

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

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this April 8, 2019 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, Dalina, Enriquez, Kilpatrick, McGill, Novak.

Absent: Mayor Kennedy O'Brien

Others Present: 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 Buchanan moved the following minutes be approved, subject to correction if necessary:

- ✎ March 25, 2019 - Regular Meeting & Agenda Session
- ✎ March 6, 2019 - Receipt of Bids
(Godwin Dri-Prime Edison or Equivalent Critically Silenced Tow Behind Bypass Pump)

Seconded by Councilwoman Kilpatrick

Roll Call: Voice Vote, all Ayes.

- **PROCLAMATION & PRESENTATIONS:**

- a) **PRESENTATIONS TO**

- ✦ **SAYREVILLE BOMBERS VARSITY CHEERLEADING TEAM FOR PLACING 1ST IN THE LARGE VARSITY ALL MUSIC DIVISION OF THE NJCDCA STATE CHEERLEADING CHAMPIONSHIP**

Yazmin Agostini, Lauren Alcasid, Katelyn Barbosa, Emily Calantoni, Alanni Crump, Kayla Damoah, Jillian Greene, Amaya Holon, Dorian Kaiser, Caroline Koniarski, Alyse Lerner, Amanda Lesi, Sungao Macauley, Madison Miller, Amanda Mozdzen, Alyssa Mullican, Jessica Redding, Haley Redding, Gabrielle Titone, Brielle Trinidad, Christa Winkler, Jenna Wrubel and Nina Zurick.

- ✦ **SAYREVILLE MIDDLE SCHOOL CHEERLEADING TEAM FOR PLACING 1ST IN THE NJCDCA STATE CHEERLEADING CHAMPIONSHIP MIDDLE SCHOOL DIVISION**

Amarys Aleman, Caydence Barton, Rachel Cruz, Lilliana Dacunha, Stephanie Deoliveira, Madison Dougherty, Christine Fritz, Jasmine Gonzalez, Emma Hochron, Mya Jackson, Jaden Kaiser, Laci Kent, Sara Lorentz, Abigail Lukie, Jayden Mann, Crystal Margotta, Aaliyah Mason, Emma Milne, Alycia Miller, Danielle Newsome-Decarlo, Isabella Negron, Alyssa Palanca, Gianna Pesci, Kylie Pesci, Leah Pavlik, Kylie Taechler, Sara Torino, Megan Zsorey.

After each certificate was handed out by the Coaches each member of the Council congratulated both teams for their accomplishments and how they made Sayreville proud.

- b) Girl Scout Troop #80534

Lexie Lynsky, Cadette with Troop 80534 Requested permission to place Library Boxes throughout the town. She explained that a free Library is a small box with books. She presented one of the six they had built and painted themselves. She said that a few of the locations that they are looking to place these boxes at are Veterans Park, Kennedy Park, Waterfront Park, Julian Capik Nature Preserve, Corner of Sayreville Blvd. & Washington Rd., NJ Transit Bus Shelter, Corner of Sayreville Blvd. & South Washington Road. They are hoping this will encourage people to read and that it will make Sayreville a friendlier place to live.

Katia Krauss said that they need to get these locations approved and requested help putting them on posts and installed in the ground.

Kira Steeber requested permission to plant native bee and butterfly friendly plants around the bottom of the free library.

Councilwoman Kilpatrick congratulated the girl scouts on the wonderful job they did on this project. She said that she is 100% behind this project. She then questioned the bee friendly plants they requested permission for.

Councilwoman Novak also supported this cause but stated that no one that sits at the dais would know what the box needs to be secure to the ground.

The engineer stated that they should work with the Dept. of Public Works to secure installment.

c) PROCLAMATION

**★ PROCLAIMING THE MONTH OF APRIL, 2019 AS
SEXUAL ASSAULT AWARENESS MONTH.**

Proclamation

WHEREAS, Sexual Assault Awareness Month and the observance of “Denim Day” are intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of Middlesex County, including lifelong mental health impact; and

WHEREAS, Sexual Assault, sexual abuse, and sexual harassment greatly impact our community as statistics indicate 1 in 4 girls and 1 in 6 boys are sexually abused before age 18 with many more experiencing other types of sexual violence in their adult life; and

WHEREAS, Prevention is possible so we must work together to educate our community about what can be done to stop sexual violence while supporting survivors; and

WHEREAS, Staff and volunteers of anti-violence and prevention programs in Middlesex County including the Middlesex County Center for Empowerment and Sexual Violence Prevention Coalition encourage every person to speak out when witnessing acts of violence, however small, and to challenge the social norms that continue to perpetuate a culture of violence; and

WHEREAS, the New Jersey Sex Crimes Officers Association and the Middlesex County Sex Crimes Liaison Officers in connection with the Middlesex County Prosecutor’s Office are dedicated to ensuring the effective investigation and prosecution of sex crimes in our community through interagency collaboration and training; and

WHEREAS, with leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in Middlesex County through increased awareness, prevention education focused on increasing gender equity, healthy relationships, and bystander intervention, and holding perpetrators who commit acts of violence responsible for their actions; and

WHEREAS, throughout the month of April, Middlesex County strongly supports the efforts of national, state and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is; how to prevent it; how to help survivors connect with services; and how every segment of our society can work together to better address sexual violence; and

NOW, THEREFORE, I, Kennedy O’Brien, Mayor of the Borough of Sayreville, in collaboration with Middlesex County do hereby proclaim April 2019 as Sexual Assault Awareness Month and that we join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence and encourage the observation of Denim Day on Wednesday, April 24th, 2019.

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 8th day of April, 2019 and the same duly attested by the Municipal Clerk.

Kennedy O'Brien, Mayor

Attest:

/s/ Theresa A. Farbaniec, R.M.C. Municipal Clerk

Mayor called for the next order of business.

• **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

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

Council President Buchanan opened the meeting to the public on Ordinance #447-19.

There were no appearances.

Council President called for a motion to close and adopt.

Councilman McGill moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons McGill, Dalina, Enriquez, Kilpatrick, Novak, all Ayes. Carried.

BOND ORDINANCE NUMBER Ord. 447-19

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 423-18 HERETOFORE FINALLY ADOPTED ON JULY 23, 2018 ENTITLED, "BOND ORDINANCE PROVIDING FOR HERCULES VILLAGE WATER IMPROVEMENTS IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION", TO INCREASE THE APPROPRIATION THEREIN BY \$110,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$110,000 TO FINANCE THE ADDITIONAL COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The bond ordinance of the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Borough"), finally adopted by the Borough Council of the Borough on July 23, 2018, numbered 423-18 and entitled, "BOND ORDINANCE PROVIDING FOR HERCULES VILLAGE WATER IMPROVEMENTS IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION," (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$110,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-47(a) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$110,000 from \$675,000 and shall equal the aggregate principal amount of \$785,000,

said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, additional negotiable bonds or notes of the Borough in the amount of \$110,000 are hereby authorized to be issued by the Borough. Therefore, the total authorization of negotiable bonds or notes to be issued by the Borough for the improvements or purposes stated in Section 3(a) of the Original Ordinance shall be increased by \$110,000 from \$675,000 and shall equal the aggregate principal amount of \$785,000.

SECTION 4. An additional amount of \$70,000 for items of expense listed and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described, thereby increasing the total expenses permitted under N.J.S.A. 40A:2-20 from \$82,500 to \$152,500.

SECTION 5. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized by the Original Ordinance, as amended and supplemented, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in the Original Ordinance, as amended and supplemented, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 3(a) of the Original Ordinance, as amended and supplemented, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 5 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and

such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$110,000 and the said obligations authorized herein will be within all debt limitations prescribed by said Local Bond Law.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, and paid prior to the issuance of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 11. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: March 25, 2019**

/s/ Theresa A. Farbaniec, RMC
Clerk of the Borough of Sayreville

/s/ Dave McGill, Councilman
(Admin. & Finance Committee)

**ADOPTED ON SECOND READING
DATED: April 8, 2019**

/s/ Theresa A. Farbaniec, RMC
Clerk of the Borough of Sayreville

/s/ Dave McGill, Councilman
(Admin. & Finance Committee)

APPROVED BY THE MAYOR ON APRIL 11, 2019.

/s/ KENNEDY O'BRIEN, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

/s/ MICHAEL DUPONT, ESQ.
Borough Attorney

b) Appointments

Council President Buchanan made a **motion to appoint** Elyse Barone to the Recreation Advisory Board. Motion was seconded by Councilwoman Novak.
Roll Call: Voice Vote, all Ayes.

Council President Buchanan made a **motion to appoint** Robert Havens to the Recreation Advisory Board. Motion was seconded by Councilwoman Novak.
Roll Call: Voice Vote, all Ayes.

• **NEW BUSINESS:**

a) Introduction of the following ordinances:

Municipal Clerk Farbaniec read the heading introducing the following Ordinances:

ORDINANCE 448-19

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

Councilman Dalina moved Ordinance #448-19 be approved on first reading, advertised according to law and a public hearing be held on May 13, 2019. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Dalina, Buchanan, Enriquez, Kilpatrick, McGill, Novak, all Ayes.

ORDINANCE #449-19

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

Councilman Dalina moved Ordinance #449-19 be approved on first reading, advertised according to law and a public hearing be held on May 13, 2019. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Dalina, Buchanan, Enriquez, Kilpatrick, McGill, Novak, all Ayes.

ORDINANCE #450-19

AN ORDINANCE SUPPLEMENTING AND AMENDING ARTICLE III OF CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT AFFORDABLE ACCESSORY APARTMENTS IN THE OFFICE/SERVICES OVERLAY ZONE

Councilman Dalina moved Ordinance #450-19 be approved on first reading, advertised according to law and a public hearing be held on May 13, 2019. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Dalina, Buchanan, Enriquez, Kilpatrick, McGill, Novak, all Ayes.

ORDINANCE #451-19

AN ORDINANCE ADOPTING THE RIVER ROAD REDEVELOPMENT PLAN AMENDMENT

Councilman Dalina moved Ordinance #451-19 be approved on first reading, advertised according to law and a Public Hearing be held on May 13, 2019. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Dalina, Buchanan, Enriquez, Kilpatrick, McGill, Novak, all Ayes.

CONSENT AGENDA RESOLUTIONS

Council President Buchanan opened the meeting for any questions or comments on **Consent Agenda Resolutions.**

There being no questions or comments, he made a motion to close the public portion and approve the Consent Agenda Resolutions on Roll Call Vote. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Dalina, Enriquez, Kilpatrick, McGill, Novak, all Ayes.

RESOLUTION #2019-102

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/ Victoria Kilpatrick
Councilwoman

/s/ Kevin Dalina
Councilman

/s/ Dave McGill
Councilman

/s/ Damon Enriquez
Councilman

/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 April 8, 2019 in the amount of \$8,551,579.35 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).

RESOLUTION #2019-103

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 in Contract Change Order No. 1:

- Project: Hercules Village Area Water & Sanitary Sewer Improvements
- Contractor: Z Brothers Contracting
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Increase: \$40,000.00
- 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 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
(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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-104

WHEREAS, the following applicant has applied for one trailer license to be used as a temporary construction trailer:

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
The Whiting-Turner Contracting Co.	1 Temporary Construction Office Trailer	Block 257, Lot 3.04 1000 Chevalier Ave. North American Properties

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate three trailers for temporary storage use on the above-captioned property.

/s/ Kevin Dalina, Councilman
(Planning & 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.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION # 2019-105
**A RESOLUTION APPROVING AND AUTHORIZING THE ISSUANCE
OF A SPECIAL EVENT PERMIT TO DARUL ARQAM SCHOOL
TO HOLD A PRAYER SERVICE**

WHEREAS, Darul Arqam School has requested permission from the Mayor and Council of the Borough of Sayreville to conduct a prayer service at Kennedy Park on June 4, 2019; and

WHEREAS, it is the belief of the governing body that these events provides activities which are family and community oriented;

WHEREAS, the Mayor and Borough Council agree that the event proposed will enhance community spirit; and

WHEREAS, the Darul Arqum School must notify the Sayreville Police Department, the Department of Public Works, the Recreation Department and the Sayreville Emergency Squad seven (7) days prior to the event; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Darul Arqum School is hereby granted permission to hold this Special Event and that a permit be issued for a prayer service to be conducted on June 4, 2019 from 9:30 A.M. – 1:00 P.M. at Kennedy Park and that any associated services through the Department of Public Works or Police Department in which fees have incurred will be billed at a later date after the event.

BE IT FURTHER RESOLVED that the Bond requirement is hereby waived for this event and that they adhere to the following recommendations made by the Sayreville Police Department must be in a report to the Mayor and Council dated February 20, 2019 must be fully complied with:

- Hire four (4) police officers for traffic and crown control
- Proper Parking
- Parking around Tennis Courts and Recreation programs may not be used.
- Once parking has reached capacity, Kennedy Park will be restricted to all vehicles.

/s/Damon Enriquez, 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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2019-106

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: **Rebecca Garbowski**

POSITION: Personnel Director

DEPARTMENT: Admin. & Finance

EFFECTIVE: February 25, 2019

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, 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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-107

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: **Fallon Jasovsky**
POSITION: Clerk I
EFFECTIVE: April 15, 2019

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

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
Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-108

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized to purchase one (1) 2019 Chevrolet Tahoe from Mall Chevrolet of Cherry Hill, NJ, through the Cranford Police Department Cooperative Pricing Program, #47CPCPS Contract #18-01 in an amount not to exceed \$36,900.00.

/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, Esq.
Borough Attorney

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-109

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to purchase seventy-six (76) police safety vests from Samzie’s Uniforms, 28 Scotch Road, Ewing, NJ through New Jersey State Contract #T-0106/A81348 in an amount not to exceed \$77,679.60.

/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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-110
RESOLUTION AUTHORIZING THE AWARD
OF A NON-FAIR AND OPEN CONTRACT

WHEREAS, the Borough of Sayreville has a need to acquire firearms through a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

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

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

WHEREAS, Witmer Public Safety Group of Coatesville, PA 19320 has indicated they will provide the necessary firearms for the Borough of Sayreville; and

WHEREAS, Witmer Public Safety Group has completed and submitted a Business Entity Disclosure Certification which certifies that Witmer Public Safety Group 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 Witmer Public Safety Group 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 Witmer Public Safety Group 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/ 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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-111

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to purchase firearm holsters and related accessories from Atlantic Tactical, 14 Worlds Fair Drive, Somerset, NJ 08873, through NJ State

/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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-112

WHEREAS, the Borough is presently the owner of a vehicle which is no longer required for public use; and

WHEREAS, it has been determined that the best interest of the Borough will be served by disposing of said vehicle to the highest bidder;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED:

- 1) That the Qualified Purchasing Agent of the Borough of Sayreville is hereby authorized and directed to advertise for the receipt of bids for the said vehicle.
- 2) The said notice of sale shall describe said vehicle and state when and where same may be inspected.
- 3) Notice shall state that the borough reserves the right to reject any and all bids at their sole discretion.
- 4) All items will be sold on an "as is and where is" basis.
- 5) The identity of the motor vehicles are as follows:

Year	Make & Model	VIN
1989	- Freightliner Tandem Dump Truck	- #1FVX1UYBXKH408555

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-113
RESOLUTION AUTHORIZING THE AWARD OF A
NON-FAIR AND OPEN CONTRACT FOR A 24' x 32' POLE BARN

WHEREAS, the Borough of Sayreville has a need to acquire one (1) 24' x 32' Pole Barn through a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5* and,

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

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

WHEREAS, Pioneer Pole Buildings, Inc. of Schuylkill Haven, PA has indicated they will provide one (1) 24' x 32' Pole Barn for the Borough of Sayreville; and

WHEREAS, Pioneer Pole Buildings, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Pioneer Pole Buildings, 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 Pioneer Pole Buildings, 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 Pioneer Pole Buildings, 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/ Mary J. Novak
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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-114

WHEREAS, on March 6, 2019 the Borough of Sayreville accepted Bid Proposals for Contract #2018-1 for One (1) Godwin Dri-Prime CD150M or Equivalent Critically Silenced Tow Behind Bypass Pump; and

WHEREAS, The Mayor and Council feel it would be in the best interest of the Borough to substantially revise the specifications for this bid.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council that all bids received on March 6, 2019 for "One (1) Godwin Dri-Prime CD150M or Equivalent Critically Silenced Tow Behind Bypass Pump" be and the same are hereby rejected and the Municipal Clerk is hereby authorized and directed to return bid security and to re-advertise for same.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-115

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a certification in order to comply with the requirements associated with N.J.A.C. 7:26A-11 for the 2018 and 2019 Recycling Rules and Standards for Municipalities.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTIONS READ IN FULL:

RESOLUTION #2019-116

BE IT AND IT IS HEREBY RESOLVED, that the Water & Sewer Director is hereby suspended without pay, effective immediately in accordance with Borough of Sayreville Ordinance #10-5.3.

/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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-117

BE IT AND IT IS HEREBY RESOLVED, that VERITA, LLC is hereby appointed as an investigator to handle an employee complaint investigation, at a fee not to exceed \$7,500.00.

/s/ Kevin Dalina, 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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Mary J. Novak
Councilwoman

- **CFO – Denise Biancamano** – None
- **BOROUGH ENGINEER -Jay Cornell** - None

- **BOROUGH ATTORNEY - Michael DuPont**

Borough Attorney Mike DuPont stated that resolutions would be necessary for items 1 & 2 and request authorization to have them place on the consent Agenda Resolutions for the April 22, 2019 meeting agenda and that these are all in accordance with the COAH Special Master review and comments.

- 1) Resolution to appropriate funds or bonds in the event of a shortfall in funding for the Borough's Affordable Housing Programs.
- 2) Resolution adopting the 'Affirmative Marketing Plan' for the Borough of Sayreville.

Borough Attorney DuPont said that there would need to be a vote of the Council tonight on item 3 referring the Amendment to the Waterfront Redevelopment Plan to the Planning board and that there would be a resolution Memorializing the Council's action at the next meeting.

- 3) SERA – Authorization to refer the Amended Waterfront Redevelopment Plan to the Planning Board.
(Amendments to the Riverton Redevelopment Plan)

Councilwoman Novak made a motion referring Item 3 to the Planning Board. Seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Novak, Buchanan, Dalina, Enriquez, Kilpatrick, McGill.

- **PUBLIC PORTION & ADJOURNMENT**

At this time Council President Buchanan opened the meeting up to the public for any questions or comments.

Those appearing were:

- Jim Robinson, 11 Borelle Square.

Questioned when the public hearing would be held on the Ordinances and who he should direct questions to.

The Borough Attorney clarified that the Public Hearing would be scheduled for May 13, 2019 and that he can send his questions to the Borough Clerk.

Mr. Robinson said that with respect to Camelot II and the Concept Plan in that there is no pool in this plan and that playgrounds are listed as Permitted Accessory Uses and not mandated.

The Borough Attorney asked that he e-mail his questions or comments to himself or the Borough Clerk for further review.

- Red Jankowski, South Edward

Complained of a drainage problem he has been having with the roadway in front of his home. Issues are sinking, standing water and freezing.

Matter was referred to the DPW Director

- Patty Talbert-Creitner, Melrose-Lower Oak St.

Complained about problems she and her neighbors are having with patrons of Club 35. Street is a poorly marked Dead End. Frequent hit and run accidents. Cars are side swiped, mirrors knocked off, etc. For quality of life she asked for guard rails, signs, lighting.

Council President Buchanan asked the Police Chief to have this matter investigated.

No further questions or comments from the public.

Mr. Frankel asked the Police Chief to come forward and address the council with regards to the change in the Table of Organization in the Police Dept.

Police Chief Zebrowski stated that they would like a change in the Table of Organization for the police dept. in order to accommodate the ever changing community. This would include additional positions of supervision.

The change would allow them to have a fully functioning Community Outreach Bureau. He said that they have a number of wonderful programs and a number of officers promoting those programs. The problems is that they have so many programs they are looking to be able to manage them better. So, in order to do so they would like a change in the Table of Organization. This will add two additional spots in a Special Community Projects Bureau. They would need to add two additional positions of rank. One would be a Lieutenant and one would be a Sergeant to go along with the patrol officer and other officers involved in these programs. The change would be in the Uniform Divisions. He said that the change in the Table of Organization would need to be done by Ordinance.

Council President said that they are on board with the Chief but at this point they are asking for back-up data on cost for the next meeting. He said that the item would be placed on the next agenda for discussion again.

The Borough Attorney stated that they would need to go into Closed Session.

- **EXECUTIVE SESSION** – Personnel

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 30 minutes to discuss the following matters:

- Personnel
- Contract Grievance Matter

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/ Mary J. Novak, Councilwoman

APPROVED:

/s/ Daniel Buchanan, Council President

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

Roll Call: Voice Vote, all Ayes.

Time: 7:56 PM

Reconvene:

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

Roll Call: Voice Vote, all Ayes. - Time 9:19 PM

FURTHER ACTION:

Mr. DuPont stated that a letter had been filed by employee Bruce Totten to resign and/or retire which the council is hereby accepting this evening.

Council President Buchanan moved to accept the resignation/retirement of Mr. Totten. Motion was seconded by Councilwoman Kilpatrick. - Receive & File.

Mr. DuPont read the following Resolutions in Full:

RESOLUTION #2019-116

BE IT AND IT IS HEREBY RESOLVED, that the Water & Sewer Director is hereby suspended without pay, effective immediately in accordance with Borough of Sayreville Ordinance #10-5.3.

/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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

Council President moved the Resolution be adopted. Seconded by Councilwoman Novak.

At this time Council President Buchanan opened the meeting up to the Public on this resolution.

Those appearing were:

Bob Smith, W/S Director

Asked why and under what grounds he was being suspended.

Labor Attorney Mr. Merryman said that at this is a personnel action and the employee was RICE noticed and did not request anything be discussed in public. He said that it would not appropriate for the Mayor and Council to discuss any of the particulars with respect to a personnel matter.

Bob Smith questioned his rights to discuss his employment.

Mr. Merryman said that there are rights under the terms of the ordinance that were sited and through the Administrator. He said he would be notified in writing as to how this will be handled.

He asked about his rights to be in the Executive Session.

Mr. Merryman stated that it was a closed session discussing personnel items, so he would not have a right to be there.

Mr. Smith said that he would like to keep his personal matters quiet and not discussed in open. Thought he would be able to speak to the whole council in closed session defending himself.

Mr. Merryman reiterated that he would be advised in writing and be notified as to the specific procedure going forward. He also explained in detail the rights he had with regards to the matter being discussed.

Mr. Smith asked if there were any questions the Council may have of him that he may clarify. He went on to say how he tried to do the best for the department and the residents. Felt he took an active roll in all the departments. Explained his success and experience he has in this field and the direction he was trying to provide. If someone is contacted by an employee he would appreciate a call for his information. He made further comments regarding the employees and he as a Dept. Head.

Mr. Merryman said that he will receive something from Mr. Frankel tomorrow.

- Jessica Sellitto, Bob Smith's secretary

Commented that she felt the council is making a big mistake. Spoke in support of Bob Smith.

- Rosie Caramella, Water Dept. employee

Spoke in favor of Bob Smith.

-Jeremy Clark, Water Treatment Plant employee

Spoke in support of Bob Smith

No further questions or comments. Councilwoman Novak moved the Public Portion be closed. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes. Carried.

Motion to adopt was made and seconded earlier. Council President called for Roll Call:

Roll Call: Ayes – Councilpersons Buchanan, Dalina, Enriquez, Kilpatrick, McGill, Novak.

Nays - None

Borough Attorney read the following Resolution:

RESOLUTION #2019-117

BE IT AND IT IS HEREBY RESOLVED, that VERITA, LLC is hereby appointed as an investigator to handle an employee complaint investigation, at a fee not to exceed \$7,500.00.

/s/ Kevin Dalina, 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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Mary J. Novak
Councilwoman

At this time Council President Buchanan opened the meeting to the Public for questions or comments.

There being none, Councilwoman Novak moved the Public Portion be closed and the Resolution adopted on Roll Call Vote. Motion was seconded by Councilman Dalina.

Roll Call: Ayes – Councilpersons Dalina, Enriquez, McGill, Novak.
Nays - None
Abstention - Councilpersons Buchanan and Kilpatrick.

ADJOURNMENT

No further business, Councilwoman Novak moved to adjourn.
Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all ayes.

Time: 9:40 P.M.

Respectfully submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved: _____