

Council President Buchanan opened the Council Meeting at 7:00 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this July 24, 2017 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,

Absent: Melendez

Others Present: Wayne A. Kronowski, C.F.O./Treasurer  
Theresa A. Farbaniec, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney  
Jay Cornell, P.E., Borough Engineer

Others Absent: Mayor Kennedy O'Brien (excused)  
Daniel E. Frankel, Business Administrator

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

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

- ☒ April 26, 2017 - Receipt of Bids (HVAC & Boiler Maintenance, repair & Replacement)
- ☒ May 1, 2017 - Special Meeting – Personnel and Litigation and Executive Session
- ☒ May 3, 2017 - Special Meeting – COAH and Executive Session
- ☒ May 22, 2017 - Snookers Transfer Hearing and Executive Session
- ☒ May 22, 2017 - Regular Meeting and Agenda Session
- ☒ June 6, 2017 - Receipt of Bids (Public Safety Complex Cooling Tower Replacement)
- ☒ June 12, 2017 - Regular Meeting and Agenda Session

Seconded by Councilwoman Novak.

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

- **SWEARING IN**

Before the swearing in Police Chief Zebrowski introduced the three new police officers and spoke about the important Oath they will be taking tonight.

**Clerk administered the Oaths of Office to:**

- Patrolman Kyle Krzyzanowski
- Patrolman Charles Novak
- Patrolman Michael Plumacker

- **EXECUTIVE SESSION**

Council President announced that the Governing Body would be retreating into a Closed Session.

Borough Attorney Mike DuPont read the resolution for Closed Session.

**- 10 minutes / Litigation-Personnel**

Borough Attorney DuPont read the following resolution into record:

**RESOLUTION FOR CLOSED SESSION**

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

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

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

**Litigation & Personnel**

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

**NOW, THEREFORE BE IT RESOLVED** that the public be excluded and this resolution shall take effect immediately.

/s/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, all Ayes.  
Carried. Time: 7:15 PM

• **RECONVENE – 7:34 PM**

Councilwoman Novak made a motion to reconvene. Motion seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

• **OLD BUSINESS:**

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

Council President Buchanan opened the meeting to the public on Ordinance #372-17.

a) Public Hearing on the following Ordinances:

**ORDINANCE #372-17**

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

(Admin. & Finance – Public Hearing, July 24, 2017)

**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 \$3,000,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$150,000 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 \$3,000,000 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 \$2,850,000 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 \$2,850,000 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 the improvement of Norton Street, North Ernston Road, Vineyard Avenue, Chevalier Avenue (off Oak Street), Charles Street, Haag Street and Main Street Extension, 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 \$2,850,000.

(c) The estimated cost of said purposes is \$3,000,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$150,000 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 copy 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 \$2,850,000, 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 \$475,000 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 grant, 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 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 \$2,850,000. 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:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien, Mayor  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

Councilwoman Novak moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilwoman Kilpatrick.

Roll Call: Ayes – Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo.  
Nays – None

Council President Buchanan opened the meeting to the public on **Ordinance #373-17**

**ORDINANCE 373-17**  
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VII**  
**“TRAFFIC”, SECTION 7-6 “THROUGH STREETS, STOP**  
**INTERSECTIONS AND YIELD INTERSECTIONS”, SUBSECTION 7-6.1**  
**“THROUGH STREETS”, OF THE REVISED GENERAL ORDINANCES OF**  
**THE BOROUGH OF SAYREVILLE DESIGNATING WHITEHEAD**  
**AVENEUE AND ROSE STREET A THREE WAY STOP.**

(Public Safety – Public Hearing, July 24, 2017)

**BE IT ORDAINED** by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey that Chapter VII, “Traffic”, Section 7-6 “THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS”, Subsection 7-6.1 “Through Streets” is hereby supplemented and amended to designate the following as a **Three Way Stop Intersection Pursuant to the provisions of R.S. 39:4-197.(1)j**:

**ROSE STREET & WHITEHEAD AVENUE**

All other ordinances or parts of ordinance inconsistent herewith e hereby appealed.

This ordinance shall take effect upon passage and publication in accordance with the law and upon final approval by the New Jersey Department of Transportation.

/s/ Steven Grillo, Councilman  
(Public Safety Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien, Mayor  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

There being no questions or comments, Councilman Grillo moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilwoman Kilpatrick.

Roll Call: Ayes – Councilpersons Grillo, Buchanan, Kilpatrick, Lembo, Novak.  
Nays – None

Council President Buchanan opened the meeting to the public **on Ordinance #374-17**

**ORDINANCE 374-17**  
**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #258-14**  
**AN ORDINANCE FIXING THE SALARIES OF CERTAIN**  
**BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES**  
**FOR THE YEARS 2013, 2014, 2015 AND 2016**

(Admin. & Finance – Public Hearing, July 24, 2017)

**NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville that Ordinance 258-14 is hereby supplemented and amended to add the following:

**Borough of Sayreville –Management, Professionals**  
**and Non-Union Employee Salary & Wage Schedule**  
Water and Utilities Superintendent - \$95,000.00 - \$115,000.00

**SECTION 2. Severability Clause.**

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of

this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date.**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

/s/Daniel Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien, Mayor  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

Those appearing were:  
- Ed Streck, 58 Nickel Avenue

Commented on this ordinance creating the position of Water Dept. Superintendent. He then asked how many employees there were in the water dept. and how many supervisors there currently are.

Response by CFO Kronowski stating that this is a current employee who will be overseeing the new Duhernal wellfields as well as the treatment plant. This is a promotion for the employee. He indicated that this position is not same as supervising personnel as the technical aspect of the water operation. He has a T-4 License he is very familiar with the Water Treatment facility and now he will be overseeing the balancing of the system between Duhernal wellfields and the treatment plant.

Discussion followed regarding the salary.

Council President Buchanan made a **motion to pull the ordinance** #374-17 so that the committee can discuss this with the business administrator when he gets back from vacation. Motion was seconded by Councilwoman Novak.

Comments:

Co. Grillo – Stated that it is important to recognize that the Duhernal purchase costed the borough millions of dollars so a promotion to a \$100,000 position to operate a very complicated set of infrastructure is critical, but will support further discussion.

Co. Kilpatrick – In the interest of transparency she requested a complete job description.

Co. Novak – pointed out that this was not an additional position. This man is already making over \$95,000. In his current position. Agree that they should have a full job description prior to voting on it.

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

Councilwoman Novak made a motion to close the public hearing on this ordinance. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

- **NEW BUSINESS:**  
a) Introduction of the following Ordinance(s):

**ORDINANCE 375-17**

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,  
NEW JERSEY APPROVING THE AMENDED APPLICATION FOR A LONG TERM  
TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL  
AGREEMENT WITH MEC INFRASTRUCTURE URBAN RENEWAL, LLC**

(Planning & Zoning – Public Hearing, August 21, 2017)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on August 21, 2017. Motion was seconded by Councilwoman Novak.

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

- **CONSENT AGENDA/RESOLUTIONS**

At this time Council President Buchanan opened the meeting for questions or comments on Consent Agenda Resolutions with the exception of Resolution #2017-226 which is being removed.

Councilwoman Kilpatrick asked that they have a discussion on Resolution #2017-237 the Rutgers Cooperative Extension Floodplain Restoration Implementation Plan for the Borough. Stated that at the last meeting the council agreed to approve the funding for the first year of the plan which included the tree planting in that particular section of town. This Resolution appears to be inclusive of the whole entire plan.

Borough Attorney stated that he would revise the resolution being more specific and have it ready for the next agenda.

Councilwoman Novak **moved this resolution be pulled** for further revision. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Councilwoman Novak moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote, minus 2017-226 and 2017-237. Motion was seconded by Councilwoman Kilpatrick.

Roll Call on Consent Agenda Resolutions:

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

Nays: None

**RESOLUTION #2017- 223**

**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.

Absent

Kennedy O'Brien, Mayor



/s/Daniel Buchanan, Councilman

/s/Pasquale Lembo, Councilman

/s/Steven Grillo, Councilman

Absent

/s/Victoria Kilpatrick, Councilwoman

/s/Mary J. Novak, Councilwoman

**Bill list of July 24, 2017 in the amount of \$4,465,124.25 in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this date).**

**RESOLUTION #2017-224**

**WHEREAS**, on July 18, 2017 the Mayor and Council of the Borough of Sayreville received bids for the “2017 Roadway Paving and Reconstruction Project – Phase I”; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 24<sup>th</sup> day of July, 2017 that:

1. Contract for the “2017 Roadway Paving & Reconstruction Project – Phase I” be awarded to Green Construction, Inc., P.O. Box 550, South River, NJ 08882 on their bid price of \$1,235,725.45 as appears on copy of bid document 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/Daniel Buchanan  
Council President

**RESOLUTION #2017-225**

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

<b><u>APPLICANT</u></b>	<b><u>#OF TRAILERS</u></b>	<b><u>LOCATION</u></b>
PSE&G 4000 Hadley Road South Plainfield, NJ 07080	- One (1) Construction Trailer	Off Skurka Court Block 136, Lot 28.02

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council do hereby approve the above-captioned application for permission to locate one (1) temporary trailers for office use.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Daniel Buchanan  
Council President

**RESOLUTION #2017-226**

**- pulled -**

**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:** David Leitner  
**POSITION:** Water & Sewer Utilities Superintendent  
**DEPARTMENT:** Water & Sewer Department  
**EFFECTIVE:** August 1, 2017

**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.

Daniel Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

- Resolution Pulled  
Theresa A. Farbaniec, RMC  
Municipal Clerk

Kennedy O'Brien  
Mayor

**RESOLUTION #2017-227**

**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:** Tracy Ansley  
**POSITION:** Code Enforcement Officer –  
Permanent/Part time  
**DEPARTMENT:** Construction Office  
**EFFECTIVE:** August 1, 2017

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, rmc  
Municipal Clerk

/s/Daniel Buchanan  
Council President

**RESOLUTION #2017-228**

**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:** Dana Piscitelli  
**POSITION:** Senior Payroll Clerk  
**DEPARTMENT:** Administrative & Finance  
**EFFECTIVE:** Retroactive to January 1, 2017

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec  
Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Daniel Buchanan  
Daniel Buchanan  
Council President

**RESOLUTION #2017-229**

**RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF  
NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE  
AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")**

**WHEREAS**, floods are the most common and most destructive natural disasters in the United States; and

**WHEREAS**, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

**WHEREAS**, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

**WHEREAS**, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

**WHEREAS**, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

**WHEREAS**, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies throughout the State of New Jersey; and

**WHEREAS**, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

**WHEREAS**, the NFIP is set to expire on September 30, 2017; and

**WHEREAS**, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

**WHEREAS**, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

**WHEREAS**, the purpose of this Resolution is to urge the area Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Sayreville hereby urges its area Federal Legislatures and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to area Federal Legislators and Representatives and Central Jersey Joint Insurance Fund.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Daniel Buchanan  
Council President

**RESOLUTION #2017-230**

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED**, that upon proper verification to the satisfaction of the Construction Official, construction permit fees for the upgrades to VFW Post 4699's lobby and restroom area are hereby waived by the Mayor and Council of the Borough of Sayreville in consideration in helping them to offset the project expenses.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE:**

/s/Theresa A. Farbaniec  
Theresa A. Farbaniec, RMC

/s/Daniel Buchanan  
Council President

**RESOLUTION #2017-231**  
**RESOLUTION AUTHORIZING THE AWARD OF A**

**NON-FAIR AND OPEN CONTRACT FOR A CET FIRE PUMP**

**WHEREAS**, the Borough of Sayreville has a need to acquire one (1) CET Fire Pump through a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is less than one year; and

**WHEREAS**, Continental Fire and Safety of Hamilton, NJ has indicated they will provide one (1) CET Fire Pump for the Borough of Sayreville; and

**WHEREAS**, Continental Fire and Safety has completed and submitted a Business Entity Disclosure Certification which certifies that Continental Fire and Safety has not made any reportable contributions to a political or candidate committee in The Borough of Sayreville in the previous one year, and that the contract will prohibit Continental Fire and Safety from making any reportable contributions through the term of the contract, and

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

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Sayreville authorizes the Purchasing Agent to enter into a contract with Continental Fire and Safety as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

/s/ Steven Grillo, Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2017-232**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough officials are hereby authorized to purchase and install Western Plows for the Borough of Sayreville Public Works Department, through the Educational Services Commission of NJ, from Trius Inc., 5049 Industrial Road, Farmingdale, NJ 07727, at a total cost not to exceed \$50,000.00.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2017 -233**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE MAYOR AND BOROUGH CLERK TO EXECUTE A CONTRACT**

**WITH MID-ATLANTIC WASTE SYSTEMS FOR THE  
REFURBISHING OF ONE (1) HEIL AUTOMATED REFUSE TRUCK**

**WHEREAS**, the Borough of Sayreville is in need of refurbishing of certain equipment; namely a Heil Automated Refuse Truck for the removal of refuse in the Borough of Sayreville; and

**WHEREAS**, the Borough of Sayreville, being a member of the National Joint Powers Alliance (NJPA) has reviewed the NJPA contractors and have found that a national contract has been given to Mid-Atlantic Waste Systems under Contract #112014-THC; and

**WHEREAS**, the Governing Body of the Borough of Sayreville, through the due diligence of the Department of Public Works, has ascertained that the contract price of Mid-Atlantic Waste Systems under the NJPA contract is the lowest possible price; and

**BE IT AND IT IS HEREBY RESOLVED** that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the necessary documents to award the contract to Mid-Atlantic Waste Systems under Contract #112014-THC for the price not to exceed \$121,648.29

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2017-234**

**BE IT RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for the Library Roof Replacement at a fee not to exceed \$47,200.00 and upon approval of said plans and specifications that Qualified Purchasing Agent is 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/ Daniel Buchanan  
Council President

**RESOLUTION #2017-235**

**BE IT RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for the Elimination of Water Penetration in Borough Hall Basement at a fee not to exceed \$54,500.00 and upon approval of said plans and specifications that Qualified Purchasing Agent is 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/ Daniel Buchanan  
Council President

**RESOLUTION #2017-236**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE**  
**IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,**  
**AUTHORIZING THE MODIFICATION AND DISCHARGE OF MORTGAGE**  
**FOR PROPERTY LOCATED AT 17 LAVERN STREET**

**WHEREAS**, a certain Mortgage dated May 21, 2010 was made by Richard Desarden and Hilda Desarden, residing at 17 Lavern Street, Sayreville, New Jersey 08872, identified as Block 114 Lot 11 on the official assessment maps of the Borough of Sayreville in the County of Middlesex and State of New Jersey to the Borough of Sayreville; and

**WHEREAS**, this Mortgage, never modified, was made to secure payment in the amount of Thirty One Thousand Six Hundred Eleven Dollars (\$31,611.00) without interest. The mortgage was recorded or registered in the office of the County Recording Officer of Middlesex County, State of New Jersey, on February 10, 2011 in Book 14194 at Page 0332; and

**WHEREAS**, the Borough of Sayreville has consented to accept Thirty Five Hundred (\$3,500.00) Dollars as final compensation of this mortgage; and

**WHEREAS**, when the holder of the Mortgage, Richard Desarden and Hilda Desarden, pay the principal amount of Thirty Five Hundred (\$3,500.00) Dollars to the Borough of Sayreville; a Discharge of Mortgage will be prepared and executed, discharging the Mortgage holders, Richard Desarden and Hilda Desarden, from the mortgage debt.

**BE IT AND IT IS HEREBY RESOLVED** Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk of the Borough of Sayreville are authorized to execute a Discharge of Mortgage for the property located at 17 Lavern Street, Sayreville, New Jersey upon payment of the modified Mortgage, in the amount of Thirty Five Hundred (\$3,500.00) Dollars by the Mortgage holders, Richard Desarden and Hilda Desarden.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2017 - 237**  
**PULLED-TO BE REVISED**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,**  
**STATE OF NEW JERSEY, APPROVING THE RUTGERS**  
**COOPERATIVE FLOODPLAIN RESTORATION IMPLEMENTATION**  
**PLAN FOR THE BOROUGH OF SAYREVILLE DATED JUNE 26, 2017**

**WHEREAS**, in the aftermath of Hurricane Irene (2011) and Superstorm Sandy (2012) multiple residential properties within the Borough of Sayreville were severely impacted by flooding; and

**WHEREAS**, the Governing Body of the Borough of Sayreville, in a proactive approach to increasing the resiliency of the municipality, has successfully secured funds through the New Jersey Department of Environmental Protection (NJDEP) Blue Acres Program and the Borough has acquired 125 residential properties as part of its floodplain restoration program;

**WHEREAS**, the Borough of Sayreville has partnered with Rutgers Cooperative Extension (RCE) to create a landscape restoration plan that addresses the multiple goals of the Governing Body of Sayreville and its residents; and

**BE IT AND IT IS HEREBY RESOLVED** that the Governing Body of Sayreville approves the Rutgers Cooperative Floodplain Restoration Implementation Plan dated June 26, 2017 and directs that it be implemented.

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Pasquale Lembo, Councilman  
(Planning & Zoning Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Kennedy O'Brien  
Mayor

**RESOLUTION #2017-238**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the fiscal year ended December 31, 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6 and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:0-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments and  
Recommendations

; and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit and specifically the sections of the Annual Audit entitled "General Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and



**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB, to wit:

R.S. 52:27BB-52 “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Council of the Borough of Sayreville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTIONS TO BE READ IN FULL: - None**

**Council President Buchanan announced that the COAH ordinances were not discussed tonight. He said that on August 2<sup>nd</sup> the Planning Board will be conducting a special meeting to discuss the Housing Plan and if they approve the plan it would come to the council on August 21, 2017.**

- **EXECUTIVE SESSION** - Held earlier in the meeting.

**PUBLIC PORTION- \*5 Minute Limitation**

- **PUBLIC PORTION**  
At this time Council President Buchanan opened the meeting to the public for questions or comments on any and all items.

Those appearing were:

- Tom Bishada, Greenhill Avenue  
Complained about the public mics at the council meeting not being audible on SayTV.  
Questioned the procedure on putting a voter referendum on an election ballot.  
Explained by the Borough Attorney.

Handed out and read an article regarding No Constitutional Right to Affordable Housing and asked that the council vote no on any of this affordable housing. Judge does not have any judicial right to force housing on Sayreville.

- Mike D'Addio, Chairman Sayreville Economic & Redevelopment Agency  
Stated that the Judge Tom was talking about is Judge Wolfsen, who is the assignment Judge who ruled on COAH. He said that although it is not in the Constitution, COAH was approved by State Legislature and Senate. It is a law. The Supreme Court ruled that we do have to do this. The borough settled for the number we have. Unfortunately, the Planning Board did not inform the council that they would have to build 7 marketable homes to 1 COAH to get to that number. So that was not approved nor in the ordinance. He said that we do have a good fight on our hands and intend to fight this. He said that at the last SERA meeting the SERA Commissioners as well as himself approved SERA to be interveners. So they will intervene and have their own housing plan. Urged everyone to attend the Aug. 2<sup>nd</sup> Planning Board meeting.

Councilman Grillo stated that it has been 42 days since Susan Gruel was appointed at a secondary planner and still have not received any correspondence from her regarding the plan they are paying her to produce. He asked if any other councilmembers had any discussions with her.

Councilwoman Kilpatrick responded that she had – with her, members of SERA and as many people as she could. She said that Susan Gruel was not taxed with creating the Housing Plan. She mentioned that Councilmen Lembo, Grillo and the Mayor did not want her to come in and look and review the plan prepared by the borough planner, Mr. Leoncavallo. She said that this was going ahead with zero input if they had not put the brakes on in February. She went on to explain what has happened for two years, in support by the Mayor. She said they were told about an overall number, not told about any specific sites. Never told that any of these areas would have to be rezoned or the density would have to be granted. She said that she has five sets of Housing Plans that have been changed in the last couple of months. Upset that she does not know which one would be presented on Aug. 2<sup>nd</sup>. We needed to hire Susan Gruel because our professionals did not do their due diligence in guiding the governing body with correct information and never brought in the Housing Authority and SERA to a meeting to discuss it. Further commented on the housing built over the past years. She said that if we build all of these types of homes contained in these plan we will not earn a type of credit in order to bring in other types of building for ratables and employment. Need so many points for a mixed use type of thing. And Sayreville will always be overcrowded, etc. She spoke about Veteran's preference housing and limited amount of different programs the state offers.

Councilman Grillo asked each councilmember if they spoke with Susan Gruel.

Mike Dupont reviewed what has been done since Susan Gruel was appointed. He discussed the Housing Plan produced by Mr. Leoncavallo and that it was revised on a few dates. He said that Ms. Gruel has come up with some alternatives, proposals and ideas. So there is no report because no final decisions have yet been made.

Councilman Grillo expressed his frustration with regards to not having any reports or information from Susan Gruel or the Business Administrator or the Attorney.

Councilwoman Kilpatrick reminded Councilman Grillo that he sat on the Planning Board and is a professional planner and during that whole time never gave the town an update. Told him to call Susan Gruel.

Council President said that he should call the attorney or the business administrator.

The Borough Attorney informed Co. Grillo that there was an extensive delay in getting the housing plan done properly. He said that although he is not the lead attorney on the COAH matter he has been involved in order to stay informed, so he will reach out to him tomorrow to answer any questions he may have.

- Charles Lukie, Melrose

Questioned affordable housing units proposed in the Melrose section.

Council President Buchanan said that it has been changed and are waiting to see what the Planning Board approves on Aug. 2<sup>nd</sup>.

Mr. Lukie commented on the number of cars in the Melrose section and that there is only one road.

Council President Buchanan said that he brought up many concerns for that area.

- Ken Olchaskey, 108 North Edward Street

Questioned why wasn't information provided to residents or a town meeting held regarding this housing issue.

Councilman Grillo agreed that the Housing Authority, SERA and maybe some of the environmental committee members should have been involved. Have whole heartedly supported veterans housing on River Road. Expressed that there have been limitations as to what could happen publically. According to law this has to be discussed in closed session.

Mr. Olchaskey disagreed.

Co. Grillo stated that the opportunity for public input was during the public portions on these ordinances. Colleagues asked not to pass the plan, requested they hire a new planner. He felt that the public input was so influential that the original plan had to be scrapped.

Councilpersons Kilpatrick and Novak both said that the plan had to be scrapped because it was not legally noticed.

Mr. Olchaskey went on to express that he felt that they (the residents) had been done wrong.

Councilwoman Novak said that the housing plan was supposed to be done before the planning board before it came to the council. The planning board was supposed to have a public meeting on this housing plan and notice people and this was never done. We're doing that now.

Councilwoman Kilpatrick said that this was done wrong and the council stopped it and is trying to right the ship. She is waiting to find out what August 2<sup>nd</sup> special planning board meeting will bring. This should be back before the Council on August 21<sup>st</sup>. This is why we need a secondary planner, because they need to be sure this is done right.

Mr. Olchaskey said that he supports the governing body members who supported the hiring of Susan Gruel.

Councilwoman Novak said that Susan Gruel was the one who found that the governing body never did the housing plan or change the master plan.

- Janice Benedetto, 1 Thomas Avenue, Melrose

Said that she was the only one on Thomas Avenue that received the mailing. She said that on July 22<sup>nd</sup> she received two letters. One was certified with green card torn off and never signed for. Others on her street were the same. Green cards torn off without signature. So she received a regular letter and a certified letter with green card torn off with no signature. Concerned about neighborhood and put out flyers regarding the planning board meeting.

Council President Buchanan stated that was the law on the mailing to the residents within 200' of the affected property.

She further stated that if any of the residents wanted to review the documents they would have to take time out their business day to review them at borough hall.

Council President Buchanan asked the Borough Clerk to post it on Sayreville.com, our web site.

Ms. Benedetto asked how planning board members become members, their terms, and who is paid.

Council President said that the Mayor appoints the planning board members. Most of the boards and commissions are appointments of the Mayor with the advice and consent of the council. He went on to say that on the planning board the council appoints one representative and last year that was Co. Grillo and this year is Co. Lembo, all other appointments are that of the Mayor according to State Statute with staggered terms. Members are not paid only the professionals.

- Ruth Mahoney, 2 Gerard Place

Said that she was treated disrespectfully at the planning board meeting.

Commented on the 300 marketable units what were proposed for Ernston Road.

Commented on a decision of the planning board regarding an application for a four bedroom home and denied because of overcrowding. But these units and others will be built. Asked about how building these marketable units would affect services, and schools.

No further public comment.

Councilwoman Novak made a motion to close the public portion. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Council President Buchanan commented on the actions of the planning board chairman, comments that were made and procedures that were not followed, possibly violating the open public meetings act. The Mayor was not at the last meeting where he was going to ask him (the Mayor) to request the resignation of the Planning Board Chairman. Since he is not here tonight, and there is a procedure the council could follow regarding the planning board chairman's removal. At this time, he asked the Borough Attorney to write a letter to the planning board chairman for him to appear before them at the August 21<sup>st</sup> meeting for a hearing. He then asked the Borough Attorney to review the procedure.

Mr. DuPont said that there is an ordinance that allows you to hold a hearing and remove the chairman for cause. He will send a letter to the planning board chairman advising him that a hearing will be held on August 21<sup>st</sup> as to his continuation as a member/chairman of the planning board.

Councilman Buchanan moved the attorney send this letter. Seconded by Councilwoman Novak.

Roll Call: Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes.  
Nay: None.

No further business.

• **ADJOURNMENT**

Councilwoman Novak made a motion to adjourn. Motion was seconded by Councilwoman Kilpatrick.

Roll Call – Voice Vote, all ayes. Carried.

Time 8:55 P.M.

SIGNED:

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved