

Mayor O'Brien opened the Council Meeting at 7:03 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this September 11, 2018 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick,  
Lembo, Melendez, Novak

Absent: None

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

Others Absent: None

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

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

- ✕ May 29, 2018 - Executive Session
- ✕ June 26, 2018 - MCUA Presentation (no quorum)
- ✕ August 14, 2018 - Receipt of Bids (2018 Roadway Paving & Reconstruction Project – Phase I and Pulaski Tank Rehabilitation Project)
- ✕ August 20, 2018 - Council, Agenda Session and Executive Session

Seconded by Councilman Buchanan.

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

Councilman Grillo abstained from voting on the June 26, 2018 meeting as he was not in attendance.

- **PROCLAMATION & PRESENTATIONS**

Mayor O'Brien called forward the Police Chief who spoke about number of officers retiring and the following police officers being sworn in tonight:

- ❖ **Swearing in of the following:**

Municipal Clerk Farbaniec sworn in and administered the Oath of Office to the following:

- Police Officer Richard Klein
- Police Officer Joseph Jarock
- Police Officer Shane Zuczek

- ❖ **Mayors for our Lives – Voter Registration Campaign Initiative**

- Presented by Sayreville War Memorial High School Sophomore Umme Alishah

Mayor O'Brien called forward Umme Alishah for her presentation.

Miss Alishah introduced herself and explained her Voter Registration Campaign called Mayors for our Lives. She explained that it was a non-profit organization that began after the Parkland, FL school shooting and students banding together to end gun violence in this Country and in order to do this they have voters register. She said that she is a Chapter Delegate for March for our Lives New Jersey and she said that the Pledge reads that

they (the Mayors) will make available voter registration to all local high schools and colleges leading up to and on Sept. 25<sup>th</sup>, which is National Voter Registration Day. Forms will be accessible to students and the Mayors involved will be asked to collaborate with other communities and this will be completely bi-partisan. She said that the youth in the Country are interested in civic engagement now more than ever and by making direct participation in our democracy accessible to them you would be providing them with opportunities for education and involvement. She said that over seventy Mayors from all over the Country have signed the pledge thus far. She said that although she cannot vote she has registered many people and will continue to learn about the process.

- Mayor signed the pledge.

❖ Police Chief John Zebrowski spoke on the issues with regards to the legalization of recreational marijuana in New Jersey. He came to propose an Ordinance to prohibit the recreational marijuana business coming to the Borough of Sayreville. He said he felt it was of great importance to the State of New Jersey. And if it is the Borough's decision that they do not want businesses such as this in Sayreville, he felt it was important to be proactive, to tell our citizens how we feel and that we want to protect them and to tell our State Legislatures that we do not want to see marijuana in the State of New Jersey. He spoke about the long term effects of the use of marijuana and about the use of marijuana in other states where it has become legal and what follows. He went into detail about what it is that we want to prevent. Expressed his concerns from a law enforcement element regarding drugged driving. Spoke about the black market.

He reminded everyone that marijuana is still illegal under Federal Law. In closing he requested the support of the Mayor and Council and that we send a message now if this is what the Mayor and Council want to do. That we want to protect our children, our residents and our motoring public and so what is right for public safety, quality of life and for public health.

Mayor asked if there were any questions of the governing body.

-Councilwoman Novak said that she was not in support of it becoming legalized but felt that it would and now we have to look into what we can do legally. She said that she felt that they could not ban the sale of pot throughout the town. She asked the Attorneys to look into if it can be banned if it becomes legal, or if we can limit where it could be sold.

Councilman Buchanan said that he spoke with Assembly Speaker Coughlin over the weekend and they are still working on the bill. He asked if the Council could form a committee of which he would volunteer to work with the Chief, Attorney and Zoning and come up with something that could restrict certain areas if it cannot be banned.

Council President Kilpatrick said that a few months ago Old Bridge forwarded Sayreville a copy of their ordinance regarding this matter. She said that their ordinance was extremely restrictive and basically said nowhere. She wants the council to be pro-active. Likes the committee idea and come up with the best plan for Sayreville. She said that she does not want to see a law passed on the State level and Sayreville try to put restrictions on after the fact then find out that we would have needed that to be on the books before the State Law passed. We need zoning and protection for our town. She doesn't want the committee to be a stalling mechanism.

Councilman Lembo commented that this would not be a Zoning issue. He does not want to see it sold anywhere in town. Comments followed regarding if it would be a zoning/land use matter or not.

The Borough Attorney said that there have been a number of towns that passed a Resolution prohibiting marijuana in their town. Other towns that have amended their ordinances to make it difficult to or impossible to sell, distribute or grow within their town. He said that the bill has been

changing so he does not know what powers the bill will contain that will preempt anything the council does. He said that the committee was important to get on the ground as to alternatives be it a resolution, an ordinance or a zoning change. They all need to be looked at and discussed.

Councilman Grillo said that he is the progressive liberal. He said that he does not support anything that does not call for the legalization of marijuana. He said that he was a delegate of the Democratic Convention for Bernie Sanders to support this. He supported John Wisniewski which was a major point of his campaign.

He volunteered to be on the committee with Councilman Buchanan. He went on record with his points. He does not believe that this is something that they should support, he would respectfully would vote "No" if this was any type of an adjustment to the zoning code and legalizing it will not make it any more dangerous that people who drink and drive and it is illegal to drive under the influence of marijuana and a warrant can be requested to take a blood test of someone suspected to be driving under the influence. He said he wants work collaboratively with his colleagues.

Mr. DuPont said that all of these efforts may be in vain depending on what the bill says about preemptive rights of State Legislature. So we need to form, discuss and look at the bill. Mayor said that we need to get started so he appointed Councilman Buchanan, Grillo and Lembo to review the matter.

Mayor said that this is a topic in which the public wants their voices heard. He scheduled a Public Meeting for September 25<sup>th</sup> at 7PM in the Council Chambers.

He hopes that by that time the committee would have come together and done their research. At that time, he would like to hear from the residents of Sayreville. Mayor spoke about Home Rule and Blue Laws.

Councilman Lembo said that he felt it would benefit Sayreville to be ahead of the curve and pass a resolution and send a message to the State that this is not what we want.

Councilman Buchanan said that if they just pass something just to pass it we could end up like the COAH matter. He would rather have it researched and have the right plan and do the right thing.

Councilwoman Novak said that she would rather pass something that has teeth to it. We need to do whatever we can to get out ahead of this and get something in place right now.

#### **MOMENT OF SILENCE**

- Mayor asked for everyone to reflect on the horrific event that took place seven-teen years ago, 9-11 and the 3,000 that last their lives that day. He called for a Moment of Silence.

A moment of Silence was observed by all in attendance.

- Mayor opened the meeting to the public on the retain matter of marijuana.

Those appearing were:

- James Robinson, 11 Borelle Square  
Spoke about the matter of medical marijuana and the distinction between medical and recreational marijuana. He asked that the council look favorably upon medical marijuana.

Councilman Grillo said that when the committee meets they will have to distinguish between medical and recreational marijuana and also look at the agricultural aspect.

- Aubrey Novarro-Conway, 2301 Timber Ridge Ct.

Asked the Council to keep in mind that medical marijuana serves so many patients – Veterans, children, and many other everyday people that rely on medical marijuana.

- Steve Melaneski, Scarlett Drive

He said that we do need to get in front of this issue. Stated that there are two avenues – list both the pro's and the con's on each side.

- Mike Brentdrive, Howell

He said that he is here to be a resource and spoke in favor of medical marijuana and how it helped his son as he battled brain cancer for five years. He said that he was sent home with the best of drugs but they were not good enough. The only thing that was efficacious enough to keep Jake comfortable was medical marijuana. And the distance he would have to travel to obtain the medical marijuana.

Mayor asked that he send him any information regarding medical marijuana as would be a useful tool.

Mayor asked the Council if anyone sitting had an issue with medical marijuana. They all responded that they did not recreational only.

Mike DuPont spoke about a seminar he just attended regarding medical marijuana and the issues discussed at this seminar.

Councilman Grillo said that there may be another resource we could employ and perhaps Dan could take care of this. He said that earlier this year Senator Sanders introduced the Marijuana Justice Act. He said it is co-sponsored by Senator Booker. So if he would reach out to their staff they may be able to provide resources and information that would be useful to help the committee understand the differences.

- Jeffrey Oats, Ocean Port, NJ

In support of medical marijuana and spoke about how it helped him personally with his cancer. Asked the governing body to take action and pass a resolution to support med cabanas and medical research and education this is more than a pot shop on the corner this is going to be the future.

- Angela Colandrea, 15 Ridge Avenue and co-owner of Nunzio's Kitchen.

She spoke in support of medical marijuana.

- Tom Biesiada, Parlin

He has no problem with medical marijuana not just for recreational use.

He asked that someone from the town be on the committee, also asked that the Board of Education sit on dais at the special meeting.

Mayor said that he would reach out to the Board of Education to be part of the meeting on Sept. 25, 2018.

Council President Kilpatrick asked that some of the Student Assistant Counsellors also attend the special meeting so they could bring in their knowledge.

- Hugh Giordano, Blackwood, NJ

Said that he is attending as a union representative of United Food & Commercial Workers Union Local #152. He stated that his union represents both adult use and medical use workers in States that have legalized it for medical and States that have legalized it for adult use. He stated that he is here in support of both medical and adult use and call a ban on either one on an attack against the working class and middle class. He presented some statistics and facts on both uses and represented that

it is a job creator. He also indicated that the Council has 90 days after the law is passed to pass a resolution or an ordinance in support or not.

- Ken Olchaskey, 108 North Edward St.

He stated that if legalized it is a State moneymaker. Expressed his concerns over the many problems legalizing it may create. Thought we should adopt an ordinance that could protect us now and that it could always be amended.

- Lefty Grimes, East Hanover, NJ

He commented about the different people that come out to meetings on topics like this. He also made statements and had questions regarding the comments the Police Chief made in his presentation.

- Adole Switzer, Old Bridge, NJ, formerly from Sayreville.

She said she is a NJ medical marijuana patient.

Commented on the passing of recreational marijuana and spoke in favor of it and that people could benefit from recreational use marijuana.

- Richard Moroski, Spotswood, NJ

He said that all marijuana is medical. He spoke on how he has benefitted from the use of marijuana. He implored everyone to investigate, explore, educate before making a decision.

- Phil Emma, Parlin, NJ

Commented on the number of out of towners commenting here tonight. He asked if the committee that is being formed is open to Sayreville residents.

Mayor stated that it was not at this point.

- Charles Lukie, Oak Street, Sayreville, NJ

He asked that the committee that was formed contact the States that have it legalized and gather the pro's and con's since they have legalized marijuana.

- Jeffrey King, Eatontown, NJ

Spoke in favor of recreational marijuana.

Stated that recreational marijuana was a matter of social justice and civil rights. It is a matter of individual liberty and that this is America and we are free to do what we want as long as we do not harm anyone. He commented on the number of people that get arrested and that this is not a violent thing.

He did not agree with the police chief on a lot of his comments.

He suggested a resolution encouraging a medical dispensary and encourage the ending of the arrests surrounding marijuana.

There were no further questions or comments.

Mayor announced that the Special Meeting will take place on September 25<sup>th</sup> to discuss this issue and it will be advertised. He said that it is very important that we get as much input as possible.

Mayor called to close the public portion. Motion made by Councilman Buchanan. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

Mayor announced that we will be retreating into Closed Session.

- **EXECUTIVE SESSION** – Contract Negotiations

Borough Attorney Mr. DuPont read the following Executive Session 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 15 minutes to discuss the following matters:

Labor Negotiations

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/ Victoria Kilpatrick, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

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

Time: 8:41 PM

### **Reconvene**

Councilman Buchanan made a **motion to reconvene**. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez, Novak, all Ayes. - Time 9:19 PM

### **Mayor called for Old Business.**

- **OLD BUSINESS:**

- a) Public Hearing on the following Ordinances:

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

Mayor O'Brien opened the meeting to the public on Ordinance #427-18.

There were no appearances. **Councilwoman Novak moved the Public Hearing be closed and the Ordinance #427-18 be adopted on second and final reading and advertised according to law.** Seconded by Council President Kilpatrick.

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

**ORDINANCE #427-18**  
**BOND ORDINANCE TO CANCEL FUNDED APPROPRIATION  
BALANCE HERETOFORE PROVIDED FOR VARIOUS ROAD AND  
SIDEWALK IMPROVEMENT PROJECTS PURSUANT TO BOND  
ORDINANCE #151-10, TO TRANSFER AND REAPPROPRIATE THE  
FUNDED APPROPRIATION BALANCE FOR THE HERCULES  
VILLAGE ROAD PROJECT IN, BY AND FOR THE BOROUGH OF  
SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW  
JERSEY, AND TO APPROPRIATE  
THE SUM OF \$90,000 TO PAY THE COST THEREOF**

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 following appropriation remaining as a balance in the bond ordinance referred to below (the “Ordinance”) and heretofore adopted by the Borough of Sayreville, in the County of Middlesex (the “Borough”) is hereby canceled from the project referenced below (the “Original Project”) and reappropriated to the new project referenced below (the “New Project”):

<u>Ordinance Name, Number and Date of Adoption</u>	<u>Description of Original Project</u>	<u>Amount of Appropriation to be Canceled and Re-appropriated</u>	<u>Description of New Project</u>
BOND ORDINANCE PROVIDING FOR VARIOUS ROAD AND SIDEWALK IMPROVEMENTS FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION Adopted on October 12, 2010 (151-10)	Road and Sidewalk Improvements	\$90,000	Hercules Village Road Reconstruction Project (Cheesequake Road, Pershing Avenue, Foch Street, Haig Street, Bailey Place and Lena Street) including, but not limited to, design work, plans and specifications, overlay, drainage improvement, reconstruction and curb and sidewalk repair and replacement, all materials, appurtenances and other infrastructure improvements necessary therefor or related thereto

Section 2. All other details of the Ordinance shall remain the same.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. 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 O'Brien opened the meeting to the public on Ordinance #428-18. There were no appearances. **Councilman Buchanan moved the Public Hearing be closed and the Ordinance #428-18 be adopted on second and final reading and advertised according to law.** Seconded by Council President Kilpatrick.

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

**ORDINANCE # 428-18**  
**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"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows in order to **add** the following street/address:

**7-3.7 Handicapped Parking Spaces in Streets.**

\*a.

\*b.

*(Adding the following address)*

***Main Street***

***One (1) parking space in front of 53 Main Street, from Monday through Friday between the hours of 8:30am-6:30pm. Handicapped Parking space to service only 53 Main Street office of Michael J. Simon, M.D.***

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Seven Section Three - Handicapped Parking** of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

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

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

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esquire  
Borough Attorney

\* Sections to remain

Mayor O'Brien opened the meeting to the public on Ordinance #429-18.



There were no appearances. **Councilman Buchanan moved the Public Hearing be closed and the Ordinance #429-18 be adopted on second and final reading and advertised according to law.** Seconded by Council President Kilpatrick.

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

**ORDINANCE # 429-18**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 7-3.3**  
**“PARKING PROHIBITED AT ALL TIME ON CERTAIN STREETS”**

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

**7-3.3 Parking Prohibited at All Times on Certain Streets.** No person shall park a vehicle at any time upon any of the streets or parts thereof described below.

\*\*\* all other designated streets in the existing ordinance are to remain.

Adding:

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
<b><i>Pershing Ave.</i></b>	<b><i>West</i></b>	<b><i>From the intersection of Washington Road to it's terminus at Bailey Place</i></b>

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Seven Section Three – Parking Prohibited at All Times on Certain Street** of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

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

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

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esquire  
Borough Attorney

Mayor O'Brien opened the meeting to the public on Ordinance #430-18.

There were no appearances. **Councilman Buchanan moved the Public Hearing be closed and the Ordinance #430-18 be adopted on second and final reading and advertised according to law.** Seconded by Council President Kilpatrick.

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

**ORDINANCE # 430-18**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER VII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**SECTION 7-6.1 “THROUGH STREETS”**

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

**7-6 - THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS.**

**7-6.1 Through Streets.** Pursuant to the provisions of R.S. 39:4-140, the streets or parts of streets described are hereby designated as Through Streets. STOP signs shall be installed on the near right side of each street intersecting the Through Street except where YIELD signs are provided for in the designations.

\*\*

***Harkins Street***

***Between Orchard Street and Reseau Avenue***

***Marshall Place***

***Between McCutcheon Avenue and MacArthur Avenue***

\*\*

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Seven Section Six – Through Streets** of the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

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

*\*\* all other streets before and after are to remain in the ordinance*

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

**ATTEST:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**APPROVED:**

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael R. DuPont, Esquire  
Borough Attorney

- Mayor called forward Heather Pawski to the microphone for an update.

Heather Pawski, 71 Zaleski Drive

She stated that about six months ago Phase I of the Rutgers Redevelopment Plan was approved. Then the Shade Tree Commission made the motion to fund it through the Tree Bank Fund. She said that it was supposed to go out to bid with the Purchasing Agent. She said she asked about it a few weeks ago. She advised the council that they are running the risk of losing our Tree City USA designation.

Mayor stated that he will call the QPA tomorrow and get her a time line as to when she will be sending this out.

c) Appointments:

Council President Kilpatrick stated that the letter of resignation had been received from Jorge Gonzalez, resigning from the Housing Authority, so therefore an appointment can be made.

Discussion followed regarding when the letter of resignation was sent and received by the Clerk.

Mayor stated that the appointment would have to be made subject to the Clerk confirming the receipt of the letter of resignation.

The Borough Attorney stated that this is an appointment of Thomas Benanato for the unexpired of Jorge Gonzalez of the Housing Authority, subject to the Borough Clerk having received his letter of resignation. So moved by Council President Kilpatrick and seconded by Councilman Buchanan.

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

- **NEW BUSINESS:**

a) Introduction of the following ordinances: (None)

- **CONSENT AGENDA/RESOLUTIONS**

Mayor O'Brien opened the meeting to the public for questions or comments on Consent Agenda Resolutions.

Those appearing were:

- James Robinson, 11 Borelle Sq.

Questioned Resolution #2018-297, authorizing Heyer Gruel and Associates to prepare a Fiscal Impact Study. What is the status of the agreement.

Mr. DuPont responded that the attorneys have requested that the compliance hearing be extended to November 16<sup>th</sup>. He said that he and Mr. Frankel will be meeting with Mr. Edwards this week to determine some of those questions. Should have more of a timeline at the next meeting as to where we are.

There were no further questions or comments.

**Council President Kilpatrick moved to close the public portion and approve the Consent Agenda Resolutions Roll Call Vote.** Seconded by Councilwoman Novak.

Councilman Grillo noted that Resolution #2018-298 authorized the Williams Transco Pipeline Company to utilize a block and lot in exchange for a one-time fee of \$75,000. He said that the property is in Morgan right next to the Morgan Firehouse. He asked if we could dedicate the \$75,000. to be set aside for use in Morgan community only, i.e. firehouse improvement, open space as long as it is in Morgan.

The Borough Attorney stated that this is not the matter before the Council tonight.

The resolution is only to approve agreements and to allow those easements to be used at the firehouse parking plus the one-time contribution of \$75,000.00.

If you want to talk about this at the workshop agenda that would be fine. But this portion needs to get approved and resolution adopted.

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

-Nays: None.

**RESOLUTION #2018-290**

**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, Mayor

/s/Daniel Buchanan, Councilman

/s/Pasquale Lembo, Councilman

/s/Steven Grillo, Councilman

/s/Ricci Melendez, Councilman

/s/Victoria Kilpatrick, Councilwoman

/s/Mary J. Novak, 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 DuPont, Borough Attorney

**Bill list of September 11, 2018 in the amount of \$8,301,824.44 in a separate Bill List File for 2018 (See Appendix Bill List 2018-A for this date).**

**RESOLUTION #2018-291**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE OF A  
SPECIAL EVENT PERMIT TO SAYREVILLE P.B.A. LOCAL #98  
TO CONDUCT A CARNIVAL**

**WHEREAS, Sayreville PBA Local #98** has requested permission from the Mayor and Council of the Borough of Sayreville to conduct a Carnival at Kennedy Park from October 10 – October 14, 2018 and also requesting certain fees be waived for said event; and

**WHEREAS,** it is the belief of the Mayor and Council that such an event provides activities which are family and community oriented and will enhance community spirit and awareness in Sayreville.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Sayreville PBA Local #98 is hereby granted permission to conduct a fund raising Carnival at Kennedy Park from October 10, 2018 through October 14, 2018 and the Borough hereby waives the following fees, subject to their posting of a \$10,000.00 bond, the filing the proper facility's use forms, hold harmless agreement and posting of the proper certificate of insurance. The fees are except for those fees associated with any employee hourly rates, social security contributions from our Department of Public Works and Police Services and any other services will be billed at cost.

Fees waived:

- Recreation Application Fee
- Daily Park Use Fee
- Carnival Permit Fee
- Fireworks Fees.

/s/Ricci Melendez, Councilman

(Recreation 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 DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien, Mayor

**RESOLUTION #2018-292**

**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:** Katie Elichko

**POSITION:** Sr. Cashier

**DEPARTMENT:** Tax Collector

**EFFECTIVE:**

September 12, 2018

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

/s/Mary J. Novak, Councilwoman  
Mary J. Novak, Councilwoman  
(Admin. & Executive 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 DuPont  
Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-293**

**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:** Josh Misiewicz  
**POSITION:** Sewer Repairer I  
**DEPARTMENT:** Water & Sewer Dept.  
**EFFECTIVE:** September 12, 2018

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

/s/Steven Grillo, Councilman  
Steven Grillo, Councilman  
(Water & Sewer 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 DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-294**

**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:** Andrew Gay  
**POSITION:** Pump Station Operator  
**DEPARTMENT:** Water & Sewer Dept.

**EFFECTIVE:**

September 12, 2018

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

/s/Steven Grillo, Councilman  
Steven Grillo, Councilman  
(Water & Sewer 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 DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-295**

**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:** Gwendolyn Knight  
**POSITION:** Clerk I  
**DEPARTMENT:** Dept. of Public Works  
**EFFECTIVE:** September 17, 2018

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

/s/Victoria Kilpatrick,  
Victoria Kilpatrick, Councilwoman  
(Public Works 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 DuPont  
Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-296**

**WHEREAS**, the Borough of Sayreville has participated as a member of the Central Jersey Municipal Joint Insurance Fund (hereinafter the "Fund") existing pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et. seq.); and is desirous of continuing said membership for a term expiring on December 31, 2018; and

**WHEREAS**, the governing body of the Borough of Sayreville has determined that continued membership in the Fund is in the best interest of the municipality;

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

**SECTION 1.** The Borough of Sayreville hereby agrees to continue as a member of the Central Jersey Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage's and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

**SECTION 2.** The Mayor and Clerk shall be and is hereby authorized to execute the agreement said agreement annexed hereby and made a part hereof for a period commencing January 1, 2019, and terminating on December 31, 2022 and further delivered to the Central Jersey Joint Insurance Fund evidencing the Borough's intention to renew its membership.

/s/ Mary J. Novak  
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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-297**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE FIRM HEYER, GRUEL & ASSOCIATES TO PREPARE A FISCAL IMPACT ASSESSEMENT OF THE PROPOSED AFFORDABLE HOUSING SETTLEMENT**

**WHEREAS**, the Governing Body of the Borough of Sayreville recognizes the need for a certified Planner to advise the Governing Body of the impact the proposed affordable housing settlement will have on the Borough; and

**WHEREAS**, the Governing Body of the Borough of Sayreville has already hired Heyer, Gruel and Associates as Planning Consultants for the Affordable Housing project in the Borough and

**WHEREAS**, Borough Officials are confident that Heyer, Gruel and Associates will provide the most complete Fiscal Impact Assessment of the Proposed Affordable Housing Settlement; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** the Governing Body of the Borough of Sayreville awards a contract to Heyer, Gruel and Associates to prepare a Fiscal Impact Assessment of the Proposed Affordable Housing Settlement at a cost not to exceed \$15,000.00.

/s/ Steven Grillo  
Councilman

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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018 - 298**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL RIGHT-OF-WAY ENTRY/EASEMENT AGREEMENT WITH TRANSCONTINENTAL GAS PIPELINE COMPANY, LLC (TRANSCO)**

**WHEREAS**, the Governing Body of the Borough of Sayreville wishes to allow Williams-Transcontinental Gas Pipe Line Company, LLC the use of Block 538, Lot 9.02 for use as a staging area for the proposed Northeast Supply Enhancement project; and

**WHEREAS**, a Supplemental Right-of-Way Entry/Easement Agreement has been prepared between the Borough of Sayreville and TRANSCO allowing Williams-Transcontinental Gas Pipe Line Company, LLC for the use of Block 538, Lot 9.02 for use as the staging area; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials and the Borough Administrator are authorized and directed to execute the Right-of-Way Entry/Easement Agreement with Transcontinental Gas Pipeline Company, LLC in exchange for a one-time fee of \$75,000.00 and the use of ten (10) parking spaces on each and every Election Day.

/s/ Daniel Buchanan  
Councilman  
(Public Safety 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC

/s/ Kennedy O'Brien

**RESOLUTION #2018-299**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF AN AGREEMENT FOR SHARED SERVICES WITH THE TOWNSHIP OF WOODBRIDGE**

**WHEREAS**, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") is desirous of renewing the agreement with the Twp. of Woodbridge for Opioid Overdose Recovery Program services for the victims of opioid overdoses within their borders; and

**WHEREAS**, the Governing Body of the Borough of Sayreville understands that the continuance of deploying Recovery Specialists to overdose victims within the Borough of Sayreville is of significant importance to the protection of the residents of Sayreville; and

**WHEREAS**, both the Borough of Sayreville and the Township of Woodbridge are desirous of renewing this agreement under the parameters of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., in which deploying Recovery Specialists to opioid overdose victims within the Borough of Sayreville will continue to be provided by the Township of Woodbridge or their agents; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Mayor Kennedy O'Brien is hereby authorized and directed to renew said agreement by executing the Shared Services Agreement between the Township of Woodbridge and the Borough of Sayreville.

/s/Daniel Buchanan, Councilman  
(Public Safety 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 DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-300**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to award a non-fair and open contract for the furnishing of proprietary surveillance equipment to CrimePoint of Camarillo, CA in an amount not to exceed \$23,328.00. 81,367.50.

/s/ Daniel Buchanan  
Councilman  
(Public Safety 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-301**

**BE IT AND IT IS HEREBY RESOLVED**, that the Qualified Purchasing Agent is hereby authorized and directed to advertise for the receipt of bids for Landscape and Maintenance.

/s/Victoria Kilpatrick, Councilwoman  
(Public Works 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 DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Kennedy O'Brien  
Mayor

**RESOLUTION #2018-302**

**WHEREAS**, on September 12, 2016 the Borough of Sayreville awarded a contract for "Electrical Services" to Sal Electric Co., 83 Fleet Street, Jersey City, NJ 07306; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to extend the contract for a one (1) - two year period at no additional increase in price contained therein; and

**WHEREAS**, Sal Electric Co. has indicated their interest in extending their terms of the aforesaid contract for an two (2) additional years;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Electrical Services” for Various Borough Properties is hereby renewed for one (1) – two (2) year period at no additional increase in price.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2018-303**

**WHEREAS,** The Borough Architect has recommended that certain increases and decreases be included in the following described project as will more fully appear in Contract Change Order No. 1:

- Project: War Memorial Field House Improvement Project
- Contractor: Murray Paving & Concrete, LLC  
210 S. Newman St.  
Hackensack, NJ 07601
- Net Increase: \$7,105.00
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

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

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

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2018-304**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Officials are hereby authorized to extend an Interlocal Services Agreement between the Borough of

Sayreville and the Middlesex County Improvement Authority covering the continuation of Yard Waste Recycling and Marketing Services until August 31, 2019.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-305**  
**RESOLUTION AUTHORIZING THE AWARD OF A**  
**NON-FAIR AND OPEN CONTRACT FOR SERVICES FOR THE**  
**REPAIR OF A PUMP AND REDEVELOPMENT OF A WELL**

**WHEREAS**, the Borough of Sayreville has a need to acquire services for the repair of a pump and redevelopment of a well located at the Duhernal well fields 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 this job will exceed \$17,500; and,

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

**WHEREAS**, A.C. Schultes, Inc. has indicated they will provide said services for the Borough of Sayreville; and

**WHEREAS**, A.C. Schultes, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that A.C. Schultes, Inc. 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 A.C. Schultes, Inc. 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 A.C. Schultes, Inc. 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  
(Water & Sewer 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-306**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase, through State Contract #T2101/A88214, One (1) 2019 Ford F-450 - 4WD Truck for the Borough of Sayreville, Water & Sewer Department, from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962, at a total cost not to exceed \$30,482.00.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2018-307**

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

- Project: 2017 Roadway Paving and Reconstruction Project – Phase II (Improvements to Main Street Extension)
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Amount: No Increase in original contract amount of \$1,450,550.80
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

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

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-308**

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

- Project: 2017 Roadway Paving and Reconstruction Project – Phase III (Improvements to North Ernston Road)
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Amount: No Increase in original contract amount of \$385,463.60
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

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

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-309**

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

- Project: Improvements to Haag Street
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Amount: No Increase in original contract amount of \$241,996.48
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

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

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

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works Committee)

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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-310**

**BE IT RESOLVED** that the Borough Engineer is hereby authorized and directed to prepare grant applications for the New Jersey Department of Transportation Fiscal Year 2019 Municipal Aid Program and that he be paid for said services at a fee not to exceed \$2,500.00.

/s/ Mary J. Novak  
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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-311**

**WHEREAS**, on August 14, 2018 the Mayor and Council of the Borough of Sayreville received bids for the "Pulaski Avenue Tank Rehabilitation Project"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 11<sup>th</sup> of September, 2018:

1. Contract for the "Pulaski Avenue Tank Rehabilitation Project" be awarded to Brave Industrial Paint, LLC of Long Branch, NJ on their bid price of \$1,199,970.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018 - 312**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF SAYREVILLE'S INTENT FOR AN IN-KIND CONTRIBUTION TO THE NATIONAL FISH & WILDLIFE FOUNDATION**

**WHEREAS**, the Governing Body of the Borough of Sayreville acknowledges that hurricanes and other storms have caused severe flooding along the South River affecting over 1,200 structures in the community; and

**WHEREAS**, the Governing Body of the Borough of Sayreville is in the process of pursuing a grant from the 2018 National Coastal Resilience Fund: Project Planning and Design for Sayreville and South River; and

**WHEREAS**, it is the intent of the Governing Body of Sayreville to pursue this grant in order to implement the priorities outlined in the report, *Middlesex County: 2015 Hazard Mitigation Plan Update*; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council authorizes the Intent for In-Kind Contribution to the National Fish and Wildlife Foundation in an amount not to exceed \$17,000.00 provided that grant is awarded from the 2018 National Coastal Resilience Fund: Project Planning and Design.

/s/ Mary J. Novak  
Councilwoman  
(Admin. & Executive 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2018-313**

**WHEREAS**, on August 28, 2018 the Mayor and Council of the Borough of Sayreville received bids for the "2018 Roadway Paving & Reconstruction Project – Phase II"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 11<sup>th</sup> of September, 2018:

1. Contract for the "2018 Roadway Paving & Reconstruction Project Phase II" be awarded to S G Paving, Inc. of Jamesburg, NJ on their bid price of \$893,583.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

/s/ Victoria Kilpatrick  
Councilwoman  
(Public Works 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 DuPont  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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

- **BOROUGH ENGINEER - Jay Cornell** - No Report
  
- **BOROUGH ATTORNEY - Michael DuPont** – No Report

• **PUBLIC PORTION**

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

Those appearing were:

- Tom Biesiada, Greenhill Avenue

Asked if the new vehicles that were purchased for the police department were coming radar equipped.

Councilwoman Novak said that they get taken out of the old vehicle and get re-certified.

Mr. Biesiada said that his street was paved in 2013 and that it is cracking down the center up already that had been paved is already. Asked if someone could come out and have it looked at and re-sealed down the center.

Mr. Biesiada asked if it was correct that he understands that National Lead agreed with the purchase price that was offered to the Borough of Sayreville.

Councilwoman Novak and the Attorney said that was not the fact.

Council President Kilpatrick said that we attempted to have National Lead agree to sell the Borough that property. There were two appraisals done. National Lead declined the offers made to sell the property to the Borough for Open space, we were unable to secure that property.

The Borough Attorney further explained that the Borough went through the process of obtaining the appraisals. The Council had every intention of negotiating in good faith to the purchase of Open Space. National Lead did not and they never gave any explanations as to why they did not wish to entertain those negotiations at all.

- Charles Lukie, Oak Street.

Thank the Borough Clerk for the job she does.

He spoke about a man that was sleeping in the tunnel with a mattress and his concerns about people walking through.

Read a notice he received from the Construction office about open permits. He considered it threatening. He said that he hired a contractor to replace an air conditioner unit. He questioned if the inspectors we have in the Borough are certified.

Council responded that they are.



The Business Administrator said that these inspectors are professionals and the department is ran by a professional-their director. He explained that all of the records have recently been digitized and this probably came out as a result. Other residents probably received the notice also. Permits are open and need to be closed out.

Councilwoman Novak moved the public portion be closed. Seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

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

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

Time 9:53 P.M.

Respectfully submitted,

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved