Mayor Kilpatrick opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag. This meeting was being held via electronic communications.

• STATEMENT OF NOTICE OF PUBLICATION

Municipal Clerk Morelos announced that this June 8, 2020 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

• ROLL CALL:

Present: Councilpersons Conti(telephone), Dalina(telephone),

Enriquez(telephone), Maher, Novak(telephone),

Roberts(telephone).

Absent: None

Others Present: Mayor Victoria Kilpatrick

Daniel E. Frankel, Business Administrator (telephone) Denise Biancamano, C.F.O./Treasurer (telephone)

Jessica Morelos, Municipal Clerk

Michael DuPont, Esq., Borough Attorney (telephone) Jay Cornell, P.E., Borough Engineer (telephone) Nicole Waranowicz, Asst. Municipal Clerk

Others Absent: None

Municipal Clerk Morelos announced the procedure for the public to participate in the public portions.

• APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL:

Council President Novak moved the following minutes be approved, subject to correction if necessary:

May 26, 2020 - Regular, Agenda & Exeuctive Sessions Seconded by Councilwoman Maher.

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.

• PROCLAMATION & PRESENTATIONS

≥ COVID-19 Update

Mayor Kilpatrick stated that today we have zero positive cases in the Borough. She stated that currently Sayreville has 754 cases since the beginning of this outbreak and 34 confirmed fatalities and that we have moved to Phase II of reopening and that more things have opened up this past weekend. She stated that there is not a vaccine yet for this virus.

• **EXECUTIVE SESSION** –None

• OLD BUSINESS:

a) PUBLIC HEARING ON THE 2020 MUNICIPAL BUDGET

- Clerk announced that the 2020 Budget Approval and Public Hearing Notice had been advertised in the Home News Tribune on May 15, 2020, which gave notice of the date and time of this Public Hearing and put before the Council tonight the 2020 Municipal Budget Resolution #2020-129.
 - Mayor opened the meeting to the public on the <u>2020 Budget and</u>
 Resolution. She said that the questions must be confined solely to the
 Municipal Budget before us. School or County matters are not proper
 subjects of this hearing and cannot be discussed or answered
 here tonight.

Those appearing were:

- Arthur Rittenhouse, 33 Delikat Lane, Sayreville He stated that with the state not being sure on what they are doing. He would like to see a zero increase and freeze any purchasing until we get a better understanding of what is going on.
- Stephen Melanaski, Scarlett Drive He stated he would like to focus on discretionary spending in light of COVID. He stated that the CFO did a nice job on the budget.

There were no further questions or comments. Mayor called for a Motion. Council President Novak moved the Public Portion be closed. Seconded by Councilwoman Maher.

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.

- 2020 Budget Amendment Resolution #2020-128

TO BE READ IN FULL

RESOLUTION #2020-128 BOROUGH OF SAYREVILLE 2020 BUDGET AMENDMENT

WHEREAS, the Local Municipal Budget for the year 2020 was approved on the 11th day of May, 2020; and

WHEREAS, the Public Hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved Budget,

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, New Jersey, that the attached amendments to the approved Budget for the calendar year of 2020 be made:

RECORDED VOTE:

AYES	{Conti	NAYS {	ABSTAINED {
	{Dalina		
	{Enriquez		
	{Maher	ABSENT {	
	{Novak	-	
	{Roberts		

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for the Certification of the calendar year 2020 Local Municipal Budget so amended.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the governing body on the 8th day of June, 2020.

/s/Donna Roberts, Councilwoman
(Admin. & Finance Committee)

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

/s/Michael R. DuPont, Borough Attorney

ATTEST: BOROUGH OF SAYREVILLE

/s/Jessica Morelos, RMC /s/Victoria Kilpatrick

Municipal Clerk Mayor

At this time Mayor Kilpatrick opened the meeting up to the public for questions or comments on this resolution.

There being no comments, the Mayor called for a motion.

Council President Novak moved the public portion be closed and the Resolution be adopted on Roll Call vote. Seconded by Councilman Dalina.

Roll Call: Ayes – Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts.

Carried.

Nays - None Abstention: None Absent: None

- Adoption of the 2020 Municipal Budget & Resolution #2020-129

Council President Novak moved the 2020 Municipal Budget and Resolution #2020-129 be adopted on Roll Call vote. Seconded by Councilwoman Maher.

Roll Call: Ayes – Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts.

Carried.

Nays - None Abstention: None Absent: None

BUDGET RESOLUTION 2020-129

BE IT RESOLVED by the Council of the Borough of Sayreville, County of Middlesex that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$33,375,265.95 for municipal purposes, and

(b) \$ 0 for school purposes in Type I School Districts only (N.I.S. 18A:9-2) to be raised by taxation and,

(c) \$ 0 to be added to the certificate of amount to be raised by taxation

for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) \$460,396.92 Open Space, Recreation, Farmland and Historic Preservation

Trust Fund Levy.

(e)\$1,662,794.79 Minimum Library Levy (R.S. 40:54-8 et seq.)

RECORDED VOTE

AYES NAYS ABSTAINED ABSENT

Conti Dalina Enriquez Maher Novak Roberts

SUMMARY OF REVENUES

GENERAL REVENUES

Surplus Anticipated \$ 3,560,000.00 Miscellaneous Revenues Anticipated \$ 23,129,365.83 Receipts from Delinquent Taxes \$ 1,000,000.00

AMOUNT TO BE RAISED BY TAXATION

FOR MUNICIPAL PURPOSES \$ 33,375,265.95

AMOUNT TO BE RAISED BY TAXATION

MINIMUM LIBRARY LEVY \$ 1,662,794.79

TOTAL REVENUES <u>\$ 62,727,426.57</u>

SUMMARY OF APPROPRIATIONS

GENERAL APPROPRIATIONS

WITHIN "CAPS"

(a & b) Operations Including Contingent \$ 42,778,357.68 (e) Deferred Charges and Statutory \$ 5,232,665,00

Expenditures - Municipal

EXCLUDED FROM "CAPS"

(a) Operations – Total Operations Excluded
From "CAPS" \$ 6,267,531.83

(c) Capital Improvements \$ 374,000.00

(d) Municipal Debt Service \$ 5,518,631.50

(e) Deferred Charges – Municipal \$ 70,000.00

(m) Reserve for Uncollected Taxes \$ 70,000.00 \$ 2,486,240.56

SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)

TOTAL APPROPRIATIONS

\$ 62,727,426.57

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the governing body on this 8^{th} day of June, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

/s/Donna Roberts, Councilwoman (Admin. & Finance Committee)

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

/s/Michael R. DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Jessica Morelos, RMC /s/Victoria Kilpatrick
Municipal Clerk Mayor

b) Public Hearing on the following Ordinances: None

c) Appointments

Mayor made the following Appointments:

- Vincent Conti, Council Liaison to SERA

The appointment was moved by Councilwoman Novak and seconded by Councilman Dalina.

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.

• NEW BUSINESS:

a) Clerk Morelos reported having received the Supplemental Debt Statement as of June 8, 2020, from CFO Denise Biancamano.

Councilwoman Maher moved the Supplemental Debt Statement be received and filed. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

b) Introduction of the following ordinances:

ORDINANCE #503-20

BOND ORDINANCE FURTHER AMENDING A BOND ORDINANCE FINALLY ADOPTED FEBRUARY 26, 2018 BY THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, IN ORDER TO PROVIDE FOR CHANGES THEREIN

(Admin. & Finance Committee - Co. Roberts - Public Hearing 6-22-20)

Councilwoman Roberts moved the Ordinance be approved on first reading, advertise according to law and a Public Hearing be scheduled for June 22, 2020. Motion was seconded by Councilwoman Novak.

Roll Call: Ayes: Councilpersons Roberts, Conti, Dalina, Enriquez, Maher, Novak.

CONSENT AGENDA RESOLUTIONS

Mayor opened the meeting for any questions or comments on Consent Agenda Resolutions.

There were no appearances.

/s/Vincent Conti, Councilman

Council President Novak made a motion to close the Public Portion and adopt the Consent Agenda Resolutions. Seconded by Councilwoman Maher.

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.

RESOLUTION #2020-130

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/Victoria Kilpatrick, Mayor

/s/Kevin Dalina, Councilman	/s/Mary J. Novak, Councilwoman
/s/Damon Enriquez, Councilman	/s/Donna Roberts, Councilwoman

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

/s/Michael R. DuPont, Borough Attorney

/s/Michele Maher, Councilwoman

Bill list of June 8, 2020 in the amount of \$905, 045.42 in a separate Bill List File for 2020 (See Appendix Bill List 2020-A for this date).

RESOLUTION #2020-131

BE IT AND IT IS HEREBY RESOLVED that the Proper Borough Officials are

hereby authorized and directed to release the balance in escrow to Rite Aid in the

amount of \$80,762.49 covering Block 348.01, Lot 2.03, Washington Road.

/s/Donna Roberts, Councilwoman
(Admin. & Finance Committee)

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

/s/Michael R. DuPont, Borough Attorney

ATTEST: BOROUGH OF SAYREVILLE

/s/Jessica Morelos, RMC /s/Victoria Kilpatrick

Municipal Clerk Mayor

TO BE READ IN FULL

RESOLUTION #2020-132 RESOLUTION ALLOWING OUTDOOR SEATING FOR RESTAURANTS DURING THE PANDEMIC SHUTDOWN OF RETAIL AND COMMERCIAL BUSINESSES IN NEW JERSEY

WHEREAS, restaurants are an integral part of the local economies and social fabrics of municipalities; and

WHEREAS, policies regarding restaurants established by the State of New Jersey through law, regulation and executive order rightfully prioritize public health; and

WHEREAS, the proper adherence of measures to mitigate the spread of the Covid-19 virus has greatly affected the business model of restaurants; and

WHEREAS, The Borough wishes to help its local businesses through this difficult time; and

WHEREAS, many restaurants are owned and operated by local families that depend upon continued economic activity; and

WHEREAS, The Borough has promoted the take-out and home delivery services of restaurants as residents have quarantined at home; and

WHEREAS, restaurant owners are seeking guidance as to how they may safely resume dine-in service upon an eventual broadening of business activity allowable under state authority; and

WHEREAS, The Borough supports and follows the recommendations of health care professionals to continue proactive measures such as social distancing to curtail the spread of the Covid-19 virus; and

WHEREAS, The Borough supports temporary, practical measures that enable restaurants to augment their dine-in capabilities as a means to boost customer activity.

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

- 1. Outdoor seating will be temporarily permitted as an accessory use to a restaurant, fast-food restaurant and drive-in restaurant as those terms are defined in Chapter 26-115 in the Borough Zoning Ordinance. The temporary period shall be up to 120 days unless a longer or shorter time is established by an Executive Order Issued by the Governor.
- 2. Outdoor restaurant seating will not require the filing of a Site Plan Application.
- 3. A Temporary Outdoor Restaurant Seating Application must be obtained prior to the creation of any outdoor seating. A drawing of the proposed outdoor restaurant seating area must accompany the Zoning Permit Application. This drawing shall show the location and size of all proposed tables and chairs and distances to other tables and chairs and distances from any other structures such as a host podium and serving stations. All distance separations shall comply with all applicable Executive Orders issued by the Governor of the State of New Jersey, as well as any other requirements, conditions and/or limitations in any applicable Executive Orders. Where available, the sketch shall be superimposed upon an existing site plan drawing or survey.
- 4. The Borough will waive the filing fee for a Temporary Outdoor Restaurant Seating Application to the Planning and Engineering Department seeking to create outdoor restaurant seating
- 5. The Borough will expedite the review of all Applications seeking to create outdoor restaurant seating.
- 6. No performance bond, maintenance bond or engineering inspection fees will be required in connection with an approved outdoor restaurant seating plan.
- 7. The following standards are hereby created in connection with outdoor restaurant seating:
 - a. The outdoor restaurant seating area may not exceed 1,000 square feet;
 - b. Outdoor restaurant seating areas can be located upon public sidewalks where adequate provision is made for the pedestrian public, on relatively level grass areas, and in parking lots where an adequate number of parking stalls remain in the opinion of the Borough Zoning Officer. Preference should be given to creating outdoor restaurant seating on sidewalks and upon grass areas.
 - c. Where outdoor seating is proposed to be created in a parking lot, bollards or other protection structures shall be erected along the perimeters of the outdoor restaurant seating area in order to enhance public safety;
 - d. Temporary lighting will be required if the outdoor restaurant seating area is proposed to be utilized after dusk;
 - e. Landscaping of the perimeter of or within the outdoor restaurant seating area will not be required but may be proposed by the applicant;
 - f. An awning or umbrellas may be utilized within an outdoor restaurant area, but tents shall not be permitted;
 - g. Serving stations and a host podium may be located within an outdoor restaurant seating area provided a plexiglass or other similar partition is used;
 - h. No change in grading will be permitted in order to create an outdoor restaurant seating area, and no temporary flooring or mats may be utilized.

- i. The proposed hours of operation of the outdoor restaurant seating area will be included in the Temporary Outdoor Restaurant Seating Application;
- No outdoor restaurant seating area may be located within an approved delivery area/loading zone;
- k. Restaurants with existing outdoor seating areas may seek to expand the existing area;
- l. The proposed outdoor restaurant seating area may not affect the effective functioning of a prior approved site plan;
- m. An applicant for a proposed outdoor restaurant seating area must have previously secured site plan approval from the Borough Zoning Board of Adjustment or Planning Board and must be in compliance with its existing site plan approval;
- n. The consumption of alcoholic beverages will continue to be regulated by the New Jersey Alcoholic Beverage Control Commission therefore all applicants are responsible for verifying that their liquor license permits the serving of alcohol outdoors;
- o. In multi-tenanted properties, an approved outdoor restaurant seating area must be discontinued or reduced in size if other retail, personal service and/or commercial establishments are permitted to reopen and there is not then an adequate number of parking stalls available in the discretion of the Borough Zoning Officer;
- p. An approved outdoor restaurant seating area must be discontinued or reduced in size if proper social distancing is not maintained or the restaurant establishment does not comply with applicable sanitary and cleaning standards, use of masks and partitions or other Executive Order requirements issued by the Governor.
- q. All outdoor seating areas must be closed by 10pm.
- r. The Borough Zoning Officer shall have the discretion to create additional standards for a particular property and to fashion such conditions as may be necessary to further the purposes of the Borough Zoning Ordinances.
- s. Chapter 26-115 as well as the goals and objectives of the Borough's Master Plan;
- t. Additional provisions concerning such issues as the maximum number of people at a table; required minimum distances between tables; and standards for addressing patrons waiting to be seated will be formulated after the promulgation of the Governor's Executive Order permitting restaurants to reopen.
- 8. This Resolution shall take effect on the date that restaurants for dine-in service are permitted to reopen by executive order of the Governor.

/s/Kevin Dalina, Councilman
(Planning and Zoning Committee)

Reviewed by the Borough Attorney and is approved as to form and the Resolution satisfies all of the legal requirements for the Mayor's signature.

ATTEST:

BOROUGH OF SAYREVILLE

/s/Jessica Morelos, RMC Municipal Clerk <u>/s/Victoria Kilpatrick</u> Mayor

At this time Mayor Kilpatrick opened the meeting up to the public for questions or comments on this resolution.

Those appearing were:

- Jim Robinson, 11 Borelle Square

He thanked the governing body for working so quickly on this. He appreciates the Borough waiving fees and looks forward to dining at some of the establishments. He questioned if this applies to tavern and bars that are not restaurants.

Mayor responded that it does apply.

There were no further questions or comments. Mayor called for a Motion. Council President Novak moved the Public Portion be closed and the Resolution be adopted on Roll Call Vote. Seconded by Councilwoman Maher.

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes. Carried.

> BOROUGH ATTORNEY - Michael DuPont - None

• PUBLIC PORTION

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

Those appearing were:

- Steve Melanaski, 28 Scarlett Drive

Mr. Melanaski complimented the Sayreville Police Dept. for being there for residents. He commented about the school budgets going up and about subscription busing being cancelled.

Mayor agreed and suggested that he direct his comments to the Board of Education.

Council President Novak stated that it was the bus company that did this route no longer wanted to do it. She stated that it was a parent who handled this and her child was graduating high school.

Mr. Melanaski said that it is the responsibility of the Board of Education to ensure that students have the means to get to school.

Councilwoman Maher stated that Dr. Labbe sent out an email asking if a parent would like to take that on this year.

Mayor commented that the Board of Education would be able to respond better to the questions regarding busing and that Dr. Labbe and she worked out a plan to alleviate the traffic on Washington Road. She stated that the drop off/pick up will be at Burke's Park and the path has been paved and lighting installed.

- Mark Hurley, AFSCME President

Mr. Hurley thanked the governing body for everything they have done for the AFSCME employees during the pandemic. He also thanked the Business Administrator.

Mayor stated that the health and safety of the employees and residents was always number one. She thanked all the employees for everything they have done.

- Arthur Rittenhouse, 33 Delikat Lane

Mr. Rittenhouse stated that the Shade Tree Commission handed out over 400 seedlings to residents. He questioned the status on Fulton's Landing with the trees and heard that the fine was not issued.

Borough Attorney DuPont stated that the violation has been issued and that Fulton's Landing would be cleaning up the property.

- Nicole Scanlon, 20 Dusko Dr.

Ms. Scanlon commented about the fences being mandated at the Nature Preserve and that there could be some positive changes there. She commented on the way she was spoken to by Jerry Ust. She said that she made calls to the EPA about the fences.

Councilwoman Maher stated that is a large property and she came across three fences that are protecting our largest floating solar field in the country. She stated that she was quite alarmed that they could easily access the solar panels. Councilwoman Maher stated that it affects about 20% of the property but there is still a large portion of the property remaining. She stated their priority is protecting the water for the residents.

Ms. Scanlon said that if you are not familiar with the trail that it could be confusing or you could get loss and there is no signs.

Councilwoman Maher agreed that there should be signage.

Mayor stated that in reference to the fencing is part of a larger project and the security plan was being put together for at least two years and that employees were concerned that residents could get access to the treatment plant. Borough Engineer Cornell stated that the DEP has been requesting the Borough provide security measures around the wellfields for a number of years. Business Administrator Frankel continued that the security is just not the fence but there is an extensive security system to protect it. He stated the nature preserve is underutilized.

Council President Novak stated that maybe a boy scout would be interested in an eagle scout project to mark the trails and it will help the town.

- Allen Meyer, 152 Miller Avenue

Mr. Meyer thanked the Mayor for everything she has done since coming into office. He commented about a fence being put up around the skate park. He stated that he would like the council to consider using that money a different way rather than building a solution to a temporary problem.

Councilwoman Maher stated the six reasons she voted yes which are:

- 1) We don't know that this is over.
- 2) Responsibility to take care of others for people that don't obey the signs
- 3) There are a few times a year when the skate area is closed for town events and the signs aren't working.
- 4) Police have relayed that they are being called there numerous times a day.
- 5) Other skate parks do have fences.
- 6) Every town professional thought it was the best option.

She stated that she doesn't approve of a cheap fix and do it the right way.

Mr. Meyer said that cameras would be a great idea but the description of the 10ft. chain link fence which sounds rather ugly and unsightly.

Councilman Enriquez questioned when the fence would be going up.

Business Administrator Frankel stated that the timeframe given was between 3-4 weeks but will check to see the timeframe given to the purchasing agent.

Councilman Enriquez said that Councilwoman Maher stated all the professionals that went out and thought the fence was the best idea was due to COVID-19 and it is not a good solution.

Council President Novak stated that there was a fence when the skate park was built and was removed because of vandalism. She stated that the fence will help a lot of safety issues in the future.

Borough Engineer said other options they had created more of a safety issue with the Borough's insurance.

Mayor stated that the meeting of the professionals at the skate park was held the first week in May and brought to the council on May 11th. She stated the video that surfaced was from May 17th. She stated the video had nothing to do with the fence going up at the skate park. She hopes that the residents and people that visit the skate park will respect the Borough's property.

- Deborah Shedlock, 6 Ash Terrace

Ms. Shedlock questioned the type of fence being used for the Skate Park.

Mayor responded that it is a chain link fence.

Ms. Shedlock questioned if the Borough went out to bid.

Mayor responded that the Qualified Purchasing Agent had to go out to bid and follow the laws that pertain to it.

Council President Novak stated that the company that was awarded the bid that it would be 19 days until they start installing.

Ms. Shedlock questioned who would control the lock.

Business Administrator Frankel stated that it would remain open and will be locked at times when necessary.

No further comments.

Mayor Kilpatrick called for a Motion. **Council President Novak made a motion to close the Public Portion. Seconded by Councilwoman Maher.**

Roll Call: Voice Vote, all ayes.

ADJOURNMENT

No further business Council President Novak moved to adjourn. Seconded by Councilwoman Maher.

Roll Call: Voice Vote, all ayes.	
Time 8:24 P.M.	
	Respectfully submitted,
	Jessica Morelos, RMC Municipal Clerk
	Date Approved: