

Mayor Kilpatrick opened the Council Meeting at 7:03 PM followed by a short prayer and salute to the flag. This meeting was held hybrid.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this October 10, 2023 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 and the Star Ledger, notifying the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Balka, Conti, Novak, Onuoha (via electronic communications), Roberts, Zebrowski

Absent: None

Others Present: Mayor Victoria Kilpatrick
Rebecca Garbowski, Personnel Director
Denise Biancamano, C.F.O./Treasurer
Jessica Morelos, Municipal Clerk
Salvatore J. Alfieri, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer
Nicole Waranowicz, Assistant Municipal Clerk

Others Absent: Glenn Skarzynski, Business Administrator

Mayor Kilpatrick called for a moment of silence for what is happening across the world.

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

Councilman Onuoha moved the following minutes be approved, subject to correction if necessary:

☞ September 26, 2023 - Regular & Agenda Sessions

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Onuoha, Balka, Conti, Novak, Roberts, Zebrowski, all Ayes.

- **PROCLAMATION & PRESENTATIONS - None**

- **EXECUTIVE SESSION - None**

- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

Borough Clerk Morelos read the heading for the following ordinances listed for Public Hearing:

Public Hearing on Ordinance #32-23.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #32-23.

There were no comments.

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

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Zebrowski, all ayes.

ORDINANCE #32-23
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER II OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 2-51 "SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY"

WHEREAS, the Borough previously established Section 2-51, "Sayreville Economic and Redevelopment Agency", which shall constitute a redevelopment entity contemplated and provided for in the aforesaid Redevelopment Law as an agency or instrumentality of the Borough of Sayreville; and,

WHEREAS, Pursuant to Redevelopment Law, the Sayreville Economic and Redevelopment Agency (hereinafter "SERA") is required to consist of nine (9) Commissioners, to be appointed by the Mayor with the advice and consent of Borough Council for a term of five (5) years; and,

WHEREAS, SERA currently staggers its terms with appointments being made and terms expiring in July of each calendar year; and,

WHEREAS, the Borough Council desires to amend its existing Ordinance to establish that all new appointments moving forward shall be made in January rather than the current practice of making appointments to SERA in the month of July; and,

WHEREAS, in order to conform with New Jersey's Redevelopment Law while capturing the Borough's desire to modify the month where terms expire and appointments are made to SERA, the Borough must modify its existing Ordinance; and,

WHEREAS, the Borough Council also desires to amend the existing Ordinance to codify that any member of SERA must be a current resident of the Borough of Sayreville and to require each member to complete basic educational courses to retain their membership on SERA; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~*strikeovers in italics*~~. Those sections of Section 2-51 that will remain unchanged are shown in normal type.

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 and shall be added and/or amended to reflect said changes:

SECTION ONE. Section 2-51, "Sayreville Economic and Redevelopment Agency", shall be amended as follows:

2-51- Sayreville Economic and Redevelopment Agency.

2-51.1 Created. Pursuant to the Redevelopment Law, the Borough hereby creates a body corporate and politic to be known as the "Sayreville Economic and Redevelopment Agency" which shall constitute a redevelopment entity contemplated and provided for in the aforesaid Redevelopment Law as an agency or instrumentality of the Borough of Sayreville.

2-51.2 Membership. Pursuant to the Redevelopment Law, there shall be nine (9) Commissioners of the Agency, ***each of whom shall be residents of the Borough of Sayreville and shall*** be appointed by the Mayor, with the consent of the Borough Council, of which no more than two (2) of the nine (9) commissioners on the SERA shall be members of the Borough Council to be appointed by the Council. The members of the Borough Council appointed to the SERA shall serve for a term of one (1) year or until their elected term expires whichever occurs first. The Council Members serving on the SERA shall not have the right to appoint a designee. ***All non-elected members shall be required to complete basic educational courses, which shall be selected by the Township Attorney, in order to retain their respective membership. Such***

educational courses shall be completed within one (1) year of appointment and shall be related to land use law and planning or such other topics that touch upon the tasks, responsibilities and activities of this Commission. The educational courses shall consist of no more than five hours of scheduled instruction and shall be structured so that a member may satisfy this requirement within one calendar day. N.J.S.A. 40:55D-23.3.

2-51.3 Powers and Duties. In addition to all such powers as are specifically granted to the Agency pursuant to N.J.S.A. 40A:12A-1, et seq., and as may otherwise be generally allowed pursuant to other applicable statutes, the Agency shall also have the power to:

- a. Inquire into, survey and publicize the extent, advantages and utility of vacant land and other dormant and underutilized properties of the Borough.
- b. Classify such land and properties according to its adaptability for the establishment and development thereon of various types of economic activities.
- c. Study and analyze business trends, requirements and developments to ascertain the opportunities for economic expansion in the Borough.
- d. Advertise the business advantages and opportunities and the availability of suitable sites and facilities in the Borough and otherwise initiate and pursue appropriate efforts to encourage and accomplish economic development and expansion within the Borough.
- e. Cooperate with other Borough departments, agencies, committees and local civic organizations to promote, encourage and assist economic development within the Borough.
- f. Arrange for the sale or lease of the Borough's vacant lands to businesses whose location thereon is best calculated, in the judgment of the Agency, to advance the interests of the Borough and of its citizens.
- g. Acquire title to vacant land owned by the Borough for the purpose of resale or lease to businesses whose presence within the Borough will best benefit, in the judgment of the Agency, the Borough and its citizens.
- h. Exercise such other powers as may be reasonably necessary and appropriate to accomplish its purposes and goals in accordance with applicable laws and regulations.

2-51.4 Terms & Appointment. Pursuant to Section 2-51.2, SERA shall consist of nine (9) commissioners appointed by the Mayor, with the consent of the Borough Council, of which two (2) Commissioners on SERA shall be members of the Borough Council appointed by the Council. All of the Mayor's non-council appointments shall be for a term of five (5) years. All appointments to SERA shall be made in January and shall expire on December 31st of the preceding year following the expiration of said term. Any Commissioner of SERA currently sitting with an unexpired term shall continue to sit as a Commissioner until the expiration of their term which presently occurs in July 2024, 2025 & 2026. Thereafter, any Commissioner sitting on SERA with an expiration of July 2024, 2025 or 2026 shall serve in a holdover capacity until December 31st of the calendar year that their term was set to expire.

SECTION 2. Severability Clause.

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the

Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

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

INTRODUCED/APPROVED ON FIRST READING

DATED: September 26, 2023

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: October 10, 2023

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS 10th DAY OF October, 2023.

/s/Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

/s/SEAN KEAN, ESQ., Borough Attorney

Public Hearing on Ordinance #33-23.

Borough Clerk Morelos stated that this ordinance needs to be tabled due to a change in the ordinance.

Councilwoman Novak moved Ordinance #33-23 be tabled. Seconded by Councilman Balka.

Roll Call: Councilpersons Novak, Balka, Conti, Onuoha, Roberts, Zebrowski, all ayes.

NEW BUSINESS:

a) Introduction of the following ordinances:

ORDINANCE #34-23

**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #436-19
FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS
AND EMPLOYEES FOR THE YEAR 2022**

(Admin. & Finance Committee - Co. Balka - Public Hearing 10-23-23)

Councilman Balka moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be scheduled for October 23, 2023. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Zebrowski, all Ayes. Carried.

ORDINANCE #35-23
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VIII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 8-3 "PEDDLERS AND HAWKERS"

(Admin. & Finance Committee - Co. Balka - Public Hearing 10-23-23)

Councilman Balka moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be scheduled for October 23, 2023. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Zebrowski, all Ayes. Carried.

ORDINANCE #36-23
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER II "ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ESTABLISH
Section 2-68 "Restricted Areas in Buildings Where
Municipal Operations are Conducted"

(Admin. & Finance Committee - Co. Balka - Public Hearing 10-23-23)

Councilman Balka moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be scheduled for October 23, 2023. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Zebrowski, all Ayes. Carried.

• **CONSENT AGENDA RESOLUTIONS**

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

Those commenting were:

- Jim Robinson, 11 Borelle Square

Mr. Robinson suggested that the Borough not pay JCP&L due to the amount of street light outages.

Mayor Kilpatrick requested that a letter be drafted and sent to Assembly Speaker Coughlin, Senator Vitale and Assemblywoman Lopez. She also requested that the attorney reach out to JCP&L's CEO.

- Bob Duffy, 111 Merritt Avenue

Mr. Duffy requested that they reach out to the BPU and also research to see if it's a public safety issue. He commented on the price of vehicles.

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

Roll Call: Councilpersons Novak, Balka, Conti, Onuoha, Roberts, Zebrowski, all Ayes.

RESOLUTION #2023-272

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/ Daniel Balka, Councilman

/s/ Christian Onuoha, Councilman

/s/ Vincent Conti, Councilman

/s/ Donna Roberts, Councilwoman

/s/ Mary J. Novak, Councilwoman

/s/ John Zebrowski, 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/ Salvatore J. Alfieri, Borough Attorney

Bill list of October 10, 2023 in the amount of \$9,774,906.61 in a separate Bill List File for 2023 (See Appendix Bill List 2023-A for this date).

RESOLUTION #2023-273

WHEREAS, Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear by Change Order No. 3:

- Project: 2021 Order of two rear loading garbage trucks
- Contractor: Hunter Jersey Peterbilt
524 Monmouth Road
Clarksburg, NJ 08510
- Net Increase: \$39,647.00
- 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 Qualified Purchasing Agent 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/ Vincent Conti, Councilman
(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/ Salvatore J. Alfieri, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick, Mayor
Mayor

RESOLUTION #2023-274

BE IT RESOLVED that the proper Borough officials are hereby authorized to award a contract through Sourcewell Contract 060920-KTC, for the purchase of one (1) Kenworth Roll Off Plow Truck and one (1) Kenworth Read Loader Garbage Truck from Gabrielli Truck Sales, 239 Bergen Turnpike, Ridgefield Park, NJ 07886 at a total cost not to exceed \$566,041.68.

/s/ Vincent Conti, Councilman
(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/ Salvatore J. Alfieri, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick, Mayor
Mayor

RESOLUTION #2023-275

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized to award a contract for the Furnishing and Installation of Playground Equipment at the Evelyn Terrace Park through the Educational Services Commission of NJ Contract #20/21/06, from MRC Recreation, P.O. Box 106, Spring Lake, NJ 07762, at a total cost not to exceed \$67,028.54.

/s/ Vincent Conti, Councilman
(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/ Salvatore J. Alfieri, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick, Mayor
Mayor

RESOLUTION #2023-276

WHEREAS, on October 3, 2023 the Mayor and Council of the Borough of Sayreville received bids for the “2022 Roadway Paving and 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 10th day of October, 2023 that:

1. Contract for the “2022 Roadway Paving and Reconstruction Project – Phase II” be awarded to Lancha Construction Corp., 3090 Englishtown Road, Jamesburg, NJ

08831 on their bid price of \$910,672.92 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Vincent Conti, Councilman
(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/ Salvatore J. Alfieri, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick, Mayor
Mayor

• **CORRESPONDENCE:**

- A. Resignations/Retirements from Employees/Fire Department/Boards & Commissions:
1. Stephen Koblos from Sayreville Engine Co. No. 1 effective September 28, 2023.
 2. Mary Ann Musarra from the Human Relations Commission, effective immediately.
 3. John Corrigan from the Zoning Board of Adjustment, effective immediately.

Councilwoman Novak made a motion to accept the correspondence. Seconded by Councilman Balka.

Roll Call: Councilpersons Novak, Balka, Conti, Onuoha, Roberts, Zebrowski, all Ayes.

• **MAYOR & COUNCIL REPORTS**

➤ **ADMINISTRATIVE & FINANCE – Councilman Balka**

- 1) Commented on an email that he received from a lobbying firm.

➤ **PUBLIC SAFETY – Councilwoman Roberts**

- 1) Wished everyone a Happy Columbus Day.
- 2) Commented on the tree dedication for Eli.
- 3) Commented on Sayreville Day.
- 4) Reported on different events going on in town.
- 5) Reported on the SERA meeting.

➤ **PUBLIC WORKS – Councilman Conti**

- 1) Roadway paving projects have been awarded.
- 2) Commented on Sayreville Day.
- 3) Thanked Rutgers and Shade Tree for the trees on MacArthur Avenue.
- 4) Thanked the employees for fixing the lights at the boat ramp.
- 5) Commented on the memorial for Eli.
- 6) Commented on Eulner Street.

Councilman Conti requested that the Pilot for Trammell Crow be added to the agenda.

Councilman Conti made a motion to deny the Pilot for Trammell Crow. Seconded by Councilwoman Novak.

Further discussion ensued.

Roll call: Ayes: Councilpersons Conti, Balka, Novak, Onuoha, Zebrowski

Abstained: Councilwoman Roberts

➤ **RECREATION – Councilwoman Novak**

- 1) Commented on Sayreville Day and the Car Show.
- 2) Pickleball Courts are moving along.
- 3) Evelyn Terrace Park will be upgraded.
- 4) Poltergeist Police video will air on October 13th.
- 5) Reported on various upcoming recreation events.

➤ **WATER & SEWER/ENVIRONMENTAL – Councilman Zebrowski**

- 1) Commented on the Community Garden picnic and requested Anton New to give a presentation at the next meeting.
- 2) Commented on the break on Bissett and Jernee Mill Road.
- 3) Commented on the memorial for Eli.
- 4) Commented on the display of Amboy Cinemas at the Historical Society.

➤ **PLANNING & ZONING – Council President Onuoha**

- 1) Thanked the Planning Board members, Zoning Board members and the residents that attend those meetings.
- 2) Commented on the memorial for Eli.

➤ **MAYOR – Victoria Kilpatrick**

- 1) Commented on the death of Eli.
- 2) Recommended the purchase of property which is 39.5 acres right by Kennedy Park for Open Space.
Further discussion ensued.

Councilwoman Roberts made a motion to get appraisals for Block 252, Lot 2.
Seconded by Councilman Onuoha.

Roll Call: Councilpersons Roberts, Balka, Conti, Novak, Onuoha, Zebrowski, all ayes.

● **PUBLIC PORTION**

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

Those commenting were:

- Jim Robinson, 11 Borelle Square

Mr. Robinson thanked the Mayor for suggesting the purchase of that property. questioned the audit/investigation for SERA. He commented on the PILOT for Trammell Crow and all PILOTs. Mr. Robinson commented on an OPRA response he received.

- Joseph Kupsch, Tax Assessor

Mr. Kupsch commented on the PILOT. He requested to get a full copy of the report for the Trammell Crow pilot.

- Unknown Name, Republican

She questioned the procedure for the vacancy of Councilwoman Dwumfour. Response by Mayor Kilpatrick.

- Ken Olchaskey, 108 North Edward Street

Mr. Olchaskey thanked the council for voting no on the PILOT. He commented on the process of that PILOT.

- Jim Robinson, 11 Borelle Square

Mr. Robinson commented on the Trammell Crow project and the conditions that need to be met. He questioned if the redacted items he received from the Borough can be given out unredacted now.

OCTOBER 10, 2023
REGULAR MEETING

No further comments.

Councilwoman Novak made a motion to close the Public Portion. Seconded by Councilman Conti.

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business Councilwoman Novak made a motion to adjourn. Seconded by Councilwoman Roberts.

Roll Call: Voice Vote, all Ayes.

Time 9:12 P.M.

Jessica Morelos, RMC
Municipal Clerk

Date Approved: _____