

Mayor O'Brien opened the Council Meeting at 7:02 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Clerk Morelos announced that this June 27, 2016 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak (via teleconference), Rittenhouse

Absent: None

Others Present: Kennedy O'Brien, Mayor
Daniel E. Frankel, Business Administrator
Wayne A. Kronowski, C.F.O./Treasurer
Jessica Morelos, Deputy 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 Buchanan moved the following minutes be approved on roll call vote, subject to correction if necessary:

☞ May 23, 2016 - Council Meeting & Agenda Meeting

Motion seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

- **OLD BUSINESS**

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

**ORDINANCE #336-16
BOND ORDINANCE PROVIDING FOR THE REPLACEMENT
OF THE EXISTING RADIO COMMUNICATION SYSTEM AND THE
ACQUISITION OF NEW EQUIPMENT AND SITE UPGRADES THEREFORE IN, BY
AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING
\$2,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,190,000
BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART
OF SUCH APPROPRIATION**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$2,300,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$110,000 as the down payment for said improvements or purposes required by law and

now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,300,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,190,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$2,190,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the replacement of the existing radio communication system and the acquisition of new equipment and site upgrades therefor, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$2,190,000.

(c) The estimated cost of said purposes is \$2,300,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$110,000 down payment for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,190,000, and the

said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable real property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$2,190,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond 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

Mayor opened the meeting to the public for questions or comments on Ordinance #336-16.

Mayor O'Brien first read into record letter from Motorola.

Councilwoman Novak stated at the last meeting when she wanted to hold off the ordinance until we make a decision on what system we were going to get, and the Mayor told her one thing had nothing to do with the other.

Doug Gumprecht, Sayreville PBA Local 98

Motorola addressed a lot of concerns of Councilwoman's Kilpatrick. It is distasteful how the council went about awarding this bid. This bid should have been awarded appropriately the first time around.

Councilwoman Novak questioned if they were in favor of the funding of the system because this is what it is about. If it doesn't get approved tonight then we don't have the funding for the system.

Vincent Waranowicz, Sayreville Fire Chief

He believes that the resolution awarding the contract needs to be tabled and Motorola should get their chance to come in and say what they need to say instead of a backdoor meeting like he was just in. It's a shame of what is going on with some of the people up front. Public safety is being ignored for whatever reason behind the scenes. He asked this be tabled.

Councilman Lembo would like to see the awarding of the contract tabled until we can have a special meeting with all parties involved. There are too many discrepancies that is not sure of.

Council President Buchanan asked if he was looking to table the funding of the radios.

Councilman Rittenhouse made a motion to table Ordinance #336-16 until we resolve all of the other issues. Seconded by Councilman Lembo.

Councilwoman Kilpatrick asked for discussion.

Council President Buchanan stated he has a major concern tabling this ordinance. It can't be held back any longer. We should not hold up the funding.

Councilwoman Kilpatrick agreed. She received this letter from Motorola on Friday which was faxed and the letter was dated June 14th. She stated the whole process is extremely concerning from her standpoint as well. It was poor government when the Mayor refused her to ask questions to the vendor. Motorola stated in their letter any P25 system with any vendor would work. We already voted on Harris the last council meeting. I would like to ask the police and fire that this was an emergency situation because the radios are failing. If we tabled this does the first responders feel safe.

Vinnie stated the radios have been failing for years so he doesn't know why there is a rush to put the TPS/Harris system and we prefer Motorola.

Councilwoman Novak called point of order because there is no discussion on the tabling of an ordinance.

Councilwoman Kilpatrick questioned if the fire and police are safe right now and if he wanted to table this ordinance.

Vinnie responded it feels comfortable tabling but they haven't been safe in years.

Mayor O'Brien stated he is going to ask the Department of Community Affairs to review this whole process.

Council President Buchanan reiterated that this is about the funding of the radios.

	<u>Ayes</u>	<u>Nays</u>
<u>Roll Call:</u>	Buchanan	Lembo
	Grillo	Rittenhouse
	Kilpatrick	
	Novak	

Deputy Clerk announced 4 Ayes and 2 Nays. Motion dies

Mayor O'Brien opened the meeting to the public for questions or comments on Ordinance #336-16.

Those appearing were:

- Ted Petersen, Crestview Apartments

He questioned that this a vote for the funding of the ordinance and if there is a specific amount attached to the ordinance.

Mayor responded with the amount.

He then questioned if the vendor went over that amount.

Mayor responded not allowed and would be breaching the contract.

Mr. DuPont responded the town can only spend what was appropriated.

There were no further questions or comments.

Councilwoman Novak moved the Public Hearing be closed the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Council President Buchanan.

	<u>Ayes</u>	<u>Nays</u>
<u>Roll Call:</u>	Buchanan	Lembo
	Grillo	Rittenhouse
	Kilpatrick	
	Novak	

Deputy Clerk announced 4 Ayes and 2 Nays. Carried.

• **NEW BUSINESS:**

- a) Municipal Clerk reported having received the Supplemental Debt Statement from Wayne A. Kronowski, CFO as of June 27, 2016.

Councilwoman Novak moved the Supplemental Debt Statement be received & filed. Seconded by Council President Buchanan.

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

ORDINANCE #337-16

**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT
OF THE WINDING WOOD WASTEWATER PUMP STATION IN,
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$950,000 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance Committee – Public Hearing July 13, 2016)

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on the 11th day of July, 2016. Motion was seconded by Councilman Kilpatrick.

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

CONSENT AGENDA/RESOLUTIONS

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

Appearing were:

- Doug Gumprecht, Sayreville PBA 98

Regarding Resolution #2016-216. Approximately two years ago he had written a letter addressed to the council with their concerns about the radios and then filed a grievance. Motorola should have a second chance at the bite of the apple to address the concerns. I agree with Councilpersons Lembo and Rittenhouse that this is something that needs to be tabled.

Council President Buchanan made a motion to table Resolution #2016-216.
Motion seconded by Lembo.

	<u>Ayes</u>	<u>Nays</u>
<u>Roll Call:</u>	Buchanan	Novak
	Grillo	
	Kilpatrick	
	Lembo	
	Rittenhouse	

Deputy Clerk announced 5 Ayes and 1 Nays. Carried.

Councilman Rittenhouse made a motion to vacate the resolution awarding the contract for the public safety communications as outlined in Resolution #2016-216.
Motion seconded by Councilman Lembo.

Mayor asked if there were any comments.

Councilman Rittenhouse stated this gives us a chance to look at both companies again. He was very disturbed tonight and that Mr. Frankel should have recused himself because he is a county employee. Mr. Frankel called a meeting with TPS/Harris and one of the committee people and never notified the liaison to public safety and he was not notified.

Council President Buchanan stated that was inaccurate and after one of the meetings he was approached by the fire department complaining about the actual types of radios that are being used by their department. He had asked Dan Frankel to get a meeting so that could be brought to his attention. The representative from TPS/Harris was brought in after Vinnie had asked a question.

Councilwoman Novak stated until tonight we had voted to get TPS/Harris. We voted to award the contract and why would be talking to Motorola.

Mr. DuPont stated right now you have motion for the purpose of vacating the resolution awarding the contract to TPS/Harris. You have a resolution that has not been memorialized yet.

Councilwoman Kilpatrick questioned if TPS/Harris was notified of the contract award. She stated they were at the meeting. At the last meeting we voted in the affirmative for TPS/Harris.

Council President Buchanan stated the reason he tabled the resolution was there was an issue brought up the fire chief and would like to address it personally. He doesn't feel the need to unwind what they did so far and wants an answer from the representatives.

Mayor asked if there were any questions vacating this resolution.

Councilwoman Kilpatrick asked how much more of a delay this would be.

Councilwoman Novak stated it means to go back to the drawing board. She also stated maybe we should get a new consultant because they don't seem to know anything. In the letter from Motorola it states a lot of stuff that V-Comm should have known or addressed. We legally have an obligation to TPS/Harris.

Mr. DuPont stated you can always have a bid objection.

Mayor stated let the motion and the second go unless there is a councilperson who requires the counselor's statement.

Councilwoman Kilpatrick stated why were the issues in Motorola's letter never discussed with us at all and all of sudden this suddenly comes up. She questioned why the consultant didn't tell us and maybe we wouldn't have to delay it again. She wants another consultant.

Mr. DuPont cautioned the council on vacating this award until they thoroughly investigate what Friday's letter reveals and maybe it will change or require to vacate Resolution 2016-216. I recommend that you fully investigate this correspondence.

Councilwoman Kilpatrick has concerns about the consultant and asked the Borough Attorney when it will be a good time to discuss that.

Mr. DuPont stated it should be discussed in the agenda meeting but not sure if you should discuss that.

Councilman Grillo stated that Mayor O'Brien said there is nothing routine about this consultant process and is true. It has now de-evolved into a letter writing campaign. These are all critical items that were not brought to our attention by the consultant. He finds it very particularly disturbing. A letter from TPS/Harris two weeks ago was brushed off as propaganda and the letter from Motorola was read in full like gospel by the Mayor. This is just garbage and very frustrated.

Councilman Rittenhouse stated our consultant had everything. He stated the county administrator is negotiating for TPS/Harris as well as Dan Frankel.

Business Administrator Frankel stated he was not negotiating for TPS/Harris. He stated when you make accusation make it the truth.

Councilman Rittenhouse stated Mr. Frankel is a county employee who should not be taking part in all of these.

Councilwoman Novak called for point of order.

Councilman Rittenhouse stated Mr. Frankel called up council people to meet with TPS/Harris and told him that I can't have meetings with more than three people because it would violate the open public meetings act. This is why I would like to start fresh and look at the contracts.

Councilwoman Kilpatrick stated we are not going with the county system, we are going with the stand-alone system. She stated the Mayor made it very clear that he wants no communications, questions to be asked and we had to shut everything down, but Motorola is able to submit this letter with all their issues and comments. She stated Councilman Rittenhouse thinks that the democratic council people want to give this contract over to TPS/Harris. She has nothing to gain whether TPS/Harris or Motorola come in to do their system. She found out that David Stern from V-Comm who is vice president and cofounder was a previous program manager with Motorola. She stated his bio on V-Comm was very brief but found another bio on the Cumberland Board of Chosen Freeholders was different and included the Motorola program manager job he held for quite some time. She stated he did not disclose that information. She stated that Greg Brown, Chairman and CEO of Motorola hosted dinners and helped run Governor Christie's campaign. She also found out that one of the former presidents of Sam & Ventures, who now works under V-Comm, whose name is Richard Morx, was just named as the Director of Public Utilities. She stated that is major red flag for not disclosing that information. It is not passing the stink test.

Councilwoman Novak stated that dispatchers are telling her that we went with TPS/Harris because the county is going to start dispatching and we will do away with the dispatchers in Sayreville. She stated she is very upset that they would believe something like that. She said since the 80s the Motorola radios have been a problem. She said we had the money in the budget since 2011 for a new system and every year we are told that we are not ready for that step. It was pushed off because the police department was not ready to proceed with the project. She stated she is infuriated right now after being blamed for doing something legal.

Councilwoman Kilpatrick questioned to vacate in order to examine the six points. So are we going to discuss this. She stated it sounds like Motorola is saying they can do everything TPS/Harris can do.

Councilwoman Novak stated it is her understanding from this letter that it will still cost more than what TPS/Harris can do.

Mayor O'Brien responded that we don't know.

Mayor O'Brien stated in the letter from Motorola that it is the industry leader and has installed and currently maintains more trunk radio system than any other competitors combined. He said it's a good thing that our consultant worked for Motorola because it worked for the largest and most experienced company which he did not know. He stated he has great reservations about whether this is a legal contract or process. He stated he is going to ask for outside opinion on this. He stated he did allow to TPS/Harris give their presentation.

	<u>Ayes</u>	<u>Nays</u>
<u>Roll Call:</u>	Lembo	Buchanan
	Rittenhouse	Grillo
		Kilpatrick
		Novak

Deputy Clerk announced 2 Ayes and 4 Nays. Carried.

- Ted Petersen, Crestview Apartments

He stated he finds it amazing how Councilwoman Novak and Kilpatrick both vote on the recommendation of the Borough Attorney, but when the Borough hired a consultant, they vote against the recommendation of the consultant.

- Vincent Waranowicz, Fire Chief

He questioned when did Motorola had their chance to speak.

Councilwoman Kilpatrick stated they had their chance at the same meeting TPS/Harris did in a public session.

Vinnie stated thanks for not listening to the first responders but you say it's in our best interest. He said everyone around us uses Motorola.

Councilman Grillo moved the Public Hearing be closed and the Consent Agenda Resolutions be approved Motion was seconded by Council President Buchanan.

Roll Call:

Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse,
all Ayes.

Council President Buchanan moved the Consent Agenda Resolutions be approved on Roll Call Vote noting that Resolution #2016-216 has been tabled. Motion was seconded by Councilwoman Kilpatrick.

Roll Call on Consent Agenda Resolutions:

Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, Rittenhouse,
all Ayes.

RESOLUTION #2016-198

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/Mary J. Novak
Councilwoman Mary J. Novak

/s/Victoria Kilpatrick
Councilwoman Victoria Kilpatrick

/s/Arthur Rittenhouse
Councilman Arthur Rittenhouse

**Bill list of June 27, 2016 in the amount of \$3,523,272.94
in a separate Bill List File for 2016 (See Appendix Bill List 2016-A for this date).**

RESOLUTION #2016-199

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 July 2, 2016 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/Daniel Buchanan
Daniel Buchanan, Councilman
(Recreation Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-200

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 renewal of Plenary Retail Consumption License No. **1219-33-031-006 Shiv Akshar, LLC**, and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-031-006 Shiv Akshar, LLC**, a "pocket" license in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-201

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-033-008, ZINEL & NEEL LLC T/A COVELLO LIQUOR & BAR,
INC. WITH CONDITIONS
FOR THE 2016-2017 LICENSE TERM**

WHEREAS, application has been made for the renewal of Plenary Retail Consumption License No. **1219-33-033-008, Zinel & Neel LLC t/a Covello Liquor & Bar, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License No. **1219-33-033-008 Zinel & Neel LLC t/a Covello Liquor & Bar**, a “inactive” license in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term subject to the following terms and conditions as hereinbefore imposed and re-stated as follows.**
 - Licensee shall not engage in the operation of having live dancers or “go-go” dancers.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street, P. O. Box 087
Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-202

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Distribution License No. **1219-44-042-005 Kushal Corp. t/a Express Liquors**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Distribution License No. **1219-44-042-005, Kushal Corp. t/a Express Liquors**, located at 499 Ernston Road, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-203

WHEREAS, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Distribution License No. **1219-33-051-004 K & K Beverage, Inc.**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Distribution License No. **1219-44-051-004, K & K Beverage**, located at 17 Thomas Street, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby renewed for the 2016/2017 license term.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-204

WHEREAS, **VFW Old Bridge Memorial Post 7508**, is the holder of Plenary Retail Consumption License #**1219-31-065-001** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at **17 Bordentown Avenue, Old Bridge, NJ 08857** for license term 2016-2017; and

WHEREAS, an application has been made for the **2016/2017 renewal** term of Plenary Retail Consumption License No. **1219-31-065-001, VFW Old Bridge Memorial Post 7508**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

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

1. That Plenary Retail Consumption License **1219-31-065-001 VFW Old Bridge Memorial Post 7508**, located at 17 Bordentown Avenue, Old Bridge, NJ 08857 in the Borough of Sayreville be and the same is hereby **renewed for the 2016/2017 license term**.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-205

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CGI COMMUNICATIONS

WHEREAS, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") wishes to have certain videos available to the residents of the Borough of Sayreville and any visitors to its website to be able to view videos pertaining to the Borough of Sayreville; and

WHEREAS, the Governing Body of the Borough of Sayreville has received a proposal from CGI Communications to provide a "Community Video Program" to the Borough of Sayreville, which subject matter will include, but not be limited to, *Welcome, Healthy Living, Homes/Real Estate* and provide one *Community Organizations* chapter to promote charities, nonprofits and community development organizations; and

WHEREAS, CGI Communications will produce all video content, store and stream all videos provided to the Borough of Sayreville on CGI's dedicated server at no cost to the Borough of Sayreville; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville direct that the appropriate Borough official execute the Agreement for CGI Communications for the Community Video Program.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-206

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

NAME OF APPOINTEE:	Christopher J. Scanlon
POSITION:	Public Safety Telecommunicator Trainee (Per Diem)
DEPARTMENT:	Police
EFFECTIVE:	June 28, 2016

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-207

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING MEMBERSHIP IN THE KEYSTONE PURCHASING NETWORK (KPN)

WHEREAS, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") has been informed of the benefits of membership in the Keystone Purchasing Network (hereinafter "KPN"); and

WHEREAS, the Governing Body of the Borough of Sayreville has applied for membership in the KPN in order to purchase services, equipment, etc. from vendors approved by the KPN thus saving in costs for products and administration time; and

WHEREAS, membership in the KPN comes at no cost to the Borough of Sayreville but will result in the Borough of Sayreville saving money while purchasing through the approved vendors; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville approve the Borough's membership in the NJPA.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-208

BE IT AND IT IS HEREBY RESOLVED that resolution #2016-120 adopted by the Mayor and Council at their April 25, 2016 authorizing the receipt of bids for Miscellaneous Water Department Supplies be rescinded and extend the current contracted vendor, Water Works Supply Co., Inc. of Pompton Plains, NJ for a final one year term.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-209

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of proposals for **Architectural Services** for the year 2016.

BE IT FURTHER RESOLVED that proper borough officials are hereby authorized and directed to prepare the necessary Request for Proposals **for Architectural Services** and upon approval of said proposals the Borough Clerk is hereby authorized and directed to advertise for the receipt of proposals for said services.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-210

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to execute the 2016/2017 Municipal Alliance Agreement and accept the FY2017 Municipal Alliance Grant award in the amount of \$42,655.00.

/s/ Steven Grillo
Steven Grillo, Councilwoman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-211

**In Support of the Adoption of S2254/A3821 to Clarify
Municipal Affordable Housing Obligations**

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, many municipalities (including South Brunswick) filed declaratory judgment actions to voluntarily comply with their present and prospective affordable housing requirements as established in the FHA; and

WHEREAS, the FHA and existing case law are clear that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period.” (See N.J.S.A. 52:27D-307(c)); and

WHEREAS, in October 2015, the Middlesex County Superior Court issued a decision that included a distinct “gap period” obligation, retroactively imposing an additional municipal obligation over an additional 16 year period, separate and apart from the normal 10 year present and prospective need set forth in the FHA. Recently the Ocean County Superior Court did the same. The Ocean County decision is currently on appeal; and

WHEREAS, this “gap period” issue arises out of COAH’s inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need. Despite this, the courts are not holding COAH accountable but rather are imposing additional obligations on municipalities. These retroactive obligations will have a significant and unfunded impact on municipalities, straining their already overburdened resources; and

WHEREAS, aside from other inequities and issues imposed by a so-called “gap” obligation, the households counted in the “gap period” may well be double counted when the present need is calculated. The prospect of double counting compounds this dilemma and will likely result in forcing municipalities and their property taxpayers to subsidize development or subject them to court orders allowing enormous numbers of new housing units as a result of “builder’s remedy” lawsuits. Such a result will radically and irrevocably transform the character and quality of life for all New Jersey residents; and

WHEREAS, hundreds of New Jersey’s municipalities have expended significant financial and other administrative resources in their attempts to voluntarily comply with their constitutional obligation for affordable housing as established by the Supreme Court and the FHA. As a direct result of the State’s failure to advance viable regulations or enact overdue legislative reform, this will only continue to spiral out of control; and

WHEREAS, Senate Bill S2254 and Assembly Bill A3821 are important legislative remedies designed to clarify existing law and preclude these significant, unfair impacts. Swift and decisive adoption of both is a critical step toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities;

NOW THEREFORE BE IT RESOLVED on this 27th day of June, 2016, by the Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that:

1. The Mayor and Borough Council hereby support the adoption of Senate Bill S2254 and Assembly Bill A3821 to clarify that a municipality’s present and prospective fair share of the housing need in a given region shall be computed for a 10-year period, and shall not include a retrospective obligation arising from any so called “gap period.”
2. The Mayor and Borough Council urge the members of the New Jersey Senate, General Assembly and the Governor to swift and decisively adopt both as a critical step toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities.
3. A certified copy of this resolution be sent to Hon. Chris Christie, Governor; Hon. Steve Sweeney, President, NJ Senate; Hon. Vincent Prieto, Speaker, NJ General Assembly; Senate and General Assembly representatives and the New Jersey State League of Municipalities.

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

ATTEST:
/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

BOROUGH OF SAYREVILLE
/s/ Kennedy O’Brien
Kennedy O’Brien
Mayor

RESOLUTION #2016-212

WHEREAS, on April 8, 2015 Road Opening Permit #5303 was issued to open 255 Gereghty Street, South Amboy, NJ; and

WHEREAS, the Road Department has advised that the road has been restored to original condition and has recommended that a refund of a portion of said permit fee be made;

NOW, THEREFORE, BE IT RESOLVED that the proper Borough Officials are hereby authorized and directed to refund the sum of \$252.00 for the afore-mentioned Road Opening Permit to B & W Construction Co. of NJ, Inc., upon the submission of a properly approved borough voucher.

BE IT FURTHER RESOLVED that the Maintenance Bond requirement is hereby waived due to the fact that the fees have been held for one year in lieu of posting the required Maintenance Bond.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2016-213

WHEREAS, Virginia Karandrikas has applied to the Mayor and Council for approval of a beauty shop license located at 95-97 Main Street, Sayreville, NJ; and

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

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of said beauty shop;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is hereby authorized and directed to issue a license to Virginia Karandrikas to operate a beauty salon t/a Restoration Hair Lounge containing four (4) chairs located at 95-97 Main Street, Sayreville, NJ 08859, pending the issuance of a Mercantile License through the Construction Office.

/s/ Steven Grillo
Steven Grillo, Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

Resolution #2016-214

WHEREAS, on June 21, 2016 the Mayor and Council of the Borough of Sayreville received bids for the **Lee Avenue Area Drainage Improvements** 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 27th day of June, 2016, that:

1. Contract for the "**Lee Avenue Area Drainage Improvements**" project be awarded Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, NJ 08872 on their bid price of \$457,321.50 as appears on copy of bid document attached hereto and made a part hereof and is subject to the waiver of minor irregularities.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

Resolution #2016-215

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BIDS RECEIVED FOR THE SITE IMPROVEMENTS TO THE FORMER BORDENTOWN AVENUE WATER TREATMENT PLANT

WHEREAS, on June 21, 2016 the Borough of Sayreville accepted Bid Proposals for Site Improvements to the Former Bordentown Avenue Water Treatment Plant; and

WHEREAS, after all of the packages were reviewed it was identified that the bid contains a number of non-waivable deficiencies; and

WHEREAS, The Mayor and Council feel it would be in the best interest of the Borough to revise the specifications for this bid.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council that all bids received on June 21, 2016 for Site Improvements to the Former Bordentown Avenue Water Treatment Plant, and the Borough Clerk is authorized to re-advertise for same.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

Resolution #2016-216-TABLED

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH COUNCIL TO AWARD A CONTRACT FOR A RADIO SYSTEM TO TACTICAL PUBLIC SAFETY (TPS)

WHEREAS, the Governing Body of the Borough of Sayreville has received and reviewed the reports and recommendations from V-COMM for a new radio system; and

WHEREAS, the Governing Body of the Borough of Sayreville, after reviewing the recommendations of V-COMM and hearing from both Motorola Solutions and Tactical Public Safety (TPS) has decided to award the TPS/Harris proposal as it offers a stand-alone 2-site 4-channel P25 Phase 2 Simulcast System including E911 equipment, console furniture, integration with existing systems and the Middlesex County's Radio System, and installation; and

WHEREAS, the TPS/Harris system will be purchased under a New Jersey State Contract T0109/A83932 which ensures the best possible price to the Borough of Sayreville

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the appropriate Borough Officials are hereby authorized to execute Contract No. T0109/A83932 with TPS for the TPS/Harris radio system for a cost not to exceed \$1,860,001.77. The Certification as to Availability of Funds is attached hereto and made part hereof.

Daniel Buchanan, Councilman
(Sponsor)

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos
Deputy Clerk

Kennedy O'Brien
Mayor

Resolution #2016-217

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REQUESTING MIDDLESEX COUNTY TO FURTHER REVIEW THE STRIPING PROBLEM ALONG ERNSTON ROAD AND TAKE THE NECESSARY ACTION TO IMPLEMENT A SOLUTION

WHEREAS, the County of Middlesex recently completed the Improvements to the Intersection of Ernston Road and Bordentown Avenue; and

WHEREAS, this long awaited project has provided significant improvements to the traffic flow through the intersection; and

WHEREAS, the new configuration of the intersection provides for a very short left turning lane for vehicles traveling eastbound on Ernston Road looking to make a left hand turn onto northbound Bordentown Avenue; and

WHEREAS, this configuration has resulted in back-ups on Ernston Road caused by eastbound vehicles that are stuck in the straight-thru lane before they are able to access the left turn lane; and

WHEREAS, this condition is caused by the proximity to the Johnsons Lane intersection and, by allowing access to Johnson Lane from eastbound Ernston Road, minimal area is available for the left hand turn lane; and

WHEREAS, this would allow the County to extend the available eastbound left hand turn lane on Ernston Road.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council herein request that Middlesex County further review this problem and take the necessary action implement a solution.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION 2016-218

WHEREAS, that resolution #2016-98 adopted by the Mayor and Council at their March 28, 2016 be rescinded and further the Mayor and Council of the Borough of Sayreville wishes to participate in the Federal Grant Program administered by the State of New Jersey, Department of Law & Public Safety under the Project Title FY15 EMPG Borough of Sayreville EMAA; and

WHEREAS, the Governing Body of the Borough of Sayreville has reviewed the accompanying application and has approved said request; and

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

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

1. The Office of Emergency Management is authorized to apply for Emergency Management Agency Assistance through FEMA for the FY 2015 under the Federal Award Identification No. EMW2015-EP-00025, Sub-award Number FY15-EMPG-EMAA-1219.
2. That the Borough of Sayreville through its Office of Emergency

Management is hereby authorized to accept the sub-award in the amount of \$7,000.00.

3. That the Mayor and Council of the Borough of Sayreville hereby authorizes and agrees to match 100% of the Sub-award Amount for the period of July 1, 2015 through June 30, 2016.
4. Total Project Amount, as outlined in the application in compliance with the match requirements of the agreement. The availability of the match funds for this project, is hereby authorized and certified.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos
Jessica Morelos
Deputy Clerk

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

MAYOR O'BRIEN MADE THE FOLLOWING APPOINTMENTS:

SAYREVILLE ECONOMIC & REDEVELOPMENT AGENCY

Commissioner - 5 Year Term Rosetta Fisher
Moved by Councilman Rittenhouse, seconded by Councilman Lembo.

Roll Call: Ayes: Councilmen Rittenhouse, Grillo, Lembo
Nays: Councilpersons Buchanan, Kilpatrick, Novak.
3-3 Tie. Mayor voted aye.

Commissioner - 5 Year Term Donald Newton
Moved by Councilman Lembo, seconded by Councilman Rittenhouse.

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

Commissioner - 5 Year Term Kevin Dalina
Moved by Councilman Rittenhouse, seconded by Councilman Lembo.

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

PUBLIC PORTION

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

Those appearing were:

-Ted Petersen, Crestview Apartments
He is very happy about Councilmen Buchanan & Grillo's attitude.
He will be appealing the Rent Leveling Board's decision.
He questioned the time limit of an appeal. Response by Borough Attorney

DuPont.

He commented on Councilwoman Kilpatrick's conduct and actions.

-Charles Lukie, Oak Street

At noon on June 16th a man on Washington Road had his pants down around his ankles. Then at 5pm he was in Burger King and two people were rubbing their underwear on the counter. The next day he went to the Board of Health and they can't do anything unless there is an ordinance.

The Mayor instructed the Borough Attorney to call the Board of Health and prepare the appropriate ordinance not allowing that.

Council President Buchanan moved the public portion be closed and adjourned. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. Carried.

Time: 8:41 P.M.

SIGNED:

Jessica Morelos
Deputy Municipal Clerk

Date Approved