

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

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this April 27, 2020 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Dalina(telephone), Enriquez(telephone), Maher, McGill(telephone), Roberts.

Absent: Councilwoman Mary J. Novak

Others Present: Mayor Victoria Kilpatrick  
Daniel E. Frankel, Business Administrator (telephone)  
Denise Biancamano, C.F.O./Treasurer (telephone)  
Jessica Morelos, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney (telephone)  
Jay Cornell, P.E., Borough Engineer (telephone)  
Nicole Waranowicz, Asst. Municipal Clerk

Others Absent: None

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

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

Councilwoman Roberts moved the following minutes be approved, subject to correction if necessary:

☞ April 13, 2020 - Regular & Agenda Sessions

Seconded by Councilwoman Maher.

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

- **PROCLAMATION & PRESENTATIONS – COVID-19 Update**

Mayor Kilpatrick stated that Freehold Director Rios wanted to put on record all the hard work that the mayors and council members are doing during this trying time. She stated in Middlesex County there were 256 new positive cases today, for a total of 11,062 within the county so far. She stated the total death county so far is 402. Mayor stated that within the state we are starting to see a flattening of the COVID-19 curve. She stated that in Middlesex County have made a strong effort to combat the virus by increasing the testing. She stated there is a new testing site opening up on Thursday which will be a saliva walk up test in New Brunswick with 200 tests a day. Mayor stated that one of the things we need to look at locally is how we are going to get money and funding from the Federal government into our local municipality. She stated as we start to see the financial impact of COVID-19, we don't know where are revenues are going to be and need to make sure we get as much assistance as we can from the State and Federal governments. She stated that tonight the borough has 9 additional new positive cases. Mayor stated that we have a total of 16 fatalities so far. She stated that the local numbers are updated every day once they have been vetted by our local Police Chief and OEM and those numbers are 100% true and accurate. Mayor stated that Fort Grumpy will remain closed. She stated that none of the employees have tested positive for COVID-19.

- **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 #500-20.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #500-20.

There were no appearances.

**Councilwoman Roberts moved the Public Hearing be closed the Ordinance be adopted on second and final reading and advertised according to law.  
Seconded by Councilwoman Maher.**

**Roll Call: Councilpersons Roberts, Dalina, Enriquez, Maher, McGill, all Ayes.**

**ORDINANCE #500-20**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXXIII OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION  
33-11 "TOTALLY DISABLED VETERAN'S TAX EXEMPTION"**

**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:

**Section 1.** This Ordinance amends Chapter 33 of the Revised General Ordinances of the Borough of Sayreville by adding Section 33-11 entitled, "Totally Disabled Veteran's Tax Exemption" as follows:

**33-11 TOTALLY DISABLED VETERAN'S TAX EXEMPTION.**

a. The Borough of Sayreville will allow for either a veteran or surviving spouse of a veteran to obtain municipal property tax relief upon proper claim. An eligible veteran shall be defined as a member of the armed forces who was ~~either~~ honorably discharged or released under honorable circumstances from active service in the time of war ~~or~~ **and** has been declared by the United States Veterans Administration to be One Hundred (100%) percent, permanently disabled.

**Section 1.** The Borough Tax Assessor, together with all other appropriate officers and employees, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

**Section 2.** All ordinances of the Borough of Sayreville which are inconsistent with the provisions of this Ordinance hereby repealed as to the extent of such inconsistency.

**Section 3.** In any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

**Section 4.** This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Thirty Three, Tax Exemptions**

**and Abatements**, of the Revised General Ordinances of the Borough of Sayreville, shall also 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.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: April 13, 2020

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

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

**ADOPTED ON SECOND READING**

DATED:

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

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

**APPROVAL BY THE MAYOR ON THIS 27<sup>th</sup> DAY OF April, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

Public Hearing on Ordinance #501-20.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #501-20.

There were no appearances.

**Councilwoman Roberts moved the Public Hearing be closed the Ordinance be adopted on second and final reading and advertised according to law.  
Seconded by Councilwoman Maher.**

**Roll Call: Councilpersons Roberts, Dalina, Enriquez, Maher, McGill, all Ayes.**

**ORDINANCE #501-20**

**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #435-19  
FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS  
AND EMPLOYEES FOR THE YEARS 2020 – 2022**

(New Title)

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #435-19 and made part hereof.

**Borough of Sayreville – AFSCME Salary & Wage Schedules**

**2020**

WATER REPAIRER III

A	B	1	2	3	4	5	6	7	8
52,019	54,657	57,324	68,775	72,720	77,027	77,582	78,498	79,334	80,362

**2021**

WATER REPAIRER III

A	B	1	2	3	4	5	6	7	8
53,450	56,160	58,900	70,666	74,720	79,145	79,716	80,657	81,516	82,572

**2022**

WATER REPAIRER III

A	B	1	2	3	4	5	6	7	8
54,920	57,704	60,078	72,080	76,214	80,729	81,310	82,270	83,146	84,843

**SECTION 2. Severability Clause.**

If any article, section, 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 or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: April 13, 2020

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

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

**ADOPTED ON SECOND READING**

DATED: April 27, 2020

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

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

**APPROVAL BY THE MAYOR ON THIS 27<sup>th</sup> DAY OF April, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

• **NEW BUSINESS:**

Mayor stated that she wrote a memo to the business administrator concerning the budget and requested the budget be decreased by at least 25%.

Councilwoman Maher stated that she agrees with it and the fact that the Mayor is acknowledging that some residents are falling on hard times right now and may not be able to incur higher taxes.

Councilman Dalina agreed that it needs to be looked into and to benefit our residents going through hard times.

Councilwoman Roberts agreed and stated there are places that we are going to have to make hard decisions.

Councilman Enriquez agreed with what everyone is stating.  
Councilman McGill agreed and stated these are extraordinary times right now.

Mayor stated that an opportunity came up and that we will be able to provide voluntary testing to all our 1<sup>st</sup> responders if agreed through the help of the Jewish Renaissance Center. She stated they would come into our municipality to test them and could handle up to 200 tests a day. Mayor stated if we have open slots, she suggested that the essential employees get tested.

Councilwoman Roberts stated it was offered free of charge and is a standard test that is approved. She stated as long as the 1<sup>st</sup> responders are on board then she's on board.

Councilwoman Maher stated that this is a no brainer and a wonderful opportunity.

Councilman Dalina stated that is something to keep our responders safe.

Councilman Enriquez stated that it's a great idea.

Councilman McGill stated that it's a fantastic idea and thanked the members of the Jewish Renaissance for getting involved in this. He stated he would love to see the employees of public works and water department to get tested as well.

Mayor stated that the Business Administrator can contact the Police Chief to get the testing started.

### **CONSENT AGENDA RESOLUTIONS**

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

There were no appearances.

Councilwoman Maher made a motion to close the Public Portion and adopt the Consent Agenda Resolutions. Seconded by Councilman McGill.

Councilwoman Roberts asked for clarification on Resolution #2020-102. She stated the permits are for the Waterfront Redevelopment and all permits will be available for the public and meant to streamline the timeline of those permits.

Mayor stated these permits would go through SERA before the Business Administrator signs them.

Borough Attorney DuPont stated that this resolution is strictly for permitting purposes and not to change any landscaping, site plan or anything of that nature. He stated that Mr. Frankel will provide any and all copies of permits that have been requested.

Councilwoman Roberts stated that the contract for Basic Life Support Service and Emergency Medical Transport Services with Hackensack Meridian Health is for one year. She stated the primary reason we are going to continue with them without the review is because of the situation we are in. She stated that the circumstances we are in it makes more sense to stay with them.

Councilwoman Maher stated for clarification that you do have a choice of what hospital you want to go to.

Mr. Frankel stated that was in their proposal and the problem we are having right now with this pandemic is that the ambulance services know which hospitals are full and not full. He stated the resident always has the choice but to make sure the health, safety and welfare of the resident, Hackensack Meridian does know which hospitals can get someone in faster.

Mayor stated that also goes for the volunteer services.

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

### **RESOLUTION #2020-98**

**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;

APRIL 27, 2020  
REGULAR MEETING

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that all bills properly verified according to law and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

/s/Victoria Kilpatrick, Mayor

/s/Kevin Dalina, Councilman

/s/David McGill, Councilman

/s/Damon Erniequez, Councilman

Absent  
Mary J. Novak, Councilman

/s/Michele Maher, Councilwoman

/s/Donna Roberts, Councilwoman

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

/s/Michael DuPont, Borough Attorney

**Bill list of April 27, 2020 in the amount of \$38,385.00 in a separate Bill List File for 2020 (See Appendix Bill List 2020-A for this date).**

*Person to Person Transfer*

**RESOLUTION 2020-99**

**WHEREAS**, an application has been received by the Municipal Clerk for a person to person transfer of Plenary Retail Distribution License #1219-44-061-005, heretofore issued to Devta, LLC located at 2909 Washington Road, Parlin, NJ.

**WHEREAS**, said application is complete in all respects, the transfer fees have been paid, the applicant has disclosed with the issuing authority the source of all funds used in the purchase of said license and business and the license has been properly renewed for the current license term;

**WHEREAS**, the applicant has duly advertised in the Home News Tribune on March 20, 2020 and March 27, 2020, as required by law, and has produced proof of publication as to such advertising; and

**WHEREAS**, no objections or protests have been made with regard to said transfer; and

**WHEREAS**, all other necessary requirements have been fulfilled and proper investigations have been made, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sayreville does hereby approve, the **transfer of Plenary Retail Distribution License #1219-44-061-005 now held by Devta, LLC, to Winecraft NJ, LLC** and that the Municipal Clerk is hereby authorized to endorse the license certificate to the new ownership, subject to all its terms and conditions, **effective April 28, 2020.**

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

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

/s/Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-100**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH TO ADVERTISE FOR THE RECEIPT OF BIDS FOR ABANDONED VEHICLES**

**WHEREAS**, the Borough of Sayreville Police Department is in possession of approximately seventeen (17) vehicles that have been abandoned by the owners; and

**WHEREAS**, it is the policy to advertise a Public Sale by a Public Agency; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the Borough Clerk is authorized to place a Legal Notice requesting the receipt of bids for the aforesaid abandoned vehicles in possession of the Borough of Sayreville Police Department.

/s/David McGill, 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 R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-101**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ESTABLISHING A STORM RECOVERY RESERVE FUND IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40a:4-62.1**

**WHEREAS**, the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey (hereinafter referred to as "Sayreville") believes it is appropriate and necessary to establish a Storm Recovery Reserve Fund in accordance with the provisions of N.J.S.A. 40A:4-62.1; and

**WHEREAS**, the purpose of the Storm Recovery Reserve Fund is to provide funds in reserve to be utilized for any purpose related to storm recovery; and

**WHEREAS**, Sayreville believes it is appropriate and necessary to establish this storm reserve fund in order to protect the interests of the citizens of Sayreville.

**NOW, THEREFORE, BE IT RESOLVED** this 27<sup>th</sup> day of April, 2020, by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. In accordance with the aforementioned statutory authority, Sayreville hereby establishes a Storm Recovery Reserve Fund.

2. Sayreville authorizes and directs the Mayor, Borough President, Borough Clerk and Borough CFO to execute any and all necessary documents implemented with the intent of this Resolution.

APRIL 27, 2020  
REGULAR MEETING

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

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

/s/Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-102**

**RESOLUTION OF THE SAYREVILLE BOROUGH COUNCIL AUTHORIZING ITS BUSINESS ADMINISTRATOR TO SIGN CERTAIN DOCUMENTS AND TAKE CERTAIN ACTIONS IN FURTHERANCE OF REMEDIATION ACTIVITIES WITHIN, OR OTHERWISE RELATING TO REDEVELOPMENT OF, THE SAYREVILLE WATERFRONT REDEVELOPMENT AREA**

**WHEREAS**, Sayreville Seaport Associates Urban Renewal, L.P. ("SSA") is the designated Redeveloper for a portion of the Sayreville Waterfront Redevelopment Area ("Site"), title to which is owned in fee by the Sayreville Economic and Redevelopment Agency ("Agency") and leased to SSA pursuant to certain ground lease agreements; and

**WHEREAS**, pursuant to a Remediation Agreement, dated September 25, 2008, along with certain other agreements relating to the remediation of the Site (the "Environmental Agreements"), SSA has agreed to undertake certain remediation obligations ("Remediation Obligations") of the Agency in or about the Site, as more particularly set forth in that certain Memorandum of Understanding, dated September 25, 2008, between the Agency and the New Jersey Department of Environmental Protection.

**WHEREAS**, on February 28, 2019, the Agency approved a concept plan ("the Approve Concept Plan or Plan"), setting forth SSA's proposal for the overall redevelopment of the Site; and

**WHEREAS**, the Borough Planning Board gave Site Plan approval to Phase One of the Plan on May 8, 2019.

**WHEREAS**, SSA is, and will in the future be, required to submit applications and other documents ("Permit Documents") necessary for the issuance of certain permits required to enable SSA's performance of the Remediation Obligations and related tasks in anticipation of redevelopment of the Site in accordance with the Approved Concept Plan ("Environmental Permits"), which Permit Documents will often require the signature, or performance of other ministerial acts, on behalf of the Agency and or the Borough; and

**WHEREAS**, in order to facilitate SSA's timely and continued performance of the Remediation Obligations and related tasks in anticipation of redevelopment of the Site in accordance with the Approved Concept Plan, the Borough wishes to authorize and empower its Business Administrator to execute any Permit Documents, and to take such other ministerial actions as are necessary for the issuance of the Environmental Permits.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sayreville Borough Council that the Borough Council hereby authorizes its Business Administrator, Daniel Frankel, and any person who shall succeed him in such role, without the need for further approval or resolution by the Borough, to execute all Permit Documents on behalf of the Borough, and to perform such other ministerial acts as are necessary for the issuance of any Environmental Permits relating to SSA's performance of the Remediation Obligations or related tasks in anticipation of redevelopment of the Site in accordance with the Approved Concept Plan.



**IT IS FURTHER RESOLVED** that the Mayor, Council President and Business Administrator and Borough Professionals are hereby authorized and directed to take any further action and to execute any documents as may be necessary to effectuate this Resolution.

/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 R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-103**

**BE IT RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to extend a Shared Services Agreement with the Township of Woodbridge for the period of March 1, 2020 through February 28, 2021 for the Opioid Overdose Recovery Program Services in accordance with the terms and conditions set forth in the agreement.

/s/David McGill, 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 R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-104**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, RENEWING THE CONTRACT  
WITH HACKENSACK MERIDIAN HEALTH (JFK)  
EMERGENCY MEDICAL SERVICES**

**WHEREAS**, the Borough of Sayreville executed a contract with Hackensack Meridian Health (JFK) Emergency Medical Services pursuant to Resolution 2019-302; and

**WHEREAS**, the Governing Bod of the Borough of Sayreville wishes to renew that contract for a period of one (1) year; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the appropriate Borough Officials are authorized to execute a contract renewal with Hackensack Meridian Health (JFK) Emergency Medical Services for the period of one (1) year from the date of the original contract.

/s/David McGill, 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 R. DuPont, Borough Attorney

**ATTEST:** **BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

**RESOLUTION #2020-105**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, AUTHORIZING THE  
EXECUTION OF THE SECOND AMENDMENT TO THE  
WATER SUPPLY AGREEMENT BETWEEN RED OAK POWER, LLC  
AND THE BOROUGH OF SAYREVILLE**

**WHEREAS**, Red Oak and the Borough of Sayreville are parties to that certain Water Supply Agreement dated December 1999, and amended on June 16, 2014; and

**WHEREAS**, Red Oak and the Borough of Sayreville now desire to amend the terms of the Water Supply Agreement; and

**WHEREAS**, a Second Amendment to the Water Supply Agreement has been prepared, reviewed by the parties and the terms agreed to; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** the appropriate Borough Officials are authorized to execute the Second Amendment to the Water Supply Agreement between Red Oak Power, LLC and the Borough of Sayreville.

/s/Michele Maher, 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 R. DuPont, Borough Attorney

**ATTEST:** **BOROUGH OF SAYREVILLE**

/s/Jessica Morelos, RMC  
Municipal Clerk

/s/Victoria Kilpatrick  
Mayor

- **CFO - Denise Biancamano - None**
- **BOROUGH ENGINEER - Jay Cornell - None**
- **BOROUGH ATTORNEY - Michael DuPont**  
Borough Attorney DuPont stated he instructed the Business Administrator to send out the report from CME dated April 17, 2020 on Fulton's Landing. He stated in the report it states that Mocco had removed 250 trees without the necessary permits and CME is recommending a fine of about \$95,000.00. He asked for authorization to have Kirk Miick issue the fine based on the report from CME.

Councilman Dalina made the motion to accept the Borough Attorney's recommendation. Seconded by Councilman Enriquez.

Roll Call: Councilpersons Dalina, Enriquez, Maher, McGill, Roberts, 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 appearing were:

- Vince Conti, 4 Yorkshire Place

Mr. Conti questioned if the Borough can force the developer to replant the trees in addition to the fine.

Mr. DuPont responded that he suggests that the Mayor and Council not weigh in on this because there may or may not be litigation.

- Arthur Rittenhouse, 33 Delikat Lane

Mr. Rittenhouse stated that he compliments the Mayor and Council on reviewing the budget and it's a great idea. He thanked the Borough Attorney and CME for the report but was disappointed he didn't receive a copy as he is the chairman of the Shade Tree Commission. He stated that what comes out of this is when we allow a developer to do work without permits. He stated that there should be no further work done on this site until this matter is resolved.

- Steve Melanaski, 28 Scarlett Drive

Mr. Melanaski complimented the Council for looking at the budget because people are going through hard times. He stated that it seems they are doing whatever they want on the Mocco property and that there needs to be some oversight on this property.

Borough Attorney DuPont stated that Mocco did file an application with SERA a few weeks ago, they filed escrow and should be filing revised plans with CME's comments and suggestions. Mr. DuPont stated that most of the worries will be addressed.

Mr. Melanaski stated that SERA is an independent organization and who has the oversight over them.

Mr. DuPont stated that the Borough has the oversight in complying with the ordinance. He stated the matter has been sent to SERA for their review. He stated that Kirk Miick received the report from CME and went out and inspected it. He stated there will be consequences for the ordinances that were violated.

Mr. DuPont stated that the Borough is in complete review and oversight on the project in terms of its ordinances and SERA will be working in conjunction with the Borough to ensure the application and site plan meet the requirements.

- Mike Gannelli, 25 Embroidery Street

Mr. Gannelli questioned who he would speak to about a product his company provides.

Mayor stated that he would need to contact the Business Administrator.

Mr. Gannelli stated that it has to deal with COVID-19.

Borough Clerk read into record comments she received via email from the following:

- Mike Gannelli , 25 Embroidery Street

Is Bailey Park land or water contaminated?

Borough Engineer Cornell responded that he's not aware of any contamination issues.

Has any testing been done to prove the land or water is not contaminated?

Borough Engineer stated he's not aware of any testing.

How many \$500,000 applications were submitted for this green acres project [Bailey Park-Splash Park]?

Mayor Kilpatrick responded that there was only one grant obtained.

Were the application(s) approved?

Mayor responded that one was approved months ago.

When was the motion to apply for the application voted on?

Mayor responded in 2019.

What is the plan for the Bailey Park clean up, including testing, clean up, and certification?

Borough Engineer Cornell responded this is the first time he is hearing about contamination in Bailey Park. Mr. Cornell stated that years ago you were allowed to swim there but years ago the water was determined not safe to swim there. Borough Engineer stated that is the only issue he is aware of.

What is the **total** cost for the clean up?

Mayor responded that we under the assumption there is no cleanup.

What is the plan for the Bailey Park Splash Park construction, including the entire land and water use, include total area(acres), proposed development vs. remaining undeveloped land, driveways, landscaping, play sets, parking, signage, buildings, engineering, architectural, contractors?

Mayor stated that we are not close to being there yet. She stated that we do have the grant money but then COVID-19 came and this has been delayed.

Is the entire Bailey Park going to be developed into a "Splash Park?"

If not what percentage of the existing Bailey Park will remain undeveloped?

And if so, will the undeveloped portion remain contaminated?

If not what steps will be taken to clean up the undeveloped portion of Bailey Park for the public's safety and welfare?

Mayor stated these have been addressed.

What is the **total** cost for the Splash Park construction?

Mayor stated this was addressed.

What is the cost for the maintenance, upkeep, and staff?

Mayor stated this was addressed.

Who is going to pay for maintenance, upkeep, and staff salaries?

Mayor stated this was addressed.

Who pays for any clean up, construction, beyond the \$500,000?

Mayor stated not there yet.

Can the money be returned to the State?

Mayor stated that it probably could be declined but they want the money.

Mr. Gannelli stated that these questions were to clear up a few things and for people to be informed.

**Comment:** Until and unless answers to the above questions are provided, I wish to be heard, and my comments be recorded in the minutes and that it be known to all, that this project should not move forward until all testing of the land and water be conducted and the results shared with the public. Further, all estimates and a comprehensive report detailing all costs associated with all aspects of the land, water, studies of the impact on surrounding neighborhoods, roads, and other infrastructure be conducted and reported to the public.

Thank You.

- Steve Melanaski, 28 Scarlett Drive

Mr. Melanaski stated grants are wonderful as long as we don't have to contribute to them especially now. He recommended to be very cautious when applying for grants.

No further comments.

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

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

- **ADJOURNMENT**

No further business Councilwoman Roberts moved to adjourn. Seconded by Councilwoman Maher.

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

Time 8:16 P.M.

Respectfully submitted,

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Jessica Morelos, RMC  
Municipal Clerk

Date Approved: \_\_\_\_\_