

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**

Municipal Clerk Farbaniec announced that this August 21, 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, Novak

Absent: None

Others Present: Mayor Kennedy O'Brien  
Daniel E. Frankel, Business Administrator  
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: None

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

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

- ☒ June 1, 2017 - Special Meeting
- ☒ June 12, 2017 - Executive Session
- ☒ July 18, 2017 - Receipt of Bids (2017 Roadway Paving & Reconstruction Project)

Seconded by Councilwoman Novak.

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

- **PROCLAMATION & PRESENTATION: (None)**

- **HEARING – PLANNING BOARD CHAIRMAN**

Mayor called the Planning Board Chairman Mr. Thomas Tighe forward.

Mr. Tighe apologized for comments he made at a meeting in June. He addressed Councilman Buchanan and personally apologized to him for the off colored remarks he made.

Mayor asked if this matter was put to rest now.

Council President Buchanan said that there was a plethora of other topics that needs to be addressed.

He turned the matter over to Borough Attorney Michael DuPont.

Mr. DuPont said that at the last meeting he was instructed to notify Mr. Tighe with respect to the Mayor and Council's wish to conduct a hearing for his possible removal as Chairman of the Planning Board. He said that this was being conducted in accordance with Chapter 26-10 g. So this evening is an opportunity to hold the hearing with the information that was provided to date or if there are any additional testimony or comments regarding this issue the meeting could be open to the public or schedule a special hearing date just on this topic. Mr. DuPont said that there still the opportunity to remove Mr. Tighe as Planning Board Chairman tonight.

Council President Buchanan said that he appreciated Mr. Tighe's apology but, there are other issues that arose from several meetings held this year involving COAH that could possibly jeopardize the Borough. Such as violations of the Open Public Meetings Act, going into executive session, etc.

He said that at their Aug. 2<sup>nd</sup> meeting there were questions on the COAH ordinance as to whether it was handled properly, so Councilman Buchanan said he felt the process should proceed.

Mr. Tighe said that the ordinance that is going before you is the ordinance that the Council put before them.

He said that this ordinance had been on the Planning Board docket for a year and a half. This Council chose not to seek any information from the Planning Board at that time.

He said he felt that he is going let his 20 years' experience on the Planning Board speak volumes for himself. He commented that when he came on the Planning Board that Patriots Path and Towne Lake were all condos. He said that the Planning Board were the ones who revised the Master Plan and took out the density. He stated that if what he said was so bad in his 25 years then do what you have to do.

Mayor asked how this was to proceed.

Mr. DuPont advised that a hearing could be conducted in its current format or a special hearing could be held for the specific issue alone. He said that he had a brief conversation with Mr. Tighe before the meeting and he indicated that he spoke with an attorney. So, if a separate hearing was to be held then we should specify that date and afford Mr. Tighe to ability to bring an attorney if he so chooses.

Mr. Tighe said that as a public employee he should be afforded an attorney-paid for.

Mr. DuPont indicated that he was not a public employee he was in an appointed position. Mr. Tighe said that he was in an appointed position and made a mistake at a public meeting and that does afford him legal counsel from the town.

Mayor said that it should be noted in the record that he had appointed Mr. Tighe to the Sayreville Planning Board and that he has full faith and confidence in Tom Tighe and the entire Planning Board. He said that they are good people serving for the betterment of Sayreville. He said that Tom Tighe has given countless years to the Boy Scouts of America. He has given his entire working career as a business agent to the Plumbers and Pipefitters, to the AFLCIO and that he sits on the Executive Board of Middlesex County College. He said that he has character, integrity and he stands behind him.

Councilman Buchanan made a motion to schedule a date and time for a hearing, Seconded by Councilwoman Novak.

Discussion followed regarding the Borough providing Mr. Tighe with paid legal representation.

Mr. DuPont stated that he will check the State Statutes to see if it provides for the Borough to arrange for a paid attorney in this case. He will also reach out to Mr. Kroll and Mr. Tighe and come up with a date for a hearing.

Clerk announced that she would now take a Roll Call on scheduling a hearing then later the date.

Roll Call: Ayes: Councilpersons Buchanan, Kilpatrick, Novak.

Nay: Grillo, felt his apology was sincere.

Lembo, felt the apology should end this.

Melendez.

Clerk announced that it was a tie vote.

Mayor voted no and broke the tie to schedule a hearing.

Mr. Tighe came up and apologized for what he did and said. He stated that he intends to stay on as the Chairman of the Planning Board.

The Borough Attorney read from the local ordinance about the hearing.

Councilwoman Novak asked if Mr. Tighe was notified about this hearing tonight. Mr. DuPont stated that he was notified via correspondence dated August 1, 2017. The Borough Attorney said that there was a motion that failed about scheduling a meeting without a specific date. He said the council could now make a motion to hold a Special Hearing with a specific date.

Mayor said that if this were to proceed then we should afford Mr. Tighe an attorney and the Borough should pay for that attorney.

Councilman Buchanan made **a motion to hold the hearing at the 1<sup>st</sup> meeting in September at 6PM.** Motion was seconded by Councilwoman Kilpatrick. Mayor said providing that Mr. Tighe can make it and we provide for an attorney.

Roll Call: Ayes to hold hearing:  
Councilpersons Buchanan, Kilpatrick, Melendez, Novak.  
Nay: Councilpersons Grillo, Lembo.

Mayor asked for a motion to afford Mr. Tighe the ability to pay for an attorney.  
Motion was made by Councilman Lembo.

Council President Buchanan made a motion to Table. Motion to Table was seconded by Councilwoman Novak.

Motion was made by Council President to look into his attorney fees being paid for by the Borough. Seconded by Councilwoman Novak.

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

- **OLD BUSINESS:**
  - a) Municipal Clerk Farbaniec read the heading for the following ordinances listed for Public Hearing:

Mayor O'Brien opened the meeting to the public on Ordinance #374-17.

**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 Carried, Aug. 21, 2017)

**NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville that Ordinance 258-14 is hereby supplemented and amended to add the following:

**Borough of Sayreville –Management, Professionals**  
**and Non-Union Employee Salary & Wage Schedule**  
Water and Utilities Superintendent - \$95,000.00 - \$115,000.00

**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 in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date.**

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

/s/ Daniel Buchanan, Councilman  
(Water & Sewer Committee)

**ATTEST:**

**APPROVED:**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**APPROVED AS TO FORM:**

/s/ Michael DuPont, Esq.  
Borough Attorney

Those appearing were:

- Ed Strek, 58 Nickel Avenue

Commented on the number of supervisors in the Water Department per number of employees. Mr. Strek also questioned how this selection was made and commented on the Director not having a T-4 License.

Response on the number of supervisors was made by the Business Administrator.

There were no further appearances.

Councilwoman Novak moved the public portion be closed and the Ordinance adopted on second and final reading and advertised according to law. Seconded by Council President Buchanan.

Roll Call: Ayes: Councilpersons Novak, Buchanan, Grillo, Kilpatrick, Lembo, Melendez.  
Nay: None.

Mayor O'Brien opened the meeting to the public on Ordinance #375-17.

**ORDINANCE #375-17**

**ORDINANCE OF THE BOROUGH OF SAYREVILLE,  
COUNTY OF MIDDLESEX, NEW JERSEY  
APPROVING THE AMENDED APPLICATION FOR A  
LONG TERM TAX EXEMPTION AND AUTHORIZING THE  
EXECUTION OF A FINANCIAL AGREEMENT WITH  
MEC INFRASTRUCTURE URBAN RENWAL LLC**

**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**, on, the Council approved an ordinance adopting a redevelopment plan entitled the Borough of Sayreville Landfill and Melrose Redevelopment Plan in accordance with the Act (the "Redevelopment Plan") for the Redevelopment Area; and

**WHEREAS**, MEC Infrastructure Urban Renewal LLC (the “Entity”) will lease the Land (as defined in the proposed Financial Agreement) to Middlesex Energy Center, LLC, a Delaware limited liability company, (the “Operating Company”), (as defined in the proposed Financial Agreement) who will construct, or cause to be constructed thereon, the Improvements (as defined in proposed Financial Agreement)(the leasing of the Land and the construction and maintenance of the Improvements are defined collectively as the “Project”); and

**WHEREAS**, the Project will conform to all applicable municipal zoning ordinances as amended by the Redevelopment Plan and will be in conformance with the master plan of the Borough; and

**WHEREAS**, in order to enhance the economic viability of and opportunity for a successful Project, the Entity has filed an application for a long term tax exemption under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, *N.J.S.A. 40A:20-1, et seq.* (the “Long Term Tax Exemption Law”), governing payments made to the Borough in lieu of real estate taxes on the Improvements, which amended application is on file with the Borough Clerk (the “Application”); and

**WHEREAS**, there was also submitted as part of the Application a form of a financial agreement (the “Financial Agreement”), pursuant to which the Entity agrees to pay, in lieu of tax payments, an Annual Service Charge; and

**WHEREAS**, the Entity is qualified to do business under the provisions of the Long Term Tax Exemption Law; and

**WHEREAS**, the provisions of the Long-Term Tax Exemption Law authorize the Borough to accept, in lieu of real property taxes, an annual service charge paid by Entity to the Borough; and

**WHEREAS**, the Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law, and has further determined that the Project is an improvement made for the purposes of clearance, replanning, development, or redevelopment of an area in need of redevelopment within the Borough, as authorized by the Long Term Tax Exemption Law and shall promote and further the redevelopment of the Borough.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYERVILLE, NEW JERSEY AS FOLLOWS:**

1. The Mayor and/or Borough Administrator, in consultation with counsel to the Borough, are hereby authorized to execute and/or amend, modify or make such necessary changes to the Application, the Financial Agreement and any other agreements necessary to effectuate the Financial Agreement.
2. An exemption from taxation as set forth in the Financial Agreement is hereby granted to the Entity, with respect to the Improvements for the term set forth in the Financial Agreement; provided that in no event shall the tax exemption exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by N.J.S.A. 40A:20-13, thirty (30) years from the issuance of a Certificate of Completion for the Project thereof and only so long as the Entity remains subject to and complies with the Financial Agreement and the Long Term Tax Exemption Law and any other agreement related to the Project or the Land; and provided, further that in no event shall the resulting property tax obligation in each year the property tax exemption is in effect, when combined with the Annual Service Charge as defined in the Financial Agreement, be less than the amount of the property tax obligation due and owing on the Property, prior to redevelopment.
3. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk.

4. The Project shall conform with all Federal and State law and ordinances and regulations of the Borough relating to its construction and use.
5. The Operating Company shall, in the operation of the Project, comply with all laws so that no person because of race, religious principles, color, national origin or ancestry, will be subject to discrimination.
6. The Entity shall, from the time the Annual Service Charge becomes effective, pay the Annual Service Charge as set forth in the Financial Agreement.
7. The Operating Company shall complete the Project within the timeframes set forth in the Redevelopment Agreement.
8. The Project will result in the redevelopment of the Borough by implementing the Redevelopment Plan.
9. The Financial Agreement with the Entity is a necessary inducement to the undertaking of the Project.

If any chapter, section, subsection or paragraph of this Ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section, subchapter or paragraph shall to the extent that it is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this Ordinance.

All other parts of the Redevelopment Plan be and hereby are ratified and confirmed, except where same are inconsistent with the terms of this Ordinance. As to such inconsistencies, the provisions of this Ordinance shall govern, and be given full force and effect.

This Ordinance shall take effect immediately upon final passage and publication, according to law.

/s/ Pasquale Lembo, Councilman  
Planning & Zoning Committee

**ATTEST:**

**APPROVED:**

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

/s/ Kennedy O'Brien  
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.  
Borough Attorney

There were no appearances.

Councilman Lembo moved the public portion be closed and the Ordinance adopted on second and final reading and advertised according to law. Seconded by Council President Buchanan.

Roll Call: Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez, Novak.  
Nay: None.

b) Clerk reported on having received correspondence received from the Sayreville Planning Board adopting the following Planning Board Resolutions at their



August 16, 2017 meeting:

- 1) Resolution Adopting Amendments to the Housing Element and Fair Share Plan of the Master Plan of the Borough of Sayreville – Granted on August 2, 2017.
  - 2) Resolution Adopting Planning Board Report to the Borough Council on Proposed Amendments to the Borough Land Development Ordinance to Implement proposed modifications to the Housing Element and Fair Share Plan of the Master Plan of the Borough of Sayreville Pursuant to N.J.S.A. 40:55D-26 – Granted on August 2, 2017.
- c) Correspondence received from Larry B. Sachs, Special Counsel COAH Litigation, relative to the COAH Litigation matter with recommendations.

Mayor O'Brien asked COAH Attorney Larry Sachs to give an update.

Mr. Sachs gave an update as to where we are with the COAH litigation and what the next steps would be. He also indicated that he had sent a letter to Council President Buchanan, which everyone should have.

- July 6, 2017 attended a case management conference with Judge Natali.

Judge Natali entered an order which required the municipality to take some action with respect to certain items to effectuate the COAH.

One being deadline for the Planning Board to adopt the Housing Element and Fair Share Plan and secondly to adopt the Land Development Ordinance for Inclusionary Zoning.

- August 2, 2017 he attended a hearing that the Planning Board conducted. At the conclusion of the meeting the Planning Board adopted the amendment to the Housing Element and Fair Share Plan, which does not need any further action by the council. Secondly they adopted the Inclusionary Zoning Ordinances, which are necessary to effectuate the settlement. He also said that the July Court Order talked about the Kaplan sites. If the Planning Board took the action they did on August 2<sup>nd</sup> and was memorialized on August 16<sup>th</sup>, the Borough Council was ordered to review those matters at tonight's meeting. So the Kaplan ordinances are listed on the agenda tonight for first reading deal with Camelot I and Camelot II. He said that he provided the council with new ordinance 366-17, which referenced those two properties. There was another ordinance as well that they recommended – Ordinance #363-17 which was the Affordable Housing Ordinance to implement the Borough of Sayreville's Housing Element and Fair Share Plan, which was also recommended for council's consideration. So there are two ordinances which should be moved for first reading with the second reading to be scheduled for Sept. 11, 2017.

That would be Ordinance 363-17 and New Ordinance 366-17. He went on to say that there were other ordinances that he thought had been introduced on May 22, 2017. Those ordinances were 364-17 and 365-17, neither of which have been considered by the Planning Board. Ordinance #364-17 and 365-17 should be withdrawn from consideration this evening. He then said that Old Ordinance 366-17, which referenced four sites; the Camelot I site, the Camelot II site, the River Road Site and the Melrose/National Lead property. That Ordinance, old Ordinance #366-17, should be withdrawn because at this time there is no reason to consider the Melrose property and the River Road Property. Which was stated in his letter of August 17, 2017. He said that he also attached a copy of the Planning Board resolutions and Judge Natali's Order of July 6, 2017 and a copy of the Notice that was published in the Home News and Tribune on July 21, 2017. Also attached, is a copy of New Ordinance #366-17, which refers to Camelot I and Camelot II only.

Councilman Buchanan asked that at the August 2<sup>nd</sup> meeting of the Planning Board members had a copy of the Ordinance that they passed out or if it was handed out during the meeting. Mr. Sachs said that it was not handed out, they had it, it was also on file in the Planning Board office. Councilman Buchanan commented on remarks that were made at that meeting regarding the ordinance and what version they had. Councilman Buchanan then questioned Ordinance #366-17, Item K regarding vacant land. Mr. Leoncavallo explained the section. Mr. Leoncavallo explained how this deals with the National Lead site's one acre that was adjacent to the property that would be open space in any concept plan. Further questions from the council as to why this was in the Ordinance. Council President Buchanan requested they hold a joint open public meeting

with the Planning Board, Board of Adjustment, SERA and Housing Authority and hash everything out.

Councilman Grillo asked why Ord. #364-17 and 365-17 have not had action taken and how that may impact any future meeting that we may have. Mr. Sachs said that the Planning Board has not considered them. He reminded the Council that we are under the mandate of a court order and the only items that Judge Natali wanted this municipality consider were the two Kaplan Sites and that is because they are Intervenors in this lawsuit. Mr. Sachs responded to Item K in Ord. 366-17. He said that for purposes of this ordinance is really not necessary as it only applies to the Melrose site and not the Kaplan Site. So Item K can be removed from New Ord. 366-17 before you move this ordinance for First Reading.

**Councilman Grillo moved that Item K be removed from Ordinance Ord. 366-17.**

Borough Attorney DuPont said that this ordinance is just on for introduction and we can amend it and vote on the ordinance as amended as long as there is proper notice given.

**The Clerk said the for clarity purposes the motion being made is to rescind Ordinance #366-17 that was introduced on May 22, 2017 and Introduce Ordinance #366-17B as Amended with Item K Removed.**

**Councilman Grillo than made a motion to Rescind Ordinance #366-17 which was Introduced on May 22, 2017. Seconded by Council President Buchanan.**

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

**Nays: None.**

**Councilman Grillo then made a motion to Introduce Ordinance 366-17B as Amended version with Item K removed.**

Council President Buchanan said that he still has questions regarding this ordinance. He asked why all the bulk variances were different. Mr. Leoncavallo explained the reason the bulk variances and site controls are different is because the properties are unique and it is hard to put an overall exact same set of standards together. It was prepared in accordance with what the ordinances are for other development design standards, such as senior attached housing.

Council questioned why the General Standards were changed. This was explained by the Planner that he tried to make them appropriate for the properties they were looking at.

Discussion followed regarding the General Standards and the changes that were made and whether or not changes can be made to this ordinance going forward.

Council wanted the General Standards to remain the same as it is now.

Councilpersons Kilpatrick and Buchanan wanted them (the other paragraphs) to be at our standards as they are now or increased to suit the needs like paragraph a in the ordinance.

Mayor reminded everyone that this was an order from the State Supreme Court that every Municipality in the State has a quota for low income housing. He said that this was as a result of a lawsuit filed by the Fair Share Housing Organization. Which they said that they would name commissioners in each County who would be responsible for implementing this. The Planning Board received the directive from Judge Wolfsen, the Judge from the County of Middlesex, who directed us on how many units Sayreville would have to build. He also said that the original quota was 1,300 units and it was reduced to 784 buildable units and the Planning Board had to make this work in the spaces that were available in the Borough.

Councilwoman Novak made statements regarding why this was not put in the plan all along. She further stated that the people/neighbors were not given any option to see this plan before it was signed. She felt there should have been public notices before it was ever signed.



Back and forth discussion followed between the Mayor and Council regarding properties and developers and the Borough's COAH/Affordable Housing obligation and how it should have been enforced over the past years which it was not. Comments on the development along Gondek Drive and questioned why we don't have any affordable housing at that location. Discussion also went into the Borough's Settlement agreement and who negotiated and executed it. As well as how the ordinances changed from all four parcels of properties down to two, the two Kaplan properties and if and how the zoning could be changed if more affordable housing properties are found. Further discussions on Ordinances 364-17 and 365-17 and why they were not being entertained, then about the NL property on Cross Avenue and what type of units were going to be built there and what ordinances were listed for consideration back in May. Mr. Sachs reminded everyone that we are subject to Judge Natali's Court Order and that it specifically said that only the Kaplan Ordinances at this time.

Councilman Grillo mentioned that the National Lead property is already zoned Residential. He asked if the residents would like to see this property remain Open Space. Councilwomen Novak and Kilpatrick said that was brought up at the last meeting. He made a motion to purchase that piece of property. Mayor commented on the Planning Board. He said that either we compromise amongst ourselves or the Judge will make the decision. Mr. Sachs commented about his memo to the council and the need to move these ordinances forward for introduction and consider it for second reading on Sept. 11<sup>th</sup>.

**Councilman Grillo made a motion to amend the motion made on 366B-17, one- that Section k be Removed, Section b-j be at the minimum consistent with bulk standards, however pending review by Mr. Leoncavallo in case they need to be adjusted to be higher, which is what was done with paragraph a.**

**Councilwoman Novak asked the Borough Attorney if this could be introduced with so many changes.**

Mr. DuPont said that there are a lot of changes and you are asking that b through j be consistent with the minimums and that they may still change. So it is his opinion with the removal of paragraph k and revisions to b-j, these changes are substantial. Mr. Sachs agreed that they were substantial changes. He said these substantial changes would be for the benefit of the municipality and not the developer. So the Ordinance you have before you now, Mr. Leoncavallo has been tasked to review against the bulk standards. Mr. DuPont clarified what the purpose of providing public notice was for and felt this wouldn't be met by verbally making those changes discussed here tonight.

Comments made by Councilman Grillo about having the ordinance prepared.

Mr. DuPont reiterated the purpose of the public notice. Mr. Grillo asked the Borough Attorney about his motion. Mr. DuPont stated that he needs to amend the ordinance accordingly. You can make the motion to revise it in order to make sure we can introduce it on Sept. 11<sup>th</sup>. Mr. DuPont said that he would not have a problem reporting to the court what transpired this evening.

Mr. DuPont said that you **would need a Motion to authorize Mr. Leoncavallo to revise the ordinance** in accordance with all the comments and recommendations that were agreed to, including but limited to eliminating the word "Draft"; revising paragraphs b through j to include that the minimum bulk variance requirements are set forth in b through j; in addition the removal of sub-paragraph k; **and with those revisions that ordinance will be listed for introduction on September 11, 2017**

Council President asked Mr. Lembo why, as a member of the Planning Board, he voted against this ordinance.

Councilman Lembo said that he voted against it on the principle that a Judge would be stepping in.

**Motion was moved by Councilman Grillo.  
Motion was seconded by Councilwoman Novak.**

Council President Buchanan wanted to hear public comment.  
Councilwoman Kilpatrick was concerned that if there would be any other changes after the public spoke how would they go about amending it again.

At this time the Mayor opened the meeting up to any and all comments.

Those appearing were:

- Jim Robinson, 11 Borelle Square.

Commented on the legal aspect of this ordinance

Problem with over 900 units being placed and gave his opinion on how we got to where we are now.

Commented on how the Planning Board enters into executive session and that most of this was developed in executive session.

Commented on Planning Board members not being appointed in 2016.

Commented about the Planning Board meeting and their discussion on the ordinance.

Mr. Robinson said that his point was what was going on here was a “sham” as what the Judge said. He further commented on what was said at the Planning Board meeting.

- Janice Benedetto, 1 Thomas Avenue

Commented on who received the notice of affected property owners in her area and the properties contained in the notice and on the web.

Commented on a DEP sign on the Cross Avenue site and what the results of that investigation was.

Responded to by the Borough Engineer that there is an active investigation going on by a private consultant with a licensed RSP person overseeing the work. Mayor asked the engineer to look into this matter.

Petition to make the Cross Ave site into Open Space as their petition said. Thanked the Open Space Committee for their work and would like to help in whatever it takes for the purchase of that property for open space.

- Monica Consiglio, 7 James Street

Commented on the one road in and out of Melrose and expressed her concerns on the building on that number of homes and the traffic it would create.

- Sunjay Modi, 144 Whitehead Ave.

Objected about the density and talked about changing the density of Kaplan /Camelot properties. Spoke about the traffic and schools.

Mayor spoke about where he would like to see the housing go.

- Ken Olchaskey , 108 North Edward Street

Objected to the density, not the affordable housing. He doesn't want Sayreville to turn into a City. Spoke about the infrastructure here in Sayreville.

Talked about the Planning Board meetings he had attended and that the Planning Board did not want low income housing. He spoke about there not being any affordable housing in Town Lake, Gillette Towers and Golden Age.

And now how the zoning has to be changed to accommodate these affordable housing units.

He went on to speak about the law that allowed Senate Bill S2577 signed by John Corzine July 2, 2009 which said the economy was on a downturn and Senior and Age Restricted Housing wasn't selling and wanted the law changed and signed by John Corzine taking off Senior and Age Restricted Housing from the COAH law.

Mayor and Councilwoman Kilpatrick commented on the Golden Age/Gondek Drive development are age restricted.

- Stanley Drwal, 121 Bissett St.

Commented on the Open Space Committee which he was a member of and felt that the governing body was always trying to stop them from purchasing property. And that the Open Space Committee wanted to buy the Melrose property for years.

- Ruth Ann Mahoney, 2 Gerard Place

Commented on the Borough's need to build affordable housing and not marketable housing. She said that we have all heard the many ways over the months. Questioned the schools, facilities, water & sewer system and if there was a facilities study done yet. Need for a railroad variance. Need more open dialog.

- Thomas Biesiada, 17 Greenhill Ave.

Spoke about transparency in this town and that ordinance 366-17B no one knows what is in it. Expressed his concerns about the developments that is going to have to happen in this town and that he does not want it. People needs to know what is going on. Then commented on the removal of the Planning Board Attorney.

- Pat Bodak, 8 Cheyenne Drive

Asked who in the State of New Jersey was able to fight and win the Judges forcing Affordable Housing.

Response from Larry Sachs, COAH Attorney was that there was no uniformity from County to County in the State and that South Brunswick fought and lost.

Questioned if when Kaplan purchased the property on No. Ernston Road he knew that it was zoned Prime.

Response from someone from the audience.

Commented about the density and the schools, children and taxes.

Councilwoman Kilpatrick responded on other towns and their careful, smart planning with regards to the affordable housing.

- Chandra Baldeo, 105 North Ernston Road.

Commented that the Chairman and Attorney of the Planning Board poisoned the last meeting that she attended. She felt that they were condescending and demeaning.

Said she could not imagine that many units being built on No. Ernston Road and what that would do.

- Jim Robinson, 11 Borelle Square

Commented that these will be the densest and highest residential buildings in town.

Respectfully suggested that the Bulk Standards that was applied here ought to be the strongest Bulk Standards that exists anywhere else in the Borough and if these changes are made to 366B-17 would have to go back to the Planning Board for their review.

Mr. DuPont said that he did not believe so but would check the law. Mr. Sachs responded that the Planning Board had referred an ordinance to the governing body. The governing body is going to make modifications to it to provide further protection to the residents.

Mr. Robinson commented on section k. And that the Prime section of North Ernston ought to be purchased by the borough.

He further spoke about Heritage Homes. He read a decision from Judge Hurley's case from back in 2010.

Mayor said that Mr. Robinson's time was up.

Councilwoman Novak made a motion to allow him to speak. Seconded by Councilwoman Kilpatrick.

Councilwoman Novak and Kilpatrick called for a Point of Order, that there was a motion on the floor.

Mr. DuPont said that Mr. Robinson will wrap it up very shortly but cautioned about the protection of the First Amendment Right, he suggested that we let Mr. Robinson finish.

Mr. Robinson said that had those 37 units have been put in Heritage Homes, now 250 Units have to be built elsewhere because the planning board did not do their job then.

Mayor asked if there were any other questions.

There being none he called for a motion.

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

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

Nays – None.

**Roll Call on the Motion made prior to the public portion. Amending Ordinance 366B-17 according to the discussions held this evening and to have it re-introduced on September 11, 2017**

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

**- Nay: None**

Councilwoman Novak commented that months back we were to introduce or the Judge would force and here we are months later and were still working down on these numbers.

Council President Buchanan re-iterated comments that were made at the Aug. 2<sup>nd</sup> Planning Board meeting regarding if everyone had the same ordinance. Council President Buchanan stated that he would still like to have that meeting he asked Business Administrator Frankel to take a straw poll on.

Mr. Frankel said he needed to hear the Mayor's availability on the dates. Mayor said whatever date there was a consensus on and he would try to make it.

Date was set for Sept. 7<sup>th</sup> for the Council and would still need to confirm with the Planning Board, Housing Authority, Board of Adjustment, SERA.

Council President Buchanan said all members of all boards and the decision was made to hold it at the High School.

Then stated to leave it up to the boards on if they wanted sub-committees to attend or entire board.

Mayor asked Mr. Sachs that he had advised the council to remove 366-17, 364-17 and 365-17 (this was voted on earlier in the meeting)

Councilwoman Novak made a comment to Mr. Pollando and Mr. D'Addio that when SERA had approved a project over years that they always had the affordable housing component in it.

Larry Sachs recommended that since you are not voting on 366-17 that you not vote on 363-17 and carry it till September 11th.

Mayor asked if there was a Motion to carry these four ordinances.....

Discussion followed on what was to be voted on.

**Discussion between Borough Attorney DuPont and COAH Attorney Mr. Sachs as to whether to Table or Withdraw Ordinances 363-17, 364-17 and 365-17. It was agreed to withdraw these ordinances and to be re-introduced at a later date.**

**Borough Attorney DuPont re-iterated the Motion, that it is a motion to withdraw ordinances 363-17, 364-17 and 365-17 and 363-17 will be revised with corrected dates.**

**Moved by Council President Buchanan and Seconded by Councilwoman Novak.**

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

**Nays – None**

**ORDINANCE NO. 363-17 -Withdrawn**

**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**

Introduced on May 22, 2017  
Public Hearing was postponed at the June 24, 2017 meeting for a later date.  
**Aug. 21, 2017 Withdrawn**

**ORDINANCE NO. 364-17 - Withdrawn**

**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**

Introduced on May 22, 2017  
Public Hearing was postponed at the June 24, 2017 meeting for a later date.  
**Aug. 21, 2017 Withdrawn**

**ORDINANCE NO. 365-17 - Withdrawn**

**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**

Introduced on May 22, 2017  
Public Hearing was postponed at the June 24, 2017 meeting for a later date.  
**Aug. 21, 2017 Withdrawn**

**ORDINANCE NO. 366-17 - Rescinded**

**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**

Introduced on May 22, 2017  
Public Hearing was postponed at the June 24, 2017 meeting for a later date.  
(Planning & Zoning – Public Hearing \_\_\_\_\_)

• **CONSENT AGENDA/RESOLUTIONS**

At this time Mayor O’Brien opened the meeting to the public on the Consent Agenda Resolutions.

There were no appearance.

Council President moved the public hearing be closed and the Consent Agenda Resolutions be adopted on Roll Call Vote. Seconded by Councilwoman Novak.

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

Nays: None

**RESOLUTION #2017- 239**

**WHEREAS**, all bills submitted to the Borough of Sayreville covering services, work, labor and material furnished the Borough of Sayreville have been duly audited by the appropriate committee;

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

/s/ Kennedy O’Brien, Mayor

/s/Daniel Buchanan, Councilman

/s/Pasquale Lembo, Councilman

/s/Steven Grillo, Councilman

/s/ Ricci Melendez, Councilman

/s/Victoria Kilpatrick, Councilwoman

/s/Mary J. Novak, Councilwoman

**Bill list of August 21, 2017 in the amount of \$22,788,020.62 in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this date).**

**RESOLUTION #2017-240**

**RESOLUTION CANCELLING OUTSTANDING CHECKS**

**WHEREAS**, there exists on the records of the Borough of Sayreville checks dating back prior to December 31, 2016; and

**WHEREAS**, the independent auditors recommend these checks be cancelled and the monies be returned to the originating accounts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Sayreville, County of Middlesex, New Jersey that the attached list of outstanding checks are hereby cancelled; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Chief Financial Administrator.

**CURRENT FUND**

<u>Check No.</u>	<u>Check Date</u>	<u>Check Amount</u>
6101	8/9/16	702.00
34201	3/28/11	260.00
34539	4/25/11	2.99
36321	10/11/11	250.00
38016	3/12/12	84.12
39259	6/25/12	649.61
39691	8/13/12	77.13
39938	8/27/12	300.00
40866	12/17/12	300.00
41110	12/17/12	936.00
42088	3/21/13	20.48
42164	4/8/13	90.00
43662	8/12/13	21.38
44288	10/15/13	60.00
44442	1/27/14	401.84
45350	2/24/14	678.07
45595	3/24/14	1,025.00
45819	4/7/14	250.00
48617	12/15/14	500.00
51950	10/13/15	150.00
52229	11/9/15	107.00
52896	1/11/16	85.24
53557	3/14/16	1,412.00
54095	4/25/16	90.00
54834	6/27/16	63.79
56334	11/28/16	210.00
<b><u>TOTAL</u></b>		<b><u>\$ 8,726.65</u></b>

**PAYROLL ACCOUNT**

<u>Check No.</u>	<u>Check Date</u>	<u>Check Amount</u>
214238	8/15/12	134.33
214546	9/30/12	26.76
216836	7/15/13	45.83
217639	9/30/13	177.85
218618	2/15/14	367.20



219029	3/31/14	353.25
219078	3/31/14	215.05
219984	7/31/14	49.75
220340	6/30/14	2,793.38
220512	8/31/14	45.84
220781	9/30/14	90.05
220875	10/15/14	30.29
222470	7/11/15	1,294.87
<b>TOTAL</b>	<b>\$</b>	<b>5,624.45</b>

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-241**

**WHEREAS**, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<b><u>APPLICANT</u></b>	<b><u>#OF TRAILERS</u></b>	<b><u>LOCATION</u></b>
ET Environmental 3424 Peachtree Rd. #150 Atlanta, GA 30326	- One (1) Construction Trailer	1000 Chevalier Ave. Block 257, Lot 3.04

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council do hereby approve the above-captioned application for permission to locate one (1) temporary trailers for office use.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-242**

**BE IT RESOLVED** by the Borough Council of the Borough of Sayreville that in accordance with N.J. State Statutes, the Tax Collector be and she is hereby authorized to extend the grace period for the August 1, 2010 tax quarter to August 22, 2017, due to the delay in the certification of the 2010 tax rate.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-243**

**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:** Wayne Bebert  
**POSITION:** Laborer  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** September 1, 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  
Councilwoman  
(Public Works Committee)

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

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-244**

**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:** Rich Cierpial  
**POSITION:** Laborer  
**DEPARTMENT:** Public Works  
**EFFECTIVE:** September 1, 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  
Councilwoman  
(Public Works Committee)

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

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION # 2014-245**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING AND AUTHORIZING THE ISSUANCE OF A  
SPECIAL EVENT PERMIT TO DARUL ARQAM SCHOOL  
TO HOLD A PRAYER SERVICE**

**WHEREAS**, Darul Arqam School has requested permission from the Mayor and Council of the Borough of Sayreville to conduct a prayer service at Kennedy Park on September 1, 2017; and

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

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

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that Darul Arqam School is hereby granted permission to hold this Special Event and that a permit be issued for a prayer service to be conducted on September 1, 2017 at Kennedy Park.

/s/ Ricci Melendez, Councilman  
(Recreation Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-246**

**BE IT AND IT IS HEREBY RESOLVED** that the Qualified Purchasing Agent is hereby authorized and directed to use a competitive contracting process to procure Voice and Data services.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-247**

**WHEREAS**, the Borough is presently the owner of radio equipment which is no longer required for public use; and

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

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

- 1) That the Qualified Purchasing Agent of the Borough of Sayreville is hereby authorized and directed to advertise for the receipt of bids for the said radio equipment.
- 2) The said notice of sale shall describe said radio equipment and state when and where same may be inspected.
- 3) Notice shall state that the Borough reserves the right to reject any and all bids at their sole discretion.
- 4) All items will be sold on an "as is and where is" basis
- 5) This resolution shall take effect immediately.

/s/ Steven Grillo  
Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-248**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase “Turnout Gear” from Skylands Area Fire Equipment & Training, LLC, through State Contract (T0790/A80948), at a total cost not to exceed \$34,959.12.

/s/ Steven Grillo  
Councilman  
(Public Safety Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2017-249**

**WHEREAS**, Bello’s Sports Club, Inc. has posted a Landscaping Bond covering Block 358, Lots 195-206 (Roosevelt Blvd.) in the amount of \$14,000.00; and

**WHEREAS**, the Borough Engineer’s Office has recently performed a site inspection and has indicated that the required site work has been completed and has recommended that the bond in the amount of \$14,000.00 be released at this time.

**NOW, THEREFORE, BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to release said bond in the amount so stated.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION #2017-250**

**WHEREAS**, Jesus House New Jersey Family Church has posted a Landscaping Bond covering Block 168.05, Lot 1; Block 168.09, Lots 1.01, 1.02 & 2.01 (14 MacArthur Avenue.) in the amount of \$30,000.00; and

**WHEREAS**, the Borough Engineer’s Office has recently performed a site inspection and has indicated that the required site work has been completed and has recommended that the bond in the amount of \$30,000.00 be released at this time.

**NOW, THEREFORE, BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to release said bond in the amount so stated.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O’Brien  
Mayor

**RESOLUTION 2017-251**  
**RESOLUTION COMBINING BONDS AGGREGATING THE  
PRINCIPAL SUM OF \$7,577,000 AUTHORIZED BY SEVEN BOND  
ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF  
THE COST OF VARIOUS IMPROVEMENTS IN THE BOROUGH OF  
SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY  
INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING  
FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID  
CONSOLIDATED ISSUE**

WHEREAS, the Borough Council of the Borough of Sayreville, in the County of Middlesex, New Jersey (the “Borough”), has heretofore adopted seven bond ordinances authorizing bonds to finance part of the cost of various improvements in the Borough; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$7,577,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said seven ordinances into one consolidated issue in the aggregate principal amount of \$7,577,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the “Local Bond Law”); NOW, THEREFORE,

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF  
SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY that:**

**Section 1.** There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinances:

A. \$1,447,000 bonds, being all of the bonds authorized by an ordinance numbered 333-16 and entitled:

“BOND ORDINANCE PROVIDING FOR VARIOUS  
IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF  
SAYREVILLE, NEW JERSEY, APPROPRIATING \$1,520,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,447,000  
BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART  
OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 13.28 years.

B. \$400,000 bonds, being all of the bonds authorized by an ordinance numbered 334-16 and entitled:

“BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO  
VARIOUS PARKS IN THE BOROUGH OF SAYREVILLE, NEW  
JERSEY, APPROPRIATING \$420,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OR NOTES  
OF THE BOROUGH FOR FINANCING PART OF SUCH  
APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

C. \$215,000 bonds, being a portion of the bonds authorized by an ordinance numbered 338-16 and entitled:

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF AN EMERGENCY GENERATOR FOR THE BOROUGH HALL BUILDING IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

D. \$2,850,000 bonds, being all of the bonds authorized by an ordinance numbered 343-16 and entitled:

“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”

as amended by an ordinance numbered 349-16 and entitled:

“BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 343-16 FINALLY ADOPTED SEPTEMBER 12, 2016 BY THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, IN ORDER TO PROVIDE FOR A CHANGE IN THE IMPROVEMENTS AND SECTION 20 EXPENSES AUTHORIZED BY SUCH ORDINANCE”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

E. \$285,000 bonds, being all of the bonds authorized by an ordinance numbered 345-16 and entitled:

“BOND ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$300,000 FOR THE REPLACEMENT OF THE EXISTING RADIO COMMUNICATION SYSTEM AND THE ACQUISITION OF NEW EQUIPMENT AND SITE UPGRADES THEREFOR IN, BY AND FOR THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

F. \$1,900,000 bonds, being all of the bonds authorized by an ordinance numbered 368-17 and entitled:



“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 9.90 years.

F. \$480,000 bonds, being all of the bonds authorized by an ordinance numbered 340-16 and entitled:

“BOND ORDINANCE PROVIDING FOR SITE IMPROVEMENTS AT THE FORMER BORDENTOWN AVENUE WATER TREATMENT PLANT IN THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$480,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$480,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

**Section 2.** The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$7,577,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in subsections A through F, inclusive, of Section 1 hereof shall each be designated as “General Improvement Bonds of 2017” and shall be numbered with the prefix G from one consecutively upward or in such other manner as approved by the Chief Financial Officer of the Borough. The bonds referred to in subsection G of Section 1 hereof shall each be designated as “Water Improvement Bonds of 2017” and shall be numbered with the prefix W from one consecutively upward or in such other manner as approved by the Chief Financial Officer of the Borough.

**Section 3.** The Bonds shall be dated as of their date of issue and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of each series of the Bonds. Purchases of the Bonds will be made in book-entry form (without certificates) in the denomination of \$5,000 each or any integral multiple of \$1,000 in excess thereof.

The Bonds shall mature serially in numerical order on September 15 of each of the following years and in the following principal amounts:

General Improvement Bonds of 2017

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2018	\$350,000	2024	\$700,000
2019	447,000	2025	700,000
2020	700,000	2026	700,000
2021	700,000	2027	700,000
2022	700,000	2028	700,000
2023	700,000		

Water Improvement Bonds of 2017

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2018	\$25,000	2024	\$50,000
2019	25,000	2025	50,000
2020	30,000	2026	50,000
2021	50,000	2027	50,000
2022	50,000	2028	50,000
2023	50,000		

The combined maturity schedule for all of the Bonds is as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2018	\$375,000	2024	\$750,000
2019	472,000	2025	750,000
2020	730,000	2026	750,000
2021	750,000	2027	750,000
2022	750,000	2028	750,000
2023	750,000		

The Bonds are subject to redemption prior to maturity.

**Section 4.** It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the General Improvement Bonds of 2017 are to be issued, taking into consideration the amount of the General Improvement Bonds of 2017 to be issued for said improvements or purposes, is 11.07 years.

**Section 5.** It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the Water Improvement Bonds of 2017 are to be issued, taking into consideration the amount of the Water Improvement Bonds of 2017 to be issued for said improvements or purposes, is 15 years.

**Section 6.** The Bonds shall bear interest from their date based on their outstanding principal amount at a rate or rates to be determined as hereinafter set forth in Section 8 of this resolution, payable semi-annually on the 15<sup>th</sup> day of March and September in each year until maturity, commencing on March 15, 2018, by check mailed on such interest payment date to the owners thereof registered as such as of each next preceding March 1 and September 1 on the registration books maintained by the Borough. Interest on the Bonds shall be calculated on the basis of a 360-day year consisting of twelve 30-day calendar months. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. The principal of the Bonds shall be payable upon presentation thereof at the office of the Chief Financial Officer of the Borough or a paying agent appointed by the Borough.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Blanket Representation Letter executed by the Borough and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the Bonds is the responsibility of the DTC participants.

**Section 7.** The Bonds shall be signed by the Mayor and the Chief Financial Officer of the Borough, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual signature of the Clerk of the Borough.

**Section 8.** The Chief Financial Officer of the Borough be and he hereby is authorized and directed to offer the Bonds for public sale through the submission of electronic proposals and to determine in his discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The “Notice of Sale” shall comply in all respects with the applicable State of New Jersey statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions, modifications or deletions as determined by the Chief Financial Officer of the Borough. The Notice of Sale or a summary thereof as permitted by applicable law shall be published in The Bond Buyer and such other newspaper published in the County of Middlesex, New Jersey and circulated in the Borough as the Chief Financial Officer of the Borough may select at least once at least seven (7) days prior to the date of public sale.

**Section 9.** The Bonds and the registration provisions endorsed thereon shall be in substantially the following form with such changes and modifications as may be required or necessary for the delivery thereof:

**(FORM OF BOND)**

No. G-\_\_ or W-\_\_

**BOROUGH OF SAYREVILLE,  
in the County of Middlesex, New Jersey**

**GENERAL IMPROVEMENT BONDS OF 2017  
OR  
WATER IMPROVEMENT BONDS OF 2017**

**Date of Bond: September \_\_, 2017**

**Principal Amount: \_\_\_\_\_**

**Date of Maturity: September 15, 20\_\_**

**CUSIP: \_\_\_\_\_**

The **BOROUGH OF SAYREVILLE**, in the County of Middlesex, New Jersey, a municipal corporation of the State of New Jersey, (the “Borough”) hereby acknowledges itself indebted and for value received promises to pay to **CEDE & CO.** or registered assigns, the sum specified above as the Principal Amount on the date specified above as the Date of Maturity, upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the Date of Bond specified above until the Date of Maturity specified above, at the rate of \_\_\_\_\_ per centum (\_\_\_%) per annum payable on March 15, 2018 and thereafter semi-annually on the 15<sup>th</sup> day of September and March in each year. Principal of this bond will be paid in lawful money of the United States of America, upon

surrender thereof at the office of the Chief Financial Officer of the Borough in Sayreville, New Jersey or any paying agent appointed by the Borough. Interest on this bond will be payable in lawful money of the United States of America by check mailed on such interest payment date to the registered owner hereof as shown on the books of the Borough on the first day of the month in which interest is paid.

All of the bonds, of which this bond is one, shall be initially issued as one fully registered bond for each maturity in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company (“DTC”). Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the bonds, payments of the principal of and interest on the bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Blanket Representation Letter executed by the Borough and DTC relating to the bonds. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

The bonds of this issue maturing on or after September 15, 2026 are subject to redemption prior to maturity at the option of the Borough, in whole or in part at any time on or after September 15, 2025, and if in part, in inverse order of their maturity and by lot within a maturity if less than all of the bonds of such maturity are to be redeemed, upon notice of redemption given by the Borough by first class mail, postage prepaid, to the registered owner of any bond to be redeemed at the address shown on the registration books of the Borough not less than thirty (30) days nor more than sixty (60) days prior to the redemption date; provided, however, that failure to mail or to receive such notice, or any defect therein, shall not affect the validity of the proceedings for redemption. The bonds subject to redemption shall be redeemed at the redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption.

If notice of redemption has been given by mail, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

This bond is transferable only upon the books of the Borough kept for that purpose by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Borough duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered bond. The Borough and any paying agent of the Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds of the Borough and is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey, a resolution of the governing body of the Borough entitled: “Resolution combining bonds aggregating the principal sum of \$7,577,000 authorized by seven bond ordinances heretofore adopted to finance part of the cost of various improvements in the Borough of Sayreville, in the County of Middlesex, New Jersey into one consolidated issue of bonds and providing for the form, maturities and other details of said consolidated issue,” adopted August 21, 2017 and certain bond ordinances referred to therein. The Bonds are intended to be treated as “Qualified Tax-exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest).

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms. This bond shall not be or be deemed to be a debt or liability of the State or a pledge of the faith and credit of the State.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

In the event the Borough determines that it is in the best interests of the beneficial owners of the bonds (the actual purchasers of the bonds) that they be able to obtain certificated bonds, the Borough may notify DTC of the availability of bond certificates. In such event, the Borough will appoint a paying agent for the bonds and the paying agent will issue, transfer and exchange bond certificates as required by DTC and others in appropriate amounts. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the Borough and discharging its responsibilities with respect thereto. In the event of such determination, if the Borough fails to identify another qualified securities depository as successor to DTC, the Borough will appoint a paying agent for the bonds and the paying agent will issue, authenticate and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the Borough to do so, the Borough will appoint a paying agent for the bonds and the paying agent will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any participants of DTC having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

**IN WITNESS WHEREOF, THE BOROUGH OF SAYREVILLE** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal (or facsimile thereof) to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of the Borough Clerk, and this bond to be dated the \_\_\_<sup>th</sup> day of September, 2017.

**ATTEST:**  
**[SEAL]**

**THE BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Financial Officer

The following abbreviations, when used in the inscription on this bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

TEN COM - as tenants in common  
TEN ENT - as tenants by the  
entireties  
JT TEN - as joint tenants with  
right of survivorship  
and not as tenants  
in common

UNIF GIFT MIN ACT  
\_\_\_\_\_  
Custodian  
(Cust) (Minor)  
under Uniform Gifts  
to Minors Act  
\_\_\_\_\_  
(State)

**ASSIGNMENT**

**FOR VALUE RECEIVED** the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL  
SECURITY OR OTHER  
IDENTIFYING NUMBER  
OF ASSIGNEE  
(FOR COMPUTER RECORD ONLY)

\_\_\_\_\_  
(Please Print or Typewrite Name and Address of Transferee)

\_\_\_\_\_ the \_\_\_\_\_ within  
bond, and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_ Attorney, to transfer  
the within bond on the books kept for the registration thereof, with full power of substitution  
in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the first page of the within bond in every particular, without alteration or enlargement or any change whatever.

### **CERTIFICATE AS TO LEGAL OPINION**

The undersigned Clerk of the Borough of Sayreville, in the County of Middlesex, New Jersey **HEREBY CERTIFIES** that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of bonds of which the within bond is one is available for inspection at the Office of the Borough Clerk and a copy thereof may be obtained by the registered or beneficial owner hereof upon request.

Borough Clerk

**Section 10.** The Chief Financial Officer of the Borough is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of McCarter & English, LLP (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of the Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of the Bonds by the CUSIP Service Bureau of New York, New York, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

**Section 11.** Upon the date of issue of the Bonds, being the date of delivery of the Bonds to DTC on behalf of the Winning Bidder (as defined in the Notice of Sale) and the payment of the purchase price thereof in accordance with the Notice of Sale, the Chief Financial Officer of the Borough is hereby authorized and directed to execute and deliver a Tax Certificate with respect to the exclusion of interest on the Bonds from gross income of the holders thereof for Federal income tax purposes, including, inter alia, the status of the Bonds as other than "private activity bonds" within the meaning of section 141 of the Internal Revenue Code of 1986, as amended (the "Code") and the status of the Bonds as other than "arbitrage bonds" within the meaning of section 148 of the Code.

**Section 12.** The proceeds of the Bonds shall be applied in the amounts and for the purposes provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purposes and then outstanding.



**Section 13.** The Mayor and the Chief Financial Officer of the Borough are hereby authorized and directed, as applicable, to approve, “deem final” in accordance with Rule 15c2-12 of the Securities and Exchange Commission and execute the Preliminary Official Statement of the Borough issued in connection with the Bonds, the Official Statement of the Borough issued in connection with the Bonds, the Notice of Sale, the Continuing Disclosure Certificate and the DTC Blanket Representation Letter and their use in connection with the sale of the Bonds and are further authorized, as is the Clerk of the Borough, to execute all documents, including the Official Statement, the Notice of Sale, the Continuing Disclosure Certificate and the DTC Blanket Representation Letter, necessary for the sale and delivery of the Bonds.

**Section 14.** The Borough Council hereby designates the Chief Financial Officer of the Borough to award the Bonds in accordance with the Notice of Sale and the provisions of the Local Bond Law and the Chief Financial Officer of the Borough is hereby directed to report to the Borough Council at the meeting next succeeding the date when any award of the Bonds pursuant to this resolution is made.

**Section 15.** The Bonds are hereby designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax exempt interest). The Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Bonds.

**Section 16.** The Borough hereby covenants to comply with the provisions of the Code applicable to the Bonds and covenants not to take any action that would cause the interest on the Bonds to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code or cause interest on the Bonds to become an item of tax preference under Section 57 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Bonds does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code or become an item of tax preference under Section 57 of the Code.

**Section 17.** The Borough hereby authorizes the Chief Financial Officer, the Borough Clerk, Bond Counsel, the Financial Advisor, the Auditor and any other professionals of the Borough to proceed with the sale of the Bonds, including the drafting of any documents necessary therefor.

**Section 18.** The Borough hereby delegates to the Chief Financial Officer the authority to postpone the public sale of the Bonds in accordance with the Notice of Sale and the provisions of the Local Bond Law.

**Section 19.** This resolution shall take effect immediately.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-252**

**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:** David Leitner  
**POSITION:** Water & Sewer Utilities Superintendent  
**DEPARTMENT:** Water & Sewer  
**EFFECTIVE:** September 1, 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/ Daniel Buchanan  
Councilman  
(Water & Sewer Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017 - 253**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
APPROVING THE RUTGERS COOPERATIVE FLOODPLAIN  
RESTORATION IMPLEMENTATION PLAN - PHASE I  
FUNDING FOR THE BOROUGH OF SAYREVILLE**

**WHEREAS**, in the aftermath of Hurricane Irene (2011) and Superstorm Sandy (2012) multiple residential properties within the Borough of Sayreville were severely impacted by flooding; and

**WHEREAS**, the Governing Body of the Borough of Sayreville, in a proactive approach to increasing the resiliency of the municipality, has successfully secured funds through the New Jersey Department of Environmental Protection (NJDEP) Blue Acres Program and the Borough has acquired 125 residential properties as part of its floodplain restoration program;

**WHEREAS**, the Borough of Sayreville has partnered with Rutgers Cooperative Extension (RCE) to create a landscape restoration plan that addresses the multiple goals of the Governing Body of Sayreville and its residents; and

**BE IT AND IT IS HEREBY RESOLVED** that the Governing Body of Sayreville approves the Rutgers Cooperative Floodplain Restoration Implementation Plan dated June 26, 2017 and directs that it be implemented.

**BE IT FURTHER RESOLVED** that this resolution approves Phase I of the Plan at a total cost not to exceed \$50,000.00.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

**RESOLUTION #2017-254**

**WHEREAS**, application has been made to the Mayor and Borough Council of the Borough of Sayreville for the renewal of Plenary Retail Distribution License No. **1219-33-051-004 K & K Beverage, 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 Distribution License No. **1219-44-051-004, K & K Beverage**, located at 17 Thomas Street, 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, Councilwoman  
(Admin. & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Kennedy O'Brien  
Mayor

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

- **EXECUTIVE SESSION - None**

**PUBLIC PORTION -** Held earlier in the meeting.

No further business.

- **ADJOURNMENT**

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

Roll Call – Voice Vote, all ayes. Carried.

Time 10:33 P.M.

SIGNED:

\_\_\_\_\_  
Theresa A. Farbaniec, RMC  
Municipal Clerk

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