

Mayor O'Brien opened the Agenda Meeting at 9:17 PM followed by a salute to the flag.

❖ **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this Agenda Session Meeting being held on Monday, June 11, 2018 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 (via telecommunication), Grillo, Kilpatrick, Lembo, Melendez, Novak

Absent: None

Others Present: Mayor Kennedy O'Brien
Daniel Frankel, Business Administrator
Denise Biancamano, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Michael DuPont, Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: None

• **OLD BUSINESS:**

a) The following Ordinance(s) were introduced by the Council on May 29, 2018 and is scheduled for Public Hearing and Adoption on June 25, 2018:

ORDINANCE #413-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE AMENDING AND SUPPLEMENTING ARTICLE III, OF CHAPTER XXVI LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF SAYREVILLE TO ESTABLISH NEW AFFORDABLE HOUSING DISTRICTS (AH-1, AH-2, AH-3) AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

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(National Lead/Cross Avenue – Public Hearing June 25, 2018)

b) If the following Ordinances were Introduced at the Council Session tonight they will be listed for Public Hearing and Adoption on June 25, 2018.

ORDINANCE #416-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 12.1 STATE UNIFORM CONSTRUCTION CODE

(Planning & Zoning – Public Hearing, June 25, 2018)

ORDINANCE #417-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 7-3.7 "HANDICAPPED PARKING SPACES IN STREETS"

Removing sign at 249 Olsen St.

(Public Safety – Co. Buchanan, Public Hearing June 25, 2018)

ORDINANCE 418-18

AN ORDINANCE ADOPTING THE RIVER ROAD REDEVELOPMENT PLAN AMENDMENT

ORDINANCE #419-18
**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS PARKS IN
THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$1,417,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,346,150 BONDS OR
NOTES OF THE
BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance – Public Hearing June 25, 20-18)

ORDINANCE #420-18
**BOND ORDINANCE PROVIDING FOR VARIOUS
IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF
SAYREVILLE, NEW JERSEY, APPROPRIATING
\$1,322,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$1,255,900 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING PART OF SUCH
APPROPRIATION**

(Admin. & Finance – Public Hearing June 25, 20-18)

- **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

- **ADMINISTRATIVE & FINANCE – Councilwoman Novak**

- A) **Minutes & Departmental Reports:**

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

1) Board of Education minutes of May 1, 2018.

- Secoded by Council President Kilpatrick.

B) New Jersey Transit Corp Fiscal Year 2018 Request for Federal Assistance.

- Receive & File

C) Application for Beauty Shop received from Dona Dissanayake to operate a Beauty shop t/a Shiny Luk Beauty Salon at 520 Ernston Road with six (6) chairs.

- Approved, Clerk to prepare approving resolution.

D) Committee Reports – Councilwoman Novak:

1) Thanked the CFO, BA and DPW Director for getting the ordinances prepared and listed on tonight's council agenda.

- **PLANNING & ZONING – Councilman Lembo**

- A) **Minutes & Departmental Reports:**

Councilman Lembo moved the following minutes be received and filed:

1) Planning Board Minutes of April 4, 2018.

- Secoded by Councilwoman Kilpatrick.

B) Notice of Public Hearing received from the Borough of South River on an amendment to their Zoning Ordinance. Public Hearing and Final Adoption will be held on July 16, 2018.

- Receive & File

C) Committee Reports: 1) Progress

- **PUBLIC SAFETY – Councilman Buchanan**

- A) **Minutes & Departmental Reports: (None)**

B) **Notice of retirement** received from Patrolman Robert Horsch from the Sayreville Police Department, effective Sept. 1, 2018.

- Receive & File

C) Committee Reports – Councilman Buchanan:

1) Asked the engineer if he had a report on the dredging of the Cheesequake Creek.

Mr. Cornell responded that he did receive a recent e-mail but he has been trying to get an answer from the State as to the status of the permits. He said that he has left a number of messages but he has not received a response to the status. He said that he could speak with the Business Administrator and that the B.A. could contact the State to try and push along the status.

2) Progress.

- **RECREATION – Councilman Melendez**

A) **Minutes & Departmental Reports:** (None)

B) Special Event Application received from James Ziola and Casey Jukus to hold their marriage ceremony at Lockwood Boatworks, Hwy. 35 on Sat. Sept. 29, 2018.

- Approved, clerk to issue permit.

C) Committee Reports – Councilman Melendez:

- 1) Thanked the Recreation Advisory Board for conducting the fishing derby and the day's sponsor, Sayreville Sportsman.
- 2) Reported on the various recreation sponsored events.

- **WATER & SEWER/ENVIRONMENTAL – Councilman Grillo**

A) **Minutes & Departmental Reports:**

Councilman Grillo moved the following minutes/reports be received and filed:

- 1) Water & Sewer Director's report for the month of April, 2018.

- Seconded by Council President Kilpatrick.

B) Committee Reports – Councilman Grillo:

- 1) Reported that St. Stan's is holding a Flag Day ceremony on Saturday at 10:30
- 2) Asked for the Efficiency Report be presented on June 25th.
- 3) Asked if we heard anything from Heyer & Gruel about their Fiscal Impact Assessment. The council had further asked for the scope of work and cost breakdown.

- The Business Administrator responded that Susan Gruel has been on vacation and hope to have it for the next meeting.

PUBLIC WORKS – Council President Kilpatrick

A) **Minutes & Departmental Reports:** (None)

B) Request received from Charles Spano and residents of Oxford Drive to conduct a Block Party on Oxford Drive on August 18, 2018 (rain date of Aug. 19) from 10AM to 12 midnight.

- Approved

C) Committee Reports – Council President Kilpatrick:

- 1) Reporting on her attending the LEAD Graduation at the UES and that 490 5th grade students that participated.
- 2) She and Co. Novak reported on the "Coffee with a Cop" program.

- **MAYOR – Kennedy O'Brien**

- Mayor reported that all Ordinances are on-line and an OPRA request is not necessary.

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

- **Admin. & Finance**

- 1) Authorizing the execution of an agreement with the County of Middlesex for the acceptance of a 2018/2019 Fiscal Municipal Alliance Grant in the amount of \$342,655.00.

- Resolution.

- 2) Appointing Enza Tsaptsinos as Keyboarding Clerk I, Permanent Full Time in the Municipal Clerk's Office.

- Resolution

- 4) Reported that the water bills are on a letter size tri fold piece of paper mailed in a business size envelope.

- Planning & Zoning

- Public Safety

- 1) Authorizing the Borough Clerk to advertise for the receipt of sealed bids for abandoned and unclaimed Motor Vehicles, at various garages no longer required for public use in, accordance with N.J.S.A. 39-10A-1 et seq.

- Resolution

- 2) Authorization to issue contract for G5 Dual Band Voice Pagers to Tactical Public Safety of Berlin, NJ through NJ State Contract T0109/A83932 in an amount not to exceed \$89,108.50

- Resolution

- 3) Request from Police Chief to call for Police Captain, Lieutenant and Sergeants promotional list from the Department of Personnel

- Approved

- Public Works

- 1) Authorization to reject bids received for Pole Barn at Police Firing Range and authorization to re-advertise. Low bidder did not properly execute bid bond & consent of surety, second bid substantially exceeds the Borough's appropriation for the project. *See attached summary of bids*

- Resolution

- 2) Authorization to issue a contract for the purchase of 95 Gallon Universal Waste Containers from Schaeffer Systems International, Inc. through NJPA Co-op contract 041217-SFR in an amount not to exceed \$53,236.44.

- Resolution

- 3) Authorization to issue a contract for the furnishing and installation of one Swenson salt spreader through ESCNJ Coop contract 17/18-30 in an amount not to exceed \$21,985.79.

- Resolution

- 4) Authorization to issue a contract for the furnishing and delivery of one (1) 2019 Peterbilt 27yd Rear Loading Refuse Truck to Hunter Jersey Peterbilt of Clarksburg, NJ through NJPA Contract 081616-PMC and 112014-NWY in an amount not to exceed \$222,473.00.

- Resolution

- 5) Authorization to issue a contract for the furnishing and delivery of one (1) 2019 Peterbilt 348 cab and chassis from Hunter Jersey Peterbilt of Clarksbrug, NJ through NJPA Contract 081716-PMC in an amount not to exceed \$127,248.00.

- Resolution

- 6) Authorization to purchase two (2) Ford F-250 Pick Up Trucks from Beyer Ford of Morristown, NJ through NJ State Contract T2100/A88727 in an amount not to exceed \$61,869.50.

- Resolution

- 7) Authorization for USA Architects to prepare plans and specifications for Senior Center Window Replacement Project, at a fee not to exceed \$10,000.00.

- Resolution

Water & Sewer

- 1) Authorization to extend Sewer Pump Station maintenance contract to Municipal Maintenance of Cinnaminson, NJ for one final one year term. The contract shall also be amended to include maintenance of pumps at Duhernal.

- Resolution

- 2) Authorization to purchase one (1) Bobcat 5610 from Garden State Bobcat of Greenbrook, NJ through ESCNJ Co-op contract \$58,337.45.

- Resolution

- 3) Authorization to purchase Edmunds software system through from SHI of Somerset, NJ 08873 through NJ State Contract M-0003/T89851 in an amount not to exceed \$56,691.20.

- Resolution

➤ **C.F.O. – Denise Biancamano - None**

➤ **BOROUGH ENGINEER - Jay Cornell**

- 1) Underground Storage Tank Removal Program – Status of Remedial Action Activities. Status report provided on the DPW Building and the EMS building.

- Resolution

- 2) Hercules Village Water and Sanitary Sewer Improvements – Receipt of Bids (Verbal Report).

- Possible Bond Ordinance then Resolution.

- 3) 2014 Roadway Paving & Reconstruction Project – Phase II – Closeout of Contract & Change Order (report attached).

- Done, no further action.

➤ **BOROUGH ATTORNEY - Michael DuPont**

- 1) Report on Fulton's Landing Consent Order has been executed and the mediation is continuing.

● **EXECUTIVE SESSION – None**

At this time the Mayor opened the meeting for questions or comments on any and all matters.

Those appearing were:

- Phil Emma, 16 Cori Street

Commented on recreational marijuana. He felt that Sayreville should get out in front of this issue and asked for Sayreville pass a Resolution prohibiting recreational use of marijuana in Sayreville and an Ordinance changing our land development code and making this a prohibited use. He stated that our town has the responsibility to protect its residents. He also mentioned that other municipalities have adopted bans on this matter.

Council President Kilpatrick said that about one month ago we received a copy of the ordinance adopted by Old Bridge and had asked that we take a hard look at it and consider having an ordinance adopted. Councilman Lembo and Councilwoman Novak agreed and asked the attorney to check out other Municipalities ordinances or resolutions.

Mr. DuPont said that he will get a copy of the ordinance and sit and discuss with the Business Admin.

Councilwoman Novak asked if we could also have a resolution prepared to the State telling them how much we are opposed to this.

- Ken Olchaskey, 108 North Edward St.

Commented and said he is pleased that the public address system is so much better. You can hear in the back of the room now.

Councilman Melendez stated that there was some manual audio changes. He said that he also had a few vendors come in and do an assessment of our system and problem. He said that part of the problem was found that there is some legacy equipment, the audio processor that takes the audio from your mic and digitizes it so we can send it through cablevision, so that is why U-Tube works better than the cable provider and at the same time there is going to be a new microphone.

- Jim Robinson, 11 Borelle Square

Questioned what could be told about the Fulton's Landing Consent Order.

Mr. DuPont responded that it was just a continuation of the Mediation.

Questioned if the Attorney was familiar with the injunction filed by the Bay Keepers and Edison Wetlands.

Mr. DuPont said that he was not familiar with that matter.

Mayor said that he had commented on it based upon a call from a reporter.

He then questioned about someone being authorized and directed to act on the Resolution that was passed that had to do with the COAH Settlement. The Borough Attorney stated that the Mayor had announced that he was not going to execute any document associated with the COAH litigation, so therefore the Council authorized the Business Admin. or Council President be authorized to execute those documents.

He then questioned that if the council had not done that would all of the work that had gone into the negotiations and settlement not have been implemented.

Mr. DuPont said, that was the argument that would have been levied against the Borough if it wasn't executed by the Borough.

Council President Kilpatrick said that if River Road project units are not realized we would then end up with all of those other market rate units that would have to be built.

Mr. Robinson then asked the Mayor if there was a particular reason why he did not sign.

Mayor felt he was being political and did not respond.

Mr. Robinson thanked the Council.

- Steve Melaneski, 8 Scarlet Drive, Parlin

Asked the Council if they could give him an update on the Zoning Board and the drug rehab facility.

Mayor recognized Mr. Emma who sits on the Zoning Board if he could come up and comment.

Mr. Emma came forward and said that the Zoning Board had denied the application and it being appealed before a Federal Judge and it is still in litigation. The Borough Attorney interjected and suggested that in abundance of caution no comments be made on pending litigation.

- Janice Benedetto, 1 Thomas Avenue, Melrose.

Commented that she was watching the May 29th meeting on Channel 15 and after a two hour closed session the meeting reopened and Mr. Surenian began speaking then it switched to the May 21st meeting.

Councilman Melendez said that he would have it looked at.

There being no further questions or comments the Mayor called for a motion. Councilwoman Novak **made a motion to close the Public Portion. Seconded by Council President Kilpatrick.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

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

Roll Call – Voice Vote, all ayes. Carried.

Time 9:54 P.M.

Respectfully Submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved