

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**

Assistant Municipal Clerk Morelos announced that this June 26, 2017 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo,
Melendez (via teleconference), Novak,

Absent: None

Others Present: Business Administrator Dan Frankel
Wayne A. Kronowski, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Jessica Morelos, Assistant Municipal Clerk
Michael DuPont, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: Mayor Kennedy O'Brien (excused)

Council President Buchanan stated that the Mayor had been here earlier, however he had taken ill and went to the hospital and wished him well.

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

- None

- **PRESENTATION**

- a) Certificates of Recognition presented to:**

Saki Asai
Sydney Borg
Kate Burns
Karina Cardoso
Emma Halmo
Saanvi Kukreti
Shaylin Laughlin
Nyla Lopez
Samantha Mierzwiak
Molly O'Connor
Mallory Sierra

Sayreville Soccer Association's Girls U9 in recognition of becoming the first girls to be undefeated in EDP Futures Festivals; and for an Outstanding 7-0 undefeated spring season; and for their win in Branchburg and Sayreville Father's Day Tournaments

- b) Presentations to the Governing Body:**

- Rutgers Cooperative Extension Group – Jeremiah Bergstrom
Sayreville Environmental Commission
Borough of Sayreville Floodplain Restoration Implementation
Plan for Weber and MacArthur Avenues. Properties owned by
the State but promised to maintain in perpetuity by the
borough.
Two primary goals:
 - To maximize flood protection for the community
and to protect the residents of Sayreville.
 - To develop a long term sustainable management
strategy plan for restoring and stabilizing the properties
that have been purchased through the Blue Acres
Program.

- To be maintained as open space for passive recreation only and flood plain protection.
He reviewed all of the different strategies and implementation with the council. Beginning with a streetscape plan.

First part of the process is tree planting process along MacArthur Avenue and mowing on a regular basis.

Next year meadow and species management.

Timeline for 2019 and 2020.

Council President asked the council if they had any questions or comments.

None made.

He then asked Art Rittenhouse who was a sponsor of this program to come up.

Mr. Rittenhouse asked for the council's support in approving this strategy plan for the next four years starting this year with the plantings.

Teri Yetsko from the Environmental Commission stated that there are Green Team Members on the Environmental Commission who are researching funding and partnership opportunities.

Borough Attorney Mike DuPont said if no one is opposed he could prepare a resolution for the next meeting authorizing the approval of the Rutgers University Borough's Flood Plan Restoration Implementation Plan dated June 26, 2017, for Phase I – Tree Planting.

- Lisa from CUC

- Report on Receipt of Bids for Energy Aggregation

- (Resolution listed with Consent Agenda Items as authorized on June 12, 2017)

- - Winning Bid was from Constellation
24 Month period
.0948 cents per kilowatt hour

Recommended that the council consider the 24 month extension of the current program. These announcements would only go out to current participating residents.

Business Administrator stated that the council would have to take action tonight due to time restrictions.

Clerk stated that there is a resolution listed on the Consent Agenda because authorization was given last meeting that depending on the bid results the resolution would be listed and the council would vote or pull.

- **OLD BUSINESS:**

- a) Public Hearing on the following Ordinances:

The Borough Attorney announced that Public Hearing on Ordinances #363-17, 364-17, 365-17 and 366-17 will be carried to a later date to be announced because the Special Master associated with these ordinances and the Special Counsel asked that they be postponed until the council meeting on July 24th.

Council President Buchanan commented that we will have a public portion to discuss these issues tonight. He said we received a letter from our COAH Attorney this afternoon requesting that the public hearing on these ordinances be postponed

to a later date but would like to the public input on this topic. So at this point he opened the meeting to the public on all four ordinances.

- Julia Ott, 13 Oakwood Drive

Questioned Councilman Lembo how he could vote on something that would deface the Sayreville. He explained that we are under court order with this whole COAH matter. She asked the number of properties involved and housing units. Council President said 10 properties and Mr. Leoncavallo said 785 Affordable Housing Units. She then questioned how many Market Rate Units Mr. Leoncavallo gave the breakdown per site. He further explained the history on how we got here to date.

Ms. Ott asked Co. Grillo about an article printed in which he said that he voted and thought this was a sensible plan and why he thought so.

Co. Grillo explained that this was brought through the planning board over 18 months ago. He stated that the court ordered the Borough to plan on addressing the number of units that had not been built over the last twenty five years. He said that these would now have to be built on large lots and these large lots are owned by development companies that can build affordable units and as such some need to be re-zoned. He further explained that there are many towns throughout the state that also have to comply with this affordable housing mandate.

She went on to comment about the schools and overcrowding.

- James Robinson, 11 Borelle Square.

Spoke about inclusionary zoning and the number of ways to address affordable housing. Said he supports affordable housing. Objected to poor planning and the density and over development. He spoke about alternative housing, senior units, assisted living and grants could be applied for. He spoke about illegal conversions. Hoped the special planning could look into these options and come up with a plan.

- Bruce Miller, Gorczyca Place.

Spoke about the number of units proposed, the traffic and schools, fire and safety services. Pleaded to the governing body not to let this happen.

Council President Buchanan spoke about the hiring of the special COAH planner that was hired last week and was able to come up with this stay to come up with a better plan.

- Janice Benedetto, 1 Thomas Place

She was the only person on Thomas who received the notice.

They had a meeting and put together a petition with 480 signatures against developing the Cross Avenue/NL Site, opposition to Ordinance #366-17. Requesting the property remain undeveloped as the Melrose Nature reserve and be maintained permanently as open space. She talked about the property size and the planned density.

Response by Co. Novak. Stating that she has consistently voted no on this. She said that this was also put before the Open Space Committee and their recommendation was the borough purchase the property for open space. Followed about a discussion about the funds in Open Space. Further comments made by Council President regarding Open Space.

Ms. Benedetto then questioned the clean-up of the property. Concerned about the contamination and if the property is disturbed, residents will be breathing in the dust.

The engineer stated that it is private property and the state has jurisdiction over the clean-up and the state has a plan.

Requested that council look for other options. Petition filed with the Clerk.

- Ruth Mahoney, 2 Gerard Place

Concerns about the Kaplan properties that are proposed between Main Street and Washington Road. Pedestrian and traffic problems. Taking away PRIME Zone from the area. Parkway entrances and exits.

Also commented on the planning board in the past deciding not to have affordable housing in Towne Lake.

She then commented on the negativity she received from a planning board member at a meeting.

- Mike D'Addio, Chairmen SERA

Stated that the Planning Board should have contacted SERA as to where to build. Said that there is no reason to build market value. Said we would build and we could bond without putting children in the schools, traffic roadways, etc. He felt Sayreville did very good with only 785 Affordable housing requirements. If we build on the property by the senior center in a redevelopment zone with no height restrictions and have a lot of leeway. The borough also owns property they could bond and build on. Stated the planning board did not do its due diligence.

Councilman Lembo commented about Veterans Housing.

Councilman Grillo said that at a special meeting on June 1 the council empowered SERA to come up with a plan and asked if that plan had been prepared.

Mike said that SERA would need to know if it was feasible, if the council wants to go that way and if the judge is okay with it.

- Ken Olchaskey, 108 North Edward Street

He said that a judge is forcing us to do what was supposed to happen years ago in affordable housing. Read article regarding a settlement agreement with the Planning Board and Kaplan regarding age restrictions at Heritage at Towne Lake. Said that the Planning Board is appointed by the Mayor. In 2016 there were no appointments made to the Planning Board.

- Thomas Biesiada, 7 Greenhill Court, Parlin

Stated that George Podolak asked that he present this information. Talked about a letter dated 10/2016 from Joe Kupsch, Chairman of the Open Space Committee. Commenting on an April 4th, 2016 letter reinforcing the immediate action that should be taken to classify open space for this acreage.

People do not want more building here in Sayreville. They do not want Melrose developed. He said to challenge this in court. Stating that Judges do not make laws.

Spoke about housing and ratables.

Asked the council to vote no on these ordinances.

- Katherine Liddick, 8 Gorczyka Pl., Melrose

Expressed her concerns about traffic, school crowding, strain on police, EMS and fire. Asked that the reconsider these ordinances.

- Damon Roxas, 22 Wisniewski Road

Asked who chose these locations. And the time frame involved. The location choices were explained by the Municipal Planner and how Kaplan Org. stepped in as an intervenor and came up with these two properties on the list Kaplan I and Kaplan II. He went on further and explained how the other \ properties were on the list.

Councilwoman Kilpatrick said that it would have been acted on today, if we did not get the letter from COAH Attorney Larry Sachs regarding the need for re-notification.

Borough Attorney Mike DuPont said that the Housing Plan is not complete yet. Based on the Special Master's recommendation for various notice requirements they asked that it be carried.

Councilwoman Kilpatrick expressed her dismay after reading the ordinances in her packet and that the Housing Plan was not adopted.

- Tom Pollando, 15 Oakwod Drive

Asked the status for status of the Mocco property.

Council President told him this public portion was only on the ordinances.

- Julia Ott, 13 Oakwood Drive

Said that at the Jan. 21st Planning Board meeting one of the members called a councilman a fatso, not knowing his mic was on. Told Co. Buchanan that she hoped he received a public apology.

- Jim Robinson, 11 Borelle Sq.

Spoke about a special workshop meeting held on June 1st and was happy about the discussion that took place during that meeting. Said he has asked the Mayor to reach out to Mr. Mocco to include affordable housing. Said they spoke about the property on Ernston Road behind Harbor Club and a trade off for density bonus this could help to reduce our obligation. He stated that this was put in the Master Plan when he and Mr. Newton was on the Planning Board. Asked that they follow the letter of the law.

He commented on how the planning board goes into executive session, stating no resolution is read. January 18 meeting of the planning board they did not have a vote. There was no attempt to amend the Master Plan as required by law and reinforced by the judge last month. Handed in a picture of the Master Plan indicating PRIME Zone.

- Thomas Biesiada, 17 Greenhill Court, Parlin

Commented on the NJ Builders Association paying for the opposition in court on this matter. Suggested purchasing the 22 Acres on Cross Avenue as open space with the Open Space monies. Commented on the Water and Sewer not being able to handle all this housing.

- Janice Benedetto, 1 Thomas Ave., Melrose

Commented on the cost per student to educate and how much it would cost the taxpayers of the town if the marketable units are built and her concerns on the impact on municipal services, EMS, Fire and Police. She questioned on who had the option to purchase the National Lead Property.

Council President Buchanan said the it was PRC/Bob Kaye.

Questioned if the police dept. could provide how many accidents occur on Cross Avenue and Raritan Street per year.

- Frank Musarra, 1072 Bordentown Avenue

Commented on the plan and wanted to know if this plan was moving forward.

No further questions or comments.

Councilwoman Novak moved the public portion be closed. Seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all ayes.

Council President Buchanan thanked everyone for coming out tonight. He went on to comment about what was said by planning board members while mics were hot.

He said that affordable housing has not been done over the years. We were told that the Kaplan property was obligated by the Corzine Ruling but the planning board took it out. He said that he was upset about them not abiding by the rules. He recognized that they are all volunteers. Would like to see that there is proper planning. Councilman Buchanan said that on January 18, Chairman Mr. Tighe stood up and announced that they were going into closed session and the clerk turned off the equipment and they proceeded into closed session. He felt that any action taken during that meeting was void. Again on April 19, No resolution was read to into closed session.

The Borough attorney said that any action taken during and after as it pertained to the item discussed in closed session would be void.

Council President expressed his concerns with regard to procedural action taken and not taken. We need a comprehensive plan that is right for Sayreville.

He thanked everyone again for coming out tonight.

Councilwoman Novak thanked everyone for coming out and pledged that unless this plan significantly changes her vote will be no.

Council President asked for a motion to postpone these four (4) ordinances #363-17, 364-17, 365-17, 366-17.

Motion was made by Councilwoman Novak. Seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez, all Ayes to Postpone ordinances #363-17, 364-17, 365-17 and 366-17 – Postponed.

Council President indicated Resolution #2017-204 listed on the Consent Agenda Resolutions needs to be pulled as it goes together with the ordinances.

Councilwoman Novak made a motion to pull resolution #2017-204, seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

ORDINANCE NO. 363-17 – Postponed until a later date not yet scheduled
AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY TO SUPPLEMENT AND AMEND CHAPTER XXXV,
ENTITLED “AFFORDABLE HOUSING ORDINANCE”, TO IMPLEMENT THE
BOROUGH OF SAYREVILLE HOUSING PLAN ELEMENT AND FAIR SHARE PLAN

ORDINANCE NO. 364-17– Postponed until a later date not yet scheduled
AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY ADDING A NEW SECTION TO CHAPTER XXVI,
SECTION 25-111, ENTITLED “DEVELOPMENT FEE ORDINANCE”,
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

ORDINANCE NO. 365-17– Postponed until a later date not yet scheduled
AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT AFFORDABLE
ACCESSORY APARTMENT IN THE OFFICE/SERVICES OVERLAY ZONE

ORDINANCE NO. 366-17– Postponed until a later date not yet scheduled
AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING ARTICLE III OF
CHAPTER XXVI, LAND DEVELOPMENT, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE TO PERMIT
INCLUSIONARY MULTI-FAMILY DWELLING WITHIN THE PLANNED
RESIDENTIAL DEVELOPMENT DISTRICT OPTION

- **NEW BUSINESS:**

a) Municipal Clerk Farbaniec reported having received the Supplemental Debt Statement from Wayne A. Kronowski, CFO as of June 26, 2017.

Councilwoman Novak made a motion to receive and File. Motion was seconded by Councilwoman Kilpatrick.

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

b) Clerk announced the Introduction of the following Ordinance(s):

ORDINANCE 372-17
**BOND ORDINANCE PROVIDING FOR VARIOUS
ROAD IMPROVEMENTS FOR THE BOROUGH OF
SAYREVILLE, NEW JERSEY, APPROPRIATING \$3,000,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$2,850,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION
(Admin. & Finance – Public Hearing, July 24, 2017)**

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on July 24, 2017. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE 373-17
**AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER VII
“TRAFFIC”, SECTION 7-6 “THROUGH STREETS, STOP
INTERSECTIONS AND YIELD INTERSECTIONS”, SUBSECTION
7-6.1 “THROUGH STREETS”, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE
DESIGNATING WHITEHEAD AVENUE AND ROSE STREET A
THREE WAY STOP.
(Public Safety – Public Hearing, July 24, 2017)**

Councilman Grillo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on July 24, 2017. Motion was seconded by Councilwoman Novak.

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

ORDINANCE 374-17
**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #258-14
AN ORDINANCE FIXING THE SALARIES OF CERTAIN
BOROUGH OFFICIALS, OFFICERS AND EMPLOYEES
FOR THE YEARS 2013, 2014, 2015 AND 2016
(Admin. & Finance – Public Hearing, July 24, 2017)**

Councilwoman Novak moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on July 24, 2017. Motion was seconded by Councilwoman Kilpatrick.

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

- **CONSENT AGENDA/RESOLUTIONS**

At this time Council President Buchanan opened the meeting for questions or comments on Consent Agenda Resolutions, noting that Resolution #2017-204 was removed. There were no appearances. Council President Buchanan called for a motion.

Councilwoman Novak moved the public portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilman Grillo.

Roll Call on Consent Agenda Resolutions:

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

Nays: None

• **CONSENT AGENDA/RESOLUTIONS**

RESOLUTION #2017-182

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 Daniel Buchanan

/s/Pasquale Lembo
Councilman Pasquale Lembo

/s/Steven Grillo
Councilman Steven Grillo

/s/ Ricci Melendez
Councilman Ricci Melendez

/s/ Victoria Kilpatrick
Councilwoman Victoria Kilpatrick

/s/Mary J. Novak
Councilwoman Mary J. Novak

**Bill list of June 26, 2017 in the amount of \$4,547,393.73
in a separate Bill List File for 2017.
(See Appendix Bill List 2017-A for this date).**

RESOLUTION #2017-183

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$75,328.68, which item is now available as a revenue from the New Jersey Solid Waste Administration – Clean Communities Program; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$75,328.68 is hereby appropriated under the caption of:

“Clean Communities Program”

and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-184

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$42,655.00, which item is now available as a revenue from the Governor’s council on Alcoholism and Drug Abuse; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$42,655.00 is hereby appropriated under the caption of:

“Municipal Alliance Grant”

and

SECTION 3.

BE IT FURTHER RESOLVED the sum of \$10,663.75 representing the municipality’s share of the aforementioned undertaking or improvement appears in the budget of the year 2017 under the caption Matching Funds for Grants and is hereby appropriated under the caption “Municipal Alliance Local Match”.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-185

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the

Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$60,000.00, which item is now available as a revenue from the New Jersey Division of Criminal Justice – Safe and Secure Communities Program; and

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$60,000.00 is hereby appropriated under the caption of:

“Safe and Secure Communities Program”

And

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-186

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$4,500.00, which item is now available as a revenue from the County of Middlesex Older Americans Act Funds for Residential Maintenance Services; and

SECTION 2.

BE IT FURTHER RESOVED that the like sum of \$4,500.00 is hereby appropriated under the caption of:

“Safe Housing Program”

And

SECTION 3.

BE IT FURTHER RESOLVED the sum of \$2,000.00 representing the municipality’s share of the aforementioned undertaking or improvement appears in the budget of the year 2017 under the caption Matching Funds for Grants and is hereby appropriated under the caption “Safe Housing Local Match”.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-187

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,000.00, which item is now available as a revenue from the Sustainable Jersey Corp.

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$2,000.00 is hereby appropriated under the caption of:

“Sustainable Jersey Corp.”

and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-188

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to execute the FY2018 Municipal Alliance Agreement and accept the FY2018 Municipal Alliance Grant award in the amount of \$42,655.00.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-189

BE IT AND IT RESOLVED that the Mayor and Borough Clerk are hereby

authorized to execute the 2006 Cooperation Agreement – HOME Consortium Program with the County of Middlesex for fiscal years 2018-2020 with automatic renewals for three successive years.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-190

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE VIA AN ONLINE REVERSE AUCTION WITH COMMERCIAL UTILITY CONSULTANTS, INC.

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act. P.L. 201c30 (hereinafter the “Act”) provides an exception to New Jersey’s Public Bid Law allowing the Borough of Sayreville to forego traditional RFQs when purchasing electricity and/or gas and to purchase electricity and/or gas through an online reverse auction process in order to reduce cost; and

WHEREAS, the NJ Department of Community Affairs, via correspondence dated November 15, 2012 has approved Commercial Utility Consultants, Inc. of West Chester, PA as a vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy generation services; and

WHEREAS, as discussed the Borough of Sayreville utilized the online auction services of Commercial Utility Consultants, Inc., an approved vendor pursuant to the Act. Waiver number Commercial Utility Consultants, Inc.-1, located at 1556 McDaniel Drive, West Chester, PA 19380; and

WHEREAS, the auction was conducted on June 23, 2017 pursuant to the terms and conditions of the Act.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey that the Borough of Sayreville is authorized to participate in an online reverse auction for the purpose of purchasing electricity from third party suppliers for use by the Borough of Sayreville.

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are authorized to execute documents and are hereby authorized to execute the Supplier Services Agreement(s) with Constellation Energy subject to review and final approval by the Borough of Sayreville.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-191

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized to purchase two (2) 2018 Chevrolet Tahoe Police Pursuit

Vehicles from Mall Chevrolet of Cherry Hill, NJ, through the Cranford Cooperative Pricing Program, #47-CPCPS Contract 16-01 for a total not to exceed \$78,846.00.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-192

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through the State Contract Seven (7) 2017 Police Interceptor Utility AWD Drive Vehicles through Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 (Contract #T2776/A88728) at a total cost not to exceed \$184,548.00.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-193

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase emergency lighting and security equipment and installation for two (2) 2018 Chevrolet Tahoe Vehicles and seven (7) 2017 Police Interceptor Utility AWD Vehicles from East Coast Emergency Lighting, 1945 – 4th Street, North Brunswick, NJ 08902 (Contract T0106/A81338) at a total cost not to exceed \$97,401.01.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-194

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase ten (10) Watch Guard in vehicle cameras from Advanced Electronic Design, 344 John Dietsch Blvd., North Attleboro, MA 02763 (Contract T0106/A81300) at a total cost not to exceed \$55,860.00.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-195

BE IT RESOLVED that the proper Borough officials are hereby authorized to renew the CAD System software maintenance agreement with Queues Enforth Development (QED), 92 Montvale Ave., Suite 4350, Stoneham, MA 02180 (State Contract #T0109/A83889) at a total cost not to exceed \$25,026.00.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-196

BE IT RESOLVED, that USA Architects, 20 North Doughty Avenue, Somerville, NJ 08876 is hereby authorized and directed to perform an assessment of firehouses in an amount not to exceed \$28,800.00.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-197

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: Fred Wistuba
POSITION: Senior Maintenance Repairer
DEPARTMENT: Dept. Public Works
EFFECTIVE: June 27, 2017

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
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Mayor

RESOLUTION #2017-198

BE IT AND IT IS HEREBY RESOLVED, that the Qualified Purchasing Agent is hereby authorized and directed to advertise for the receipt of bids for a Brine Making System with four (4) Hook Lift Mountable Brine Applicators.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-199

BE IT AND IT IS HEREBY RESOLVED, that the Qualified Purchasing Agent is hereby authorized and directed to advertise for the receipt of bids for Routine and Emergency Repairs to Water, Sewer and Public Works Infrastructure.

/s/ Daniel Buchanan
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-200

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through the State Contract two (2) 2017 Ford Pick-up Trucks through Beyer Ford, 170 Ridgedale Ave., Morristown, NJ 07960 (Contract #T2100/A88727) at a total cost not to exceed \$56,066.00. The total cost deducts the value of a trade in vehicle, one (1) 2008 Ford F-350 of \$2,000.00

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-201

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO PURCHASE ONE (1) TRUCK LOAD OF AUTOMATED REFUSE CONTAINERS

WHEREAS, the Governing Body of the Borough of Sayreville is in need of automated refuse containers;

WHEREAS, the Governing Body of the Borough of Sayreville have determined that the Borough of Sayreville should purchase automated refuse containers; and

WHEREAS, the Borough of Sayreville is a member of the Houston-Galveston Area Council (HGACBuy) and through the HGACBuy is able to purchase one (1) truck load of automated refuse containers; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are authorized and directed to purchase one (1) truck load of automated refuse containers in the amount of \$27,616.00, pending public notice procedures.

/s/ Victoria Kilpatrick
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-202

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: Joshua Misiewicz
POSITION: Meter Worker I
DEPARTMENT: Water & Sewer Dept.
EFFECTIVE: July 26, 2016

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/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

RESOLUTION #2017-203

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: Stephen Noonan
POSITION: Meter Worker I
DEPARTMENT: Water & Sewer Dept.
EFFECTIVE: July 28, 2016

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/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

RESOLUTION 2017-204 - ~~Removed~~
**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL
OF SAYREVILLE BOROUGH IN MIDDLESEX COUNTY, NEW JERSEY
ADOPTING AN "AFFIRMATIVE MARKETING PLAN"**

RESOLUTION #2017- 205
**A RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO
EXECUTE THE RENEWAL OF THE CONTRACT WITH HOMESERVE USA**

WHEREAS, the Governing Body of the Borough of Sayreville has had the opportunity to provide its residents with the opportunity to purchase a Home Protection Program covering Water and Sewer Lateral breaks through HomeServe USA; and

WHEREAS, the Borough of Sayreville has the opportunity to once again provide this offer its residents to purchase with no cost to the Borough of Sayreville; and

WHEREAS, the Governing Body of the Borough of Sayreville has reviewed the proposed program and has concluded that its residents would continue to benefit from partaking in the aforesaid program; and

BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute a renewal contract with HomeServe USA for a three (3) year term.

/s/ Daniel Buchanan
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-206

WHEREAS, Yanooc 2, Inc., is the holder of Plenary Retail Consumption License No. 1219-33-020-004 issued by the Mayor and Council of the Borough of Sayreville as the Issuing authority for premises located at 50 Deerfield Road, Parlin, NJ 08859; and

WHEREAS, application for renewal has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2017/2018 licensing term; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-33-0020-004 Yanooc 2, Inc., t/a Cooney's at the Deerfield Inn**, located at 50 Deerfield Road, Parlin, NJ 08859 in the Borough of Sayreville be and the same is hereby renewed for the 2017/2018 license term.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

(Pocket License)

RESOLUTION #2017-207

**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW
P.R.C.L. #1219-33-022-003, STOCK ENTERPRISE, INC.
T/A COLOSSEUM WITH CONDITIONS FOR THE 2016/2017
and 2017/2018 LICENSE YEAR**

WHEREAS, Stock Enterprise, Inc. t/a Colosseum is the holder of Plenary Retail Consumption License # 1219-33-022-003 issued by the Mayor and Council of the Borough of Sayreville as the Issuing Authority; and

WHEREAS, application for renewal has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2016/2017 and 2017/2018 licensing term; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2016/2017 and 2017/2018 license term; and

WHEREAS, on August 23, 2016, Jonathan A. Orsen, Acting Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 07-16-342.85894 for a two-year period, covering the 2016/2017 and 2017/2018 license terms; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2016+/2017 and 2017/2018 license terms and to grant or deny said application in the reasonable exercise of its discretion;

BE IT FURTHER RESOLVED THAT Plenary Retail Consumption License Number 1219-33-022-003, Stock Enterprise, Inc. t/a Colosseum, is hereby renewed for the 2016/2017 and 2017/2018 license year, subject to the following conditions remaining on the license:

1. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License must close the Licensed Premises for sixty (60) days of continuous operation after the License has been reactivated. Such sixty (60) day suspension will commence on the thirtieth (30th) day after the Licensed Premises has been in operation and open for business.
2. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License will not submit a request to the Director of the New Jersey Division of Alcoholic Beverage Control requesting a monetary payment in lieu of the sixty (60) day suspension or any other offer in compromise of suspension at any time in the future.
3. Licensee will not appeal this sixty (60) day suspension or the terms thereof to the Director of the New Jersey Division of Alcoholic Beverage Control at any time in the future.
4. All current existing conditions already on the License shall remain with the License and will not be affected by Licensee's sixty (60) day suspension. These conditions on the License shall remain with the License for each and every renewal period until further resolution by the Mayor and Council.
5. The License is revocable at any time for failure to comply with these conditions. Any violation of Alcohol Beverage Control Law or the previously mentioned conditions may result in immediate revocation of the License.
6. Licensee shall establish a litter-free zone surrounding the Licensed Premises as well as any littering in the neighborhood which can be directly attributed to the conduct of the business and must assign specific personnel on a daily basis to accomplish the fore-mentioned litter-free zone.
7. Licensee shall implement and shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises and who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This is in recognition of the fact that this activity of re-entering the Licensed Premises by patrons provides the patrons the opportunity to facilitate the use of drug activities inside the Licensed Premises.
8. The employees and staff of Licensee shall be required to obtain photo identification cards prepared by and from the Sayreville Police Department. Said identification card must be kept on their persons at all times while employed at and located on the property of Licensee. The purpose of this requirement is to alleviate difficulties encountered by police investigating complaints on the premises in which members of the security staff are identified as either potential witnesses or suspects and designed to respond to the findings of a previous ABC investigation in which it was determined that some of the employees found on-site during the investigations were not properly entered in the employee records of the License.
9. Licensee shall provide proper trash receptacles in the parking lots and outside the Licensed Premises as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises. This includes all parking lots, Chevalier Avenue from Oak Street to Route 35 and Oak Street from Old Route 4 to Fouratt Avenue, Route 9 & 35 from Chevalier Avenue South to and including the business Beau Monde Furniture, which shall be cleaned of all litter, trash and other discarded items. This cleaning shall be accomplished by 10:00 a.m. each day following the hours of operation of the Licensed Premises.

The described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with the operation of the Licensee, to the extent that the residents within the five hundred (500) foot radius consent to permit access to their private property to be cleaned of all litter, trash and other discarded items at the sole cost and expense of Licensee. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, can, bottles, and other debris that is the result from the operation of the Licensed Premises.

10. Licensee shall install “zero tolerance” signs inside the Licensed Premises at or adjacent to the entry to the premises containing language indicating that the patrons will be prosecuted to the fullest extent of the law for any possession, sale or distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.

11. Licensee shall install soundproofing equipment and take any other necessary steps to eliminate the emission of sound and vibration from the Licensed Premises sufficient to ensure that no audible sound is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaints received. The bass beat is not to be transmitted to the exterior of the building. The doors to the Licensed Premises will remain closed at all times.

12. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of music at 1:45 a.m. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed Premises at the same time resulting in loitering around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area. The Licensed Premises is to be vacated by all patrons by 2:00 a.m.

13. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the Licensed Premises along with patrons aged twenty-one (21) and over, such patrons over the age of twenty-one (21) shall be required to wear secure wristbands of a color differentiated from any wristbands required to be worn by patrons under the age of twenty-one (21), and that patrons age twenty (20) and under shall be stamped with an indelible mark on their hands in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). This measure is designed to prevent violations of the drinking age laws.

14. Licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that Licensee provides access to teenagers under the legal drinking age at events commonly referred to as “Teen Nights”. During such events, all alcoholic beverages shall be removed from the bar areas and secured. This measure is designed to prevent violations of drinking age laws as noted by the Council in previous findings related to a prior disciplinary action. This condition is included in anticipation of Licensee having a “Teen Night” in the future.

15. Licensee shall require all security staff, except for undercover security staff employed by Licensee to wear clothing or uniforms which are highly visible and well marked on the front and rear. This will include orange shirts with black block letters stating “SECURITY”. This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot and further to assist police in identifying security personnel when patrolling or responding to complaints or calls.

16. Licensee shall institute a policy of providing minimum security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the Licensed Premises.

17. Parking attendants, valet parking staff, waitresses, bartenders, and the owner shall not count as "security staff" in calculating the proper ratio of security staff to patrons. Any undercover security will be in addition to the readily identifiable security and not included in the security of one (1) per fifty (50) patrons. This measure is designed to ensure that the security staff employed by Licensee is sufficient to handle the number of patrons in attendance on a given night so as to constitute a visible, identifiable and adequate security presence, to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot. All security staff are to expedite the removal of all customers from the premises by 2:00 a.m. and then exit and assist in the dispersal of the customers from the parking lots.

18. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police and notify the Police Department a minimum of two (2) weeks (fourteen days) in advance.

19. On a weekly basis, Licensee will deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Police Department. DJs, dancers, and other entertainers are to be included as employees, as per ABC rules.

20. Licensee shall institute a policy and instruct its parking lot attendants and employees to abide by a policy that requires that, when the parking facilities used by the Licensed Premises are at full capacity, any additional cars seeking to enter the parking lots shall be "waved off" by parking lot attendants in order to ensure that traffic jams do not occur, but that such traffic continues to move through and out of the area of the Licensed Premises when there are no legal spaces available in the Licensed Premises' parking lots to accommodate additional cars. "Wave off" will also be put in place when traffic backs up onto Route 9 & 35 North.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
Division of Alcohol Beverage Control
140 East Front Street
P. O. Box 087
Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-208

WHEREAS, Tapan Liquors, LLC, t/a "The 404", is the holder of Plenary Retail Consumption License #**1219-33-024-0064** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 404 Washington Road, Sayreville, NJ; and

WHEREAS, an application has been made for the **2017/2018 renewal** term of Plenary Retail Consumption License No. **1219-33-024-006, Tapan Liquors, LLC;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License **1219-33-024-006 Tapan Liquors, LLC,** located at 404 Washington Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2017/2018 license term.**

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-209

WHEREAS, Sayreville Memorial Post 4699 VFW of the United States, Inc., is the holder of Plenary Retail Consumption License #**1219-33-059-004** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 575 Jernee Mill Road, Sayreville, NJ; and

WHEREAS, an application has been made for the **2017/2018 renewal** term of Plenary Retail Consumption License No. **1219-33-059-004, Sayreville Memorial Post 4699 VFW of the United States, Inc.;** and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License **1219-33-059-004 Sayreville Memorial Post 4699 VFW of the United States, Inc.,** located at 575 Jernee Mill Road, Sayreville, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2017/2018 license term.**

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-210

WHEREAS, American Legion Lenape Post #211, is the holder of Plenary Retail Consumption License #**1219-31-063-001** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 240 MacArthur Avenue, Sayreville, NJ 08872; and

WHEREAS, an application has been made for the **2017/2018 renewal** term of Plenary Retail Consumption License No. **1219-31-063-001, American Legion Lenape Post #211**; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License **1219-31-063-001 American Legion Lenape Post #211**, located at 240 MacArthur Avenue, Sayreville, NJ 08872 in the Borough of Sayreville be and the same is hereby **renewed for the 2017/2018 license term**.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017-211

WHEREAS, Pat's Pub, LLC is the holder of Plenary Retail Consumption License number **1219-33-007-005**, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 367 Washington Road, Sayreville, New Jersey; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.

BE IT FURTHER RESOLVED that Plenary Retail Consumption License number **1219-33-007-005, Pat's Pub, LLC** is hereby **renewed for the 2017-2018** license year, subject to the following conditions as contained in the Stipulation of Settlement Agreement approved by Resolution #2008-132, adopted on May 27, 2008 and remaining on the license:

1. At least at ½ hourly intervals between the hours of 6:00 PM and closing time (currently 2:00 AM under municipal ordinance), Licensee shall monitor and supervise its patrons as they exit the licensed premises to insure against littering and disorderly conduct, including but not limited to littering on and disorderly conduct affecting neighboring properties . After the licensed Premises closes each night under its regulated hours of operation, Licensee shall have at least one employee or agent inspect the surrounding premises and nearby parcels of property for any refuse, litter, or debris left behind by Licensee's patrons and shall remove all such refuse, litter or debris. Licensee, prior to opening for business on a daily basis, shall inspect the immediate vicinity of the Licensed Premises and remove all litter found in the immediate vicinity.

2. In order to avoid excessive noise emanating from the building, and with the goal of avoiding nuisance to the surrounding neighbors, the Licensee shall take appropriate care to:

- Keep its windows and doors closed at all times when open for business, especially when music is being played inside the licensed premises.

- Set and maintain any jukeboxes, sound systems, or any other audio enhancement devices (audio devices) on a low to moderate level.
- Use available consumer electronic decibel meters, electronic noise limiters or any other sound volume filters in order to measure and limit the audio device sound volume emanating from the Licensed Premises.

3. The Licensee shall make periodic observations of the location of vehicles parked in the immediate vicinity of the licensed premises and announce to and advise its patrons of any vehicles which are improperly parked, giving patrons notice and opportunity to move such vehicles.

4. Licensee will use its reasonable efforts to avoid patrons from loitering on or about the Licensed Premises and/or on nearby residential properties immediately surrounding the Licensed premises. Licensee will not allow patrons to congregate or loiter in front of its establishment and, if necessary to accomplish that goal, shall post signs indicating "No Loitering" "Loitering" shall not include patrons standing outside the bar for the purposes of smoking, but will include any patrons standing outside the bar, for any purpose, after closing time.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau
 Division of Alcohol Beverage Control
 140 East Front Street
 P. O. Box 087
 Trenton, New Jersey 08625-0087

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/s/ Mary J. Novak
 (Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
 Municipal Clerk

/s/ Daniel Buchanan
 Council President

RESOLUTION #2017-212

WHEREAS, Highway Corporation, t/a Road House Bar & Grill, is the holder of Plenary Retail Consumption License # **1219-33-013-007** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 1 Melrose Avenue, South Amboy, New Jersey; and

WHEREAS, an application has been made for the **2017-2018** renewal term of Plenary Retail Consumption License No. 1219-33-013-007, Highway Corporation, t/a Road House Bar & Grill; and

WHEREAS, said applicant has complied with the necessary requirements including payment of fees, etc.:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Sayreville, as follows:

1. That Plenary Retail Consumption License No. **1219-33-013-007**, **Highway Corporation**, located at 1 Melrose Avenue, South Amboy, NJ

08879 located in the Borough of Sayreville be and the same is hereby renewed for the 2017-2018 license term.

/s/ Mary J. Novak
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION 2017 - 213

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, TO REQUEST THE PLANNING BOARD OF THE BOROUGH OF SAYREVILLE TO CONDUCT A ZONING STUDY

WHEREAS, the Governing Body of the Borough of Sayreville received a recommendation from the Special Master for a zoning analysis of Route 35 Morgan (between Bordentown Avenue and Cheesequake Creek); and

WHEREAS, the Mayor and Council agree that certain areas of Route 35 should be analyzed to determine how to better promote development and reduce vacancies; and

WHEREAS, the Mayor and Council request that the Planning Board analyze the impact mixed-use zoning, to include affordable housing units, in this area would have on property development, and if it would enhance the existing Route 35 Redevelopment area; and

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution authorizes the Planning Board of the Borough of Sayreville to conduct a zoning analysis to determine if the area of Route 35 in Morgan be re-zoned as a mixed-use area and/or be added to the existing Route 35 Redevelopment Area and report its findings to the Governing Bod of the Borough of Sayreville.

/s/ Steven Grillo, Councilman
(Sponsor Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION 2017 - 214

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, TO REQUEST THE PLANNING BOARD OF THE BOROUGH OF SAYREVILLE TO CONDUCT A BOROUGH-WIDE ANAYLSIS OF UNDERUSED, VACANT AND HISTORIC STRUCTURES

WHEREAS, the Governing Body of the Borough of Sayreville received a recommendation from the Special Master to conduct a borough-wide analysis of underused, vacant or historic structures; and

WHEREAS, the Mayor and Council acknowledge the need for an analysis of underused, vacant or historic structures which could be combined into one re-use plan targeted at potential purchasers, developers and real estate agents;

WHEREAS, the Mayor and Council request that the Planning Board analyze developable sites to convert to mixed use or residential only; and

WHEREAS, this analysis would allow the Governing Body of the Borough of Sayreville to work towards a viable and productive COAH goal, while improving the existing building stock; and

BE IT AND IT IS HEREBY RESOLVED THAT this Resolution authorizes the Planning Board to conduct a borough-wide analysis of underused, vacant and/or historic properties in the Borough and provide a report to the Governing Body of the Borough of Sayreville on its findings.

/s/ Steven Grillo, Councilman
(Sponsor Committee)

ATTEST:

BOROUGH OF SAYREVILLE

s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2017 - 215

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BID OF CM TOWER, INC. AND AWARDING CONTRACT FOR THE PUBLIC SAFETY COMPLEX COOLING TOWER TO INDUSTRIAL COOLING CORPORATION

WHEREAS, the Borough of Sayreville accepted Bid Proposals for the Public Safety Complex Cooling Tower on June 6, 2017; and

WHEREAS, after all of the packages were reviewed it was found that the lowest bidder, CM Towers, Inc. of Cranford, New Jersey bid was Non-Responsive; and

WHEREAS, the second lowest bidder, Industrial Cooling Corp. of Metuchen, New Jersey contained only minor irregularities; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the contract for the Public Safety Complex Cooling Tower is awarded to Industrial Cooling Corp. for their low bid price of \$396,000.00, subject to the waiver of minor irregularities.

/s/ Steven Grillo
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

READ IN FULL

RESOLUTION #2017-216

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE: Joseph A. Bartlinski

POSITION: Police Officer

DEPARTMENT: Police

EFFECTIVE: July 3, 2017 pending successful completion of all pre-employment requirements

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 Department of Personnel.

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-216.

There were no appearances.

Councilwoman Novak moved the public portion be closed and the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Buchanan, Kilpatrick, Melendez, Novak.

Nays: Councilpersons Grillo, Lembo, both citing issues with the hiring process and transparency.

READ IN FULL

RESOLUTION #2017-217

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE:	Charles P. Novak
POSITION:	Police Officer
DEPARTMENT:	Police
EFFECTIVE:	July 3, 2017 pending successful completion of all pre-employment requirements

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 Department of Personnel.

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-217.

Councilwoman Novak recused herself and left the room at 9:38PM.

There were no appearances.

Councilwoman Kilpatrick moved the public portion be closed ant the resolution adopted on roll call vote. Seconded by Councilman Buchanan.

Roll Call:

Ayes: Councilpersons Kilpatrick, Buchanan, Melendez.

Nays: Councilpersons Grillo, Lembo, both citing issues with the hiring process and transparency.

Councilwoman Novak returned to the Dias.

READ IN FULL

RESOLUTION #2017-218

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE:	Jaime L. Unkel
POSITION:	Police Officer
DEPARTMENT:	Police
EFFECTIVE:	July 3, 2017 pending successful completion of all pre-employment requirements

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 Department of Personnel.

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-218.

There were no appearances.

Councilwoman Novak moved the public portion be closed ant the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Buchanan, Kilpatrick, Melendez, Novak.

Nays: Councilpersons Grillo, Lembo, both citing issues with the hiring process and transparency.

READ IN FULL

RESOLUTION #2017-219

BE IT RESOLVED that the following person is hereby appointed to the following department:

NAME OF APPOINTEE: Patrick F. Brennan
POSITION: Police Officer
DEPARTMENT: Police
EFFECTIVE: July 3, 2017 pending successful completion of all pre-employment requirements

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 Department of Personnel.

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk, RMC

/s/ Daniel Buchanan
Council President
(Public Safety Committee)

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-219.

There were no appearances.

Councilwoman Novak moved the public portion be closed ant the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Novak, Buchanan, Kilpatrick, Melendez.

Nays: Councilpersons Grillo, Lembo, both citing issues with the hiring process and transparency.

READ IN FULL

RESOLUTION #2017-220

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
WATER SUPPLY AGREEMENT BETWEEN THE BOROUGH
OF SAYREVILLE ("BOROUGH") AND MIDDLESEX
ENERGY CENTER, LLC ("MEC") AS REDEVELOPER**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the “Act”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Council adopted a resolution designating the property commonly known as Block 56, Lots 1.01, 2.01 and 2.02, Block 57.01, Lot 1, Block 57.04, Lot 1, Block 57.05, Lot 1, and Block 58, Lots 6 and 7 on the Tax Map of the Borough of Sayreville as an area in need of redevelopment (the “Redevelopment Area”) in accordance with the requirements of the Act; and

WHEREAS, by Ordinance #239-13, the Borough Council adopted a redevelopment plan entitled “Borough of Sayreville Landfill and Melrose Redevelopment Plan” (the “Redevelopment Plan”) that included provisions for construction of an electric power generating facility, a possible solar electric power generating facility and other improvements; and

WHEREAS, MEC is developing a power generation facility in accordance with the Redevelopment Plan which consists of a 440 MW natural gas fired power generation facility to be constructed in the Borough, including any Untreated Water supply facilities (“the Project”) installed by MEC to insure delivery of the Untreated water supply needed for the Project which will provide substantial benefits for the State of New Jersey and the Borough of Sayreville; and

WHEREAS, Borough owns and operates a raw water system; and

WHEREAS, Borough is willing to provide to MEC and MEC is willing to accept from Borough Untreated Water for the purpose of providing cooling water to the Project during its operation; and

WHEREAS, the Borough and MEC have negotiated the terms of a Water Supply Agreement for the purpose of supplying Untreated water needed for the Project; and

WHEREAS, the Borough, is desirous to execute the Water Supply Agreement which has been reviewed and approved by Counsel for the Borough; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the Borough of Sayreville authorizes the Mayor of the Borough (the “Authorized Officer”) to execute and deliver the Water Supply Agreement dated June 26, 2017 and all instruments attached as exhibits thereto.

The Authorized Officer is hereby designated to be the authorized representatives of the Borough, charged by this Resolution with the responsibility for taking such actions as are necessary to perform the transaction contemplated under the Water Supply Agreement and each of them are hereby authorized and directed to execute and delivery any and all papers, instruments, opinions, certificates, affidavits and other documents and agreement and to do and cause to be done any and all acts and things necessary or proper for carrying out this Resolution and the Water Supply Agreement.

BE IT FURTHER RESOLVED, that the Borough Clerk is directed to forward a copy of the executed Water Supply Agreement to (i) special and general counsel for the Borough, (ii) the Borough Engineer, and (iii) that a fully executed copy be retained by the Borough Clerk for the Borough’s records.

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-220.

There were no appearances.

Councilwoman Novak moved the public portion be closed ant the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays: None

READ IN FULL

RESOLUTION 2017-221

WHEREAS, the Mayor and Borough Council previously adopted a Pilot Agreement for the proposed MEC Power Plant to be located off Jernee Mill Road; and

WHEREAS, the Plant was required to be reduced in size from 560MW to 440MW due to insufficient capacity on the Electrical Transmission System; and

WHEREAS, the construction cost has been reduced;

WHEREAS, Sayreville Economic Redevelopment Agency has recommended the Pilot to be adjusted based upon the CME letter to Sayreville Economic Redevelopment Agency dated June 16, 2017;

NOW THEREFORE BE IT RESOLVED, that the Borough Attorney is authorized to amend the Pilot Ordinance and Agreement in accordance with the recommendation of SERA.

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan
Council President

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-221.

There were no appearances.

Councilwoman Novak moved the public portion be closed ant the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays: None

RESOLUTION #2017-222

AMENDING RESOLUTION #2016-321 (ADOPTED NOV. 14, 2016)
A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF SAYREVILLE PLANNING BOARD TO REVIEW THE S.E.R.A RESOLUTION REGARDING THEIR RECOMMENDATION THAT PROPERTY OWNED BY

HERCULES LLC, 50 MINNISINK AVENUE, BLOCK 14, LOT 3; BLOCK 25.01, LOT 1; BLOCK 40, LOT 1; BLOCK 43, LOTS 1 AND 1.01; BLOCK 44, LOT 1; BLOCK 45, LOT 1; BLOCK 46, LOT 1; BLOCK 47, LOT 1; BLOCK 48.01, LOTS 1 AND 2; BLOCK 50, LOT 1; BLOCK 51, LOT 2; BLOCK 51.01, LOT 1; BLOCK 51.02, LOT 1; BLOCK 53, LOT 1; BLOCK 53.01, LOT 1; BLOCK 53.02, LOT 1; BLOCK 57.01, LOT 1.01 AND BLOCK 83.04, LOT 1 (THE "PROPERTY") BE CONSIDERED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12-1 et. seq.* (the "Redevelopment Law") provides a process for municipalities to participate in the redevelopment and improvements of areas in need of redevelopment; and

WHEREAS, *N.J.S.A. 40A:12A-6* provides that "No area of a municipality shall be determined to be a development area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in *N.J.S.A. 40A:12A-5*", and

WHEREAS, *N.J.S.A. 40A:12A-6* further provides that the "resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a 'Non-Condemnation Redevelopment Area')"; and

WHEREAS, at its September 22, 2016 Meeting, the Sayreville Economic and Redevelopment Agency (SERA) passed a Resolution recommending that the Hercules LLC's property location at 50 South Minnisink Avenue, Block 14, Lot 3; Block 25.01, Lot 1; Block 40, Lot 1; Block 43, Lots 1 and 1.01; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lots 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01; and Block 83.04, Lot 1 (the "Identified Property") as an area in need of redevelopment; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law (*N.J.S.A. 40A:12-12A-1*) specifically, *N.J.S.A. 40A:2A-6*, the Mayor and Council of the Borough of Sayreville desire to authorize the Planning Board to undertake a preliminary investigation to determine whether the Identified Property constitutes a Non-Condemnation Redevelopment Area; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey directs as follows:

1. That the Sayreville Planning Board is hereby authorized and directed to undertake a preliminary investigation to determine whether the Identified Property constitutes a Non-Condemnation Redevelopment Area pursuant to the criteria established in *N.J.S.A. 40A:12A-5*; and
2. That the Sayreville Planning Board conduct an investigation, and provide notice and public hearings thereon in accordance with *N.J.S.A. 40A:12A-6(b)*; and
3. That upon conclusion of such investigation, notice and public hearing, the Sayreville Planning Board make its recommendation as to whether the Governing Body should declare the Identified Property, or any portion thereof, a Non-Condemnation Redevelopment Area.

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Daniel Buchanan,
Council President

At this time Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2017-222.

Those appearing were:
Tom Biesiada, 17 Greenhill

Questioned if this was Hercules property and what type of zoning are they looking for.

The Borough Attorney explained that the planning board attorney recommended that the following works be included in the resolution and was not and that is “non-condemnation area in need of redevelopment”.

Mr. Biesiada recommended bore soil samples be taken.

The attorney stated he should make that recommendation to the planning board.

Councilwoman Novak moved the public portion be closed and the resolution adopted on roll call vote. Seconded by Councilwoman Kilpatrick.

Roll Call:

Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

Nays: None

• **EXECUTIVE SESSION** -

(Motion to enter into closed session)

(Motion to reconvene)

• **PUBLIC PORTION-** **5 Minute Limitation*

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

Those appearing were:

- Thomas Pollando, 15 Oakwood Drive

Mentioned the comments made by the Planning Board Chairman Tom Tighe at the beginning of their meeting. He said he finds his comments unacceptable and warrants and apology and he should step down or be removed.

Questioned the Mocco property and what his intentions were for the property. Response made by Councilman Lembo that the right not the property is zoned residential and that the planning board at this point does not plan to rezone the property. Councilman Buchanan asked what type of warehouses might be proposed. If it was light warehousing it would help bring in jobs to Sayreville, however if it were mega warehousing then he would have concerns about truck traffic. Councilwoman Kilpatrick followed up by asking how we could find out what type of warehousing he might propose. Mr. DuPont said that we are waiting for a response from Mocco’s counsel and may have one before our next meeting.

Council President Buchanan asked if anyone would have an objection to Mr. DuPont reaching out to Mr. Mocco to find out what type of warehouses he proposes.

Councilwoman Novak made a motion to have Mr. DuPont reach out to Mr. Mocco to find out what type of warehousing he is referring to. Motion was seconded by Councilwoman Kilpatrick.

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

Nay: None

No further appearances.

Councilwoman Novak moved the public portion be closed. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Voice Vote, all Ayes.

Council President Buchanan stated that the chairman of the planning board did not follow Roberts Rules during meeting sessions. He did not keep decorum during meetings and made disparaging comments about councilmembers among others and asked the borough attorney what course of action the council could take. Council President also indicated that the planning board is appointed by the Mayor without consent from the council. He said that there is an ordinance that indicated that the council can bring him up on charges and have him removed. The borough attorney said that the council could have a non-binding resolution requesting that the Mayor have his resignation and he could also research the council's ordinances to see if there is any other powers that the council has compelling him to resign.

Motion was made by Councilwoman Novak to have the borough attorney research this request. Seconded by Councilwoman Kilpatrick. Borough attorney indicated that no formal vote was necessary.

No further action.

- **ADJOURNMENT**

Councilwoman Novak moved to adjourn. Seconded by Councilwoman Kilpatrick.

Roll Call: voice Vote, all Ayes.

Time 10:04 P.M.

SIGNED:

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved