paving & Reconstruction Project – Phase III - Improvements to McCutcheon Ave.
- Contractor: Brennan Brothers Contracting, LLC  
28 Maple Street  
Old Bridge, NJ 08857
- Net Decrease: \$38,454.63
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:
2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-150**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: 2014 Roadway Paving & Reconstruction Project – Phase III - Improvements to McCutcheon Ave.
- Contractor: Brennan Brothers Contracting, LLC  
28 Maple Street  
Old Bridge, NJ 08857
- Balance Due: \$15,255.76

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice

thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$114,193.24 and the approval of same as to form and sufficiency by the Borough Attorney.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION 2018-151**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: Camden Street Water System Improvements
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Net Decrease: \$35,350.85
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Steven Grillo, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-152**  
**ACCEPTING FINAL WORK**  
**AND AUTHORIZING FINAL PAYMENT**  
**UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Camden Street Water System Improvements
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Balance Due: \$3,623.82

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$27,178.67 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Steven Grillo, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-153**

**WHEREAS**, on May 7, 2018, the Mayor and Council of the Borough of Sayreville received bids for the “Veterans Park and Sayreville Recreation Complex Synthetic Turf Fields Project”; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 14<sup>th</sup> day of May, 2018 that:

1. Contract for the “Veterans Park and Sayreville Recreation Complex Synthetic Turf Fields Project” be awarded to Brennan Brothers Contracting, LLC of Old Bridge, NJ for their low bid price of \$1,698,813.65 as appears on their bid documents and attached hereto and made a part hereof, subject to the waiver of minor irregularities.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2018-154**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING PROPERTY DONATION BY  
MARTHA HARTLE OF PROPERTY KNOWN AS BLOCK 450, LOT 9**

**WHEREAS**, the Borough of Sayreville owns 63+ acres contained in Block 450 on the Tax Map of the Borough of Sayreville, which property is designated as Open Space; and

**WHEREAS**, a former resident of the Borough of Sayreville, owns approximately 1.5 acres known as Block 450, Lot 9 and is willing to donate the wetlands property to the Borough of Sayreville; and

**WHEREAS**, on November 29, 2017 the Sayreville Open Space Committee recommended to the Governing Body of the Borough of Sayreville that the Borough acquire the land through donation; and

**WHEREAS**, a title search of the property showed clear title; and

**WHEREAS**, with the acquisition of this parcel of property Block 450 will be entirely publicly owned and preserved as Open Space; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Mayor and Borough Council request that the Borough Attorney prepare a Deed transferring the property from Martha Hartle to the Borough of Sayreville.

/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 #2018 - 155**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING SUSAN S. GRUEL, PP OF THE FIRM HEYER,  
GRUEL & ASSOCIATES TO PREPARE AMENDMENTS  
TO AND UPDATE THE BOROUGH OF SAYREVILLE'S  
LAND DEVELOPMENT AND ZONING ORDINANCE AND ZONING MAP**

**WHEREAS**, the Governing Body of the Borough of Sayreville recognizes the need for a certified Planner to review and update the Land Development and Zoning Ordinance for the Borough of Sayreville; and

**WHEREAS**, the Governing Body of the Borough of Sayreville received and approved a proposal from Heyer Gruel & Associates to review and update the Ordinance text of the Land Development and Zoning Ordinance and update the Borough's Zoning Map; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Governing Body of the Borough of Sayreville authorizes Susan S. Gruel, PP of the firm of Heyer, Gruel & Associates to review and update the Borough of Sayreville's Land Development and Zoning Ordinance and update the Borough's Zoning Map for a sum not to exceed \$72,000.00

/s/ Pasquale Lembo, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

Mayor O'Brien Returned Unsigned  
Mayor

- **BOROUGH ENGINEER - Jay Cornell - None**
  
- **BOROUGH ATTORNEY - Michael DuPont - None**

**PUBLIC PORTION-**

- **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting to the Public for questions or comments on any and all matters.

Those appearing were:

- Bill Gawron, Orchard Street

Thanked the Mayor and Council and especially Mr. Frankel and Mr. DuPont for keeping up on Optimum until they gave in and finally settled. He said that Ms. Davies was lying to the governing body. He stated that the BPU sent him a letter that Optimum does not have any such waiver.

Mr. Gawron went on to say that with regard to the tick population and the spread of Lyme disease that if the Borough were to let quail loose in some of these areas that the quail are one of ticks' natural predators. If the Borough would be interested maybe the Borough could get a price and release them in these areas.

- Jim Robinson, 11 Borelle Square

He said that he is present tonight with twenty some of his neighbors because there is an issue that is of concern to them. He said that last year he had suggested the Borough purchase the heavily treed four and one half acres on No. Ernston Road in the Borough. It was requested that the Mayor and Council get appraisals for that property and the property in Melrose. He mentioned that earlier Mayor McCormack zoned the area on No. Ernston Road as PRIME so that nothing could be built there. In 1989 Co.

Novak passed a referendum that became law which is the tax for Open Space preservation. He mentioned that there was over seven million dollars in that fund now. This property is pristine and undisturbed. This parcel should be purchased and made a part of Kennedy Park. You have the appraisals, you have the funds and suggested that be purchased and preserved.

- Ruth Ann Mahoney, 2 Gerard Place, Parlin

She agree with Mr. Robinson that the four plus acres needs to be purchased and preserved for Open Space. Commented on the congestion and troubles that would come with more building is not good.

- Steve Melaneski, 28 Scarlet Drive

Questioned when the Kennedy Park Bridge improvement will be completed.

The Borough Engineer replied that the new bridges are scheduled to be delivered this week, May 17<sup>th</sup> and are scheduled to be installed and be taken care of within the next two weeks. He further explained the scope of work and why there were delays.

He then questioned the pro forma for the COAH. The Business Administrator said that item is listed and will be discussed during the agenda session meeting.

- Kenneth Olchaskey, 108 North Edward Street

Spoke about the continued poor broadcast of the Council, Planning and Board of Adjustment meetings. He asked what has been done about it or what is being done about it.

Councilman Melendez addressed how the people that come to the mic hold the mic. He said that it needs to be held directly to the speaker's mouth. He said that there is technology to fix that. There are better mics being looked into, such as a permanent mic on the podium. But with other upgrades there is an investment and that is something we need to do moving forward but it is not an immediate solution that he can control with people not speaking directly into the microphone.

Mr. Olchaskey commented on the professionals sitting up on the dais not speaking into the mic and people cannot hear them. He suggested that better microphones be purchased because this is a significant issue for people in town.

Mr. Olchaskey commented on the reason for a police officer at meetings. He was hoping that this was not a form of intimidation.

- Janice Benedetto, 1 Thomas Ave., Melrose

She commented that the appraisals are now in and the residents of the Melrose section are looking for the governing body to move forward with the purchase of the National Lead area for Open Space.

Mr. DuPont respond that we are currently still in litigation and cannot comment on the negotiations that are going forth, but he said it is known that their concerns and desires are on the forefront of all negotiations.

Ms. Benedetto said that Mr. DuPont said that the parties on both sides need to submit further information to Judge Natali by June 28<sup>th</sup>. Mr. DuPont clarified what is happening on June 28<sup>th</sup>. He said that Mr. Surenian and all counsel involved in litigation have until that date to report back to the court as to whether there is any resolution.

Ms. Benedetto asked if we could be doing anything else such as looking for grants for open space to help supplement the seven million dollars in open space fund?

Mr. DuPont said that he cannot comment on that specific property but all efforts are being considered and discussed.

Ms. Benedetto said that she received a notice that she will be receiving a \$9.00 increase with no increase in service. She asked what is being done in the negotiation process to get a better deal with Cablevision? She spoke about residents in Jackson paying much less for the same services.

Mr. Frankel said that it would be helpful if she could supply him with the information she is speaking of to help him confront Cablevision with this issue. He said that they are working on issues that Mr. Bartlinski and Mr. Gawron are experiencing. They still need to sit for a real negotiation on franchise fees, cost per program, etc. Ms. Benedetto said that Cablevision should be the ones providing the town with the information of surrounding municipalities and their services and costs.

Council President Kilpatrick said that residents in other municipalities who have Cablevision and have lower rates have other competition. She said that Verizon has indicated to the Borough that they are not willing to spend money for the infrastructure to bring any more service into our town.

Councilman Melendez suggested satellite such as Direct TV or Dish service.

Ms. Benedetto suggested to the council to try and listen to the poor quality on channel 15 for all meetings.

She suggested that the Agenda Session Agendas be put out with the Council Session Agendas. She also asked that more bill lists be put out by vendor also.

- Pete Giltlitz, 2 Ardsley Square, Parlin

Said that he couldn't think of any better use for the Open Space Funds other than using them to acquire Block 367.01, Lot 1 the open space forest in the middle of Parlin and next to Kennedy Park. Kennedy Park is a significant park in Parlin.

- Kenneth Olchaskey, 108 North Edward Street.

Confirmed what Janice Benedetto said about having to turn up the volume on the television to in order to hear broadcasts of meetings on channel 15.

He commented that he was glad that there was a consultant here from the MCUA but was disappointed that it was not an operations person.

He commented on the different issues that were brought up that the consultant could not answer. He hoped that at the next scheduled meeting that there is an operations person present so the residents could get some real answers.

There were no other questions or comments. Mayor O'Brien called for a Motion. **Councilman Buchanan made a motion to close the Public Portion. Seconded by Councilwoman Novak.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business. **Councilwoman Novak moved to adjourn the Council Session. Motion was seconded by Council President Kilpatrick.**

Roll Call – Voice Vote, all ayes. Carried.

Time 8:05P.M.

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved