

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

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this September 27, 2022 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune and the Star Ledger, notifying the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Conti, Dwumfour (arrived at 7:22PM), Maher, Novak, Roberts

Absent: Councilman Onuoha

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

Others Absent: None

Council President Maher made a statement about the tone of the meetings and how inappropriate. She also stated that SDO is actively reorganizing and she's disgusted by the actions of their leader. Council President Maher stated that Patti Burch was elected the new SDO chair. She thanked Joe McCoy for all his years of service.

- **PROCLAMATION & PRESENTATIONS**

- **✦ Bowl for Hunger Check Presentation**

Check presented to Sayreville Care & Share and Epic Church from Assembly Speaker through donations from Bowl for Hunger this year.  
Remarks by the Mayor and Council.

- **✦ Pregnancy and Infant Loss Month Proclamation**

# Proclamation

**WHEREAS**, Pregnancy and Infant Loss is such a common occurrence, one that is usually not recognized, and

**WHEREAS**, many parents and families have suffered a miscarriage, a stillbirth or the death of an infant during delivery or shortly after birth, and

**WHEREAS**, this devastating tragedy often occurs suddenly, without warning, as a result of miscarriage, stillbirth, preterm birth, Sudden Infant Death Syndrome (SIDS), accident, or other causes or complications; and

**WHEREAS**, we wish to acknowledge the profound grief experienced by families who suffer the death of a baby and to acknowledge the existence of the babies and infants that died far too early; and

**WHEREAS**, even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized; and

**WHEREAS**, the 15th day of October is recognized in parts of the United States and in many other jurisdictions around the world, as a day of remembrance and awareness of pregnancy and infant loss; and

**WHEREAS**, the tragedy of pregnancy and infant loss, which exacts a terrible emotional toll, may be preventable in some instances and increased awareness of the causes and impacts surrounding pregnancy and infant loss may lead to greater understanding, support and resources in communities across the world; and

**WHEREAS**, a month of remembrance honors the lives of children taken far too soon and supports grieving parents, grandparents, siblings and other family members whose lives are forever altered by the heartbreak of losing a child, and

**WHEREAS**, promoting awareness of the challenges faced by those parents and families is a positive means of establishing support and understanding, and

**WHEREAS**, this proclamation is inspired by the bravery and courage of Borough Resident Donna Paglia Reo, who lost her daughter, Olivia Anne, in 2021, and

**NOW, THEREFORE, I**, Victoria Kilpatrick, Mayor of the Borough of Sayreville do hereby proclaim October 2022 as Pregnancy and Infant Loss Awareness month and encourage parents, caregivers and all residents to become educated in opportunities to prevent pregnancy and infant loss and support bereaved families when prevention is not possible



**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 27<sup>th</sup> day of September, 2022.

*Victoria Kilpatrick*

Council President Maher moved the following proclamation be approved.  
Seconded by Councilwoman Roberts.

Roll Call: Councilpersons Maher, Conti, Dwumfour, Novak, Roberts, all Ayes.

Mayor presented Donna Paglia Reo with the proclamation.

• **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

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

Public Hearing on Ordinance #26-22.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #26-22.

There were no comments.

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

**Roll Call: Councilpersons Novak, Conti, Maher, Roberts, all ayes.**

**BOND ORDINANCE #26-22  
BOND ORDINANCE PROVIDING FOR WATER CAPITAL  
IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF  
SAYREVILLE, NEW JERSEY, APPROPRIATING \$800,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$800,000 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING SUCH APPROPRIATION**

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$800,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required for said improvements or purposes in accordance with Section 7(h) of the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law").

Section 2. For the financing of said improvements or purposes, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$800,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$800,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are (i) the replacement of identified lead service lines, (ii) the installation of a water transmission main and (iii) upgrades to the chemical feed system at the Bordentown Avenue Water Treatment Plant, together with all other work, materials and appurtenances necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$800,000.

(c) The estimated cost of said purposes is \$800,000.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall

be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 40 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete electronic copy thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$800,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) The said purposes described in Section 3 of this bond ordinance constitute improvements to the Borough's water system, which is self-liquidating pursuant to Section 45 of the Local Bond Law. The obligations authorized herein are, therefore, not includable within the net debt of the Borough, as defined in the Local Bond Law, and no down payment is required to be made by the Borough.

(e) An aggregate amount not exceeding \$600,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual

payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$800,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 12, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: September 27, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 27th DAY OF September, 2022.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

Public Hearing on Ordinance #27-22.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #27-22.

There were no comments.

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

**Roll Call: Councilpersons Novak, Conti, Maher, Roberts, all ayes.**

**ORDINANCE #27-22**  
**CAPITAL ORDINANCE PROVIDING FOR THE  
RECONSTRUCTION OF THE MELROSE SANITARY PUMP  
STATION IN, BY AND FOR THE BOROUGH OF SAYREVILLE,  
IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

WHEREAS, the Borough Council (the "Council") of the Borough of Sayreville, in the County of Middlesex, New Jersey (the "Borough") has adopted a budget for the expenditure of public funds for capital purposes to give effect to general improvement programs; and

WHEREAS, the capital improvement appropriations have not heretofore been earmarked for specific purposes; and

WHEREAS, there is money available for the Borough's general improvement programs in the Capital Improvement Fund of the Borough (the "Capital Improvement Fund").

NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough is hereby authorized to incur costs in connection with the reconstruction of the Melrose Sanitary Pump Station, including all work and materials necessary therefor and incidental thereto (the "Project").

Section 2. The Borough hereby appropriates the sum of \$225,000.00 from the Capital Improvement Fund for the purpose of financing certain costs related to the Project.

Section 3. The Project described in Section 1 of this ordinance is a lawful capital purpose of the Borough, and no part of the cost thereof has been or shall be assessed against property specially benefited thereby. The period of usefulness of said purposes is 40 years.

Section 4. The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the

amended capital budget and capital program as approved by the Director of the Division, are on file with the Municipal Clerk and are available for public inspection.

Section 5. This capital ordinance shall take effect after final adoption and publication as required by applicable law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 12, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: September 27, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 27<sup>th</sup> DAY OF September, 2022.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

Public Hearing on Ordinance #28-22.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #28-22.

Those commenting were:

- Jim Robinson, 11 Borelle Square  
Mr. Robinson questioned what the various park improvements are for. Council President Maher responded that a large portion of it is for the rubberized flooring at Kennedy Park.  
CFO Biancamano responded lights for the Kennedy Park basketball and handball court, rubber surfaces for Kennedy Park, ballfield upgrades in various parks and miscellaneous park improvements.

- Steve Melanaski, 28 Scarlet Drive  
Mr. Melanaski commented on the amount of money for those improvements if it's just for Kennedy Park.  
Response by Mayor Kilpatrick. She explained the rubber surfaces.

No further comments.

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

**Roll Call: Councilpersons Novak, Conti, Dwumfour, Maher, Roberts, all ayes.**

**BOND ORDINANCE #28-22**  
**BOND ORDINANCE PROVIDING FOR VARIOUS PARK IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$540,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF**

**\$513,000 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF SUCH APPROPRIATION**

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$540,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$27,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$540,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$513,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$513,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are (i) the acquisition and installation of lights for the Kennedy Park basketball/handball courts, (ii) the acquisition and installation of rubber surfaces for Kennedy Park, (iii) ballfield upgrades in various parks within the Borough and (iv) miscellaneous park improvements in various parks within the Borough, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$513,000.



(c) The estimated cost of said purposes is \$540,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of the down payment.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$513,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grant, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said

improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$513,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 12, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: September 27, 2022

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

/s/Mary J. Novak, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 27th DAY OF September, 2022.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

Public Hearing on Ordinance #29-22.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #29-22.

Those commenting were:

- Elda Hubbard, 5 North Rd., Berkeley Heights  
Ms. Hubbard stated that she is co-founder of Sammy's Hope and a board member of People for Animals. She commented on TNR and what it does.

- Trish Quinn, 528 Waterford Drive, Edison  
Ms. Quinn stated that she is with Sammy's Hope and commented on TNR.

- Michelle Brobeck, 220 4<sup>th</sup> Avenue, Asbury Park  
Ms. Brobeck stated she works with People for Animals and supports this ordinance. She stated the concerns in some parts of the ordinance.

- Ghalib Syed, 3 Sophie Street  
Mr. Syed requested this ordinance be passed.

- Karen Bebert, 9 Burlington Road  
Ms. Bebert stated that she has been working to get a TNR program in town. She thanked them all for considering this and would like to help the town.

- Denise Morgan, Stevens Avenue  
Ms. Morgan requested that they pass this ordinance.

No further comments.

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

**Roll Call: Councilpersons Dwumfour, Conti, Maher, Novak, Roberts, all ayes.**

**ORDINANCE #29-22**  
**AN ORDINANCE AMENDING CHAPTER IX, "ANIMAL CONTROL",  
OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF SAYREVILLE TO ADD  
SECTION 9-14 "FERAL CAT PROGRAM"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

***19.14 FERAL CAT PROGRAM.***

***A. Definitions. As used in this section, the following terms shall have the meanings indicated:***

***ANIMAL CONTROL PROVIDER***

***Any agency contracted or selected by the Borough and/or the TNR Committee to coordinate and monitor the TNR Program.***

***CAREGIVER***

***Any person who provides food, water or shelter to or otherwise cares for a cat.***

***ANIMAL CONTROL OFFICER***

*Any person employed or appointed by the Borough who is authorized to investigate violations of laws and regulations concerning animals, and to issue citations in accordance with this Code.*

**DOMESTICATED CAT**

*A cat that is socialized to humans and is appropriate companion for humans.*

**EAR TIPPING**

*A straight-line cutting of the tip of the left ear of a cat by a licensed veterinarian while the cat is anesthetized.*

**FEEDING**

*To give, place, expose, deposit, distribute or scatter any edible material.*

**FERAL CAT**

*A cat which is completed or substantially unsocialized to humans. The usual and constituent temperament of a feral cat is extreme fear and resistance to contact with humans. Feral cats are either born in the wild, the offspring of tame or feral cats and not socialized; or formerly tame cats that have been abandoned and have reverted to an untamed state.*

**FERAL CAT COLONY**

*An individual feral cat or group of cats which congregate together outside as a unit. Any non-feral cats that congregate with a multiple-cat colony shall be deemed part of it.*

**NUISANCE**

*Disturbing the peace by habitually or continually howling, crying or screaming, or the unreasonable destruction, desecration of property against the wishes of the owner of the property.*

**OWNER**

*Any person, firm, corporation, partnership, association, trust, estate or any other legal entity.*

**STRAY CAT**

*A cat which is regularly of the property of the owner, is not under the physical control and restraint of the owner and is not regularly provided with food by the owner.*

**SUITABLE SHELTER**

*A shelter that provides protection from rain, sun, and other elements that is adequate to protect the health of the cat.*

**TAME CAT**

*A cat which is socialized to humans and is appropriate as a companion for humans.*

**TNVR**

*Trap, neuter, vaccinate and return.*

**CREATION OF TNR COMMITTEE**

*There is hereby created the Borough of Sayreville TNR Committee which shall perform those functions related to the Borough's TNR Program, as specified in this Ordinance. The Committee shall consist of members; and the members shall include the Borough Animal Control Officer, and citizens appointed by the Mayor with the advice and consent of the Borough Council. The Mayor shall appoint the Chairperson for the TNR Committee and shall designate one (1) current Council Member as Liaison.*

**TNR PROGRAM**

*A program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, ear tipped and returned to the location where they congregate.*

**B. Feral Cat Colonies.**

*(1) Feral cat colonies shall be permitted and caregivers shall be entitled to maintain them in accordance with the terms and conditions of this section.*

*(2) No feral cat colony shall be permitted to be located within 1,000 feet of the property line of any public or private school located in the Borough of Sayreville.*

*(3) The Borough of Sayreville shall have no liability with regard to the operation and maintenance of any cat colony permitted by this section and all caregivers shall agree to defend and indemnify the Borough of Sayreville in regards to their maintenance of a cat colony.*

*(4) Any cat colony that existed prior to the adoption of the ordinance establishing this section and for which the Borough also received a nuisance complaint prior to the adoption of the ordinance, shall first require written approval of all property owners located within five hundred (500) feet of the colony prior to it being permitted to be maintained by a caregiver in accordance with the terms and conditions of this section.*

**C. Animal Control Responsibilities.** *It shall be the duty of the animal control provider to:*

*(1) Provide training for the cat colony caregivers;*

*(2) Help to resolve any complaints over the conduct of a cat colony caregiver or of cats within a colony; and*

*(3) Be responsible for any cost as provided in the Borough agreement with reference to the TNR Program.*

**D. TNR Committee responsibilities.** *It shall be the duty of the TRN Committee to:*

*(1) Help resolve any complaints over the conduct of a colony caregiver or of cats within a colony;*

*(2) Maintain records provided by colony caregivers on the registration, size and location of the colonies, as well as the vaccination and spay/neuter records of cats in the caregiver's colonies;*

*(3) Report semiannually in writing to the Code Official on the status of the colony, including data on the number and gender of all cats in the colony, the number of cats who died or otherwise ceased being a part of the colony during the previous six-month period, the number of kittens born to colony cats and their disposition, the number of cats and kittens spayed and neutered and the number of cats and kittens placed in permanent homes as companion cats.*

*(4) Provide the semi-annual report forms to caregivers and provide assistance upon request by the caregiver in the preparation of the forms.*

*(5) To contract and hire the Animal Control Provider.*

**E. Feral cat caregiver responsibilities.**

**(1) It shall be the duty of feral cats caregivers to:**

**(a) Register the feral cat colony with the TNR Committee:**

**(b) Take steps to vaccinate the colony population for rabies and update the required vaccination protocols whenever possible; take steps to get all cats in the colony population spayed/neutered by a licensed veterinarian;**

**(c) Maintain digital photos of each cat in the colony and copies of documents evidencing that the cats have been vaccinated, spayed/neutered and ear tipped; providing food, water and, if feasible, suitable shelter for colony cats;**

**(d) Observe the colony cats and keep a record of any illnesses or unusual behavior noticed in any colony cats;**

**(e) Obtain the written approval of the owner of any property to which the caregiver requires access to provide colony care;**

**(f) Take steps, in the event that kittens are born to a colony cat, to remove the kittens from the colony after they have been weaned, and place the kittens in homes, foster homes, or with animal shelters, rescue organizations or veterinary offices for the purpose of subsequent permanent placement;**

**(g) Report semi-annually in writing to the TNR Committee on the status of the colony, the total number of cats in the colony, including data on the number and gender of all cats in the colony, the number of cats who died or otherwise ceased being a part of the colony during the prior six-month period, the number of kittens born to colony cats and their disposition, the number of cats and kittens spayed and neutered and the number of cats and kittens placed in permanent homes as companion cats.**

**(h) Obtain proper medical attention for any colony cat that appears to require it;**

**(i) Undergo training for themselves and their responsible substitutes in the proper management of a colony as developed and verified by the animal control provider;**

**(j) Set up consistent and monitored feeding schedules. Feeding shall be limited to daylight hours. All remaining food must be removed daily;**

**(k) "Ear tip" all cats with a single cut preferably on the left ear;**

**(2) All costs and expenses associated with maintaining a feral cat colony shall be borne solely by the feral cat caregiver and the Borough of Sayreville shall not provide any financial resources or funds to caregivers who maintain a cat colony.**

**F. Exemptions from restrictive ordinances. The following sections of the Borough Code shall not apply to feral cat colonies managed by the TRN Program or to any person or organization that is providing care for a feral cat colony and is taking steps to trap and sterilize the animals.**

**G. Cat colony caregiver registration-ownership exemption. Any person undertaking the duties and responsibilities of a cat colony caregiver shall first be registered with the TNR Committee at no cost. A registered caregiver shall not be considered an owner in or be subject to regulations governing ownership or control of an animal, except as specified in this subsection.**

**H. Ordinance enforcement. The Borough shall retain the following rights:**

**(1) The right to seize or remove from a colony, cats that have not been vaccinated against rabies and which are demonstrating signs of the disease.**

**(2) The right to seize or remove from a colony a cat that is creating a nuisance after the caregiver and sponsor have been given 60 days to resolve the complaint or remove and relocate the cat and have failed to do so.**

**(3) The right to seize or remove a colony of cats when the caregiver regularly fails to comply with the requirements of this section and the TRN Committee has not been able to obtain a replacement or substitute caregiver within 60 days of the Borough's notice to the TRN Committee of the caregiver's failure to comply with this subsection.**

**(4) The right to replace or remove a caregiver who fails to comply with the responsibilities and requirements of this section after reasonable notice is provided to the caregiver of noncompliance.**

**I. Nuisance Complaints. The requirements of this subsection notwithstanding, Animal Control Officer and the Borough Police Department or other appropriate Borough official may investigate any nuisance complaint. If a Animal Control Officer, Police Department or Borough Official determines that an ear-tipped feral colony cat is causing a nuisance as defined in this section, the Animal Control Officer, Police Department or Borough Official shall contact the TNR Committee and allow the TNR Committee 60 days to resolve the Complaint or remove the cat before further action is taken. The caregiver or TRN Committee must begin nuisance abatement procedures within 48 hours after being notified of a nuisance and must take all reasonable and necessary steps to resolve the nuisance in a short a time period as possible, not to exceed 60 days. If the TRN Committee fails to resolve the nuisance or remove the cat within the 60 days, the Animal Control Officer may remove the cat. If an Animal Control Officer, Police Department or Borough Official reasonably determines that a cat is injured or poses a significant threat to the public health, the Animal Control Officer, Police Department or Borough Official may reduce the time that the TNR Committee has to resolve the complaint, as necessary to protect the cat and public health, before taking further action. In the case of an emergency, the Animal Control Officer**

**II. , Police Department or Borough Official may remove the cat, but within 24 hours must provide the TRN Committee with notice of the cat's whereabouts and allow the TNR Committee an opportunity to retrieve the cat for treatment, return or relocation.**

**J. Enforcement and Fines.**

**(1) This section shall be enforced by the Code Official, Police Department and any other Department or Borough official that may hereinafter be designated by the Township Administrator.**

**(2) If it is determined by the Code Official, Police Department or Borough Official that an owner has abandoned a domesticated cat, then the owner shall be subject to a maximum penalty of \$100.00 per violation; each and every day in which a violation of this section exists shall constitute a separate violation.**

***K. Study and review. This section shall be reviewed after a period of one year from the date of adoption of this section to permit the Borough to study the effectiveness of the TNR Program and to review the continuance of this subsection.***

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 9, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change; and

**BE IT FURTHER ORDAINED** that the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, may review Chapter 9, Entitled "Animal Control" Section 9-3.9 one (1) year from the date of adoption of this Ordinance for further revisions.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 12, 2022

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

/s/Eunice K. Dwumfour, Councilwoman  
(Public Safety Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: September 27, 2022

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

/s/Eunice K. Dwumfour, Councilwoman  
(Public Safety Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 27th DAY OF September, 2022.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

Public Hearing on Ordinance #30-22.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #30-22.

Those commenting were:

- Jim Robinson, 11 Borelle Square  
Mr. Robinson stated that he's in favor of redeveloping this site but questioned if there would be a Pilot in regards to this project.  
Borough Engineer Cornell stated that this just sets the zoning for this project.  
Mr. Robinson commented on Pilots.

No further comments.

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

**Roll Call: Councilpersons Conti, Dwumfour, Maher, Novak, Roberts, all ayes.**

**ORDINANCE #30-22**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN IN CONNECTION WITH THE NATIONAL AMUSEMENT THEATER SITE, LOCATED ON ROUTES 9 & 35 IN THE BOROUGH OF SAYREVILLE, STATE OF NEW JERSEY AND DESIGNATED AS**



**BLOCK 265, LOT 1; BLOCK 273, LOT 1; AND BLOCK 274.01, LOT 1 ON THE MUNICIPAL TAX MAP IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING THE GENERAL ORDINANCES AND ZONING MAP OF THE BOROUGH OF SAYREVILLE**

**WHEREAS**, the Borough Planning Board (the "Planning Board") was directed by the Borough Council, pursuant to Resolution dated May 10, 2021 to conduct a preliminary investigation in order to investigate whether the former National Amusement Theater site located on Route 9 and State Highway 35, Sayreville, New Jersey and identified as Block 265, Lot 1; Block 273, Lot 1; and Block 274.01, Lot 1 on the Municipal Tax Map, inclusive of any and all streets, paper streets, private drives and right of ways (the "Study Area") should be determined to be a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL"); and

**WHEREAS**, the Planning Board received Borough Council Resolution dated May 10, 2021, and directed Michael P. Fowler Associates, LLC ("Fowler") to perform a preliminary investigation as to whether the Study Area constitutes an "area in need of redevelopment" in accordance with the LRHL; and

**WHEREAS**, on August 18, 2021, the Planning Board held electronically a special meeting, at which time a report was presented by Fowler, that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment. The Planning Board made a recommendation to the Borough Council concurring with Fowlers' report and testimony; and

**WHEREAS**, the Borough Council subsequently adopted Resolution No. 2021-241 designating Block 265, Lot 1; Block 273, Lot 1; and Block 274.01, Lot 1 (the "Area") as a non-condemnation area in need of redevelopment, and authorized CME Associates to prepare a Redevelopment Plan; and

**WHEREAS**, CME Associates prepared a proposed a redevelopment plan dated December 23, 2021 (the "Plan"), which is attached hereto as Exhibit A, and said Plan was referred by the Borough Council to the Planning Board for review in accordance with the provisions of N.J.S.A. § 40A:12A-7(e); and

**WHEREAS**, at its June 15, 2022 meeting, the Planning Board approved the aforementioned Plan and memorialized its actions on July 20, 2022, and referred the Plan to the Borough Council for review and approval; and

**WHEREAS**, the Borough Council has reviewed said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

Section 1. The Borough hereby approves and establishes the Plan, which is attached hereto as Exhibit A, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The Plan shall supersede all provisions of the Zoning and General Ordinances of the Borough of Sayreville regulating development in the area addressed by the Plan, unless otherwise noted in the Plan.

Section 3. Final adoption of the Plan by the Borough Council shall be considered an amendment of the Borough of Sayreville Zoning Map. The Zoning District Map in the Zoning Ordinances of the Borough shall be amended to include the boundaries described in the Plan and the provisions therein.

Section 4. All of the provisions of the Plan shall supersede the applicable development regulations of the Borough's Ordinances, as and where indicated, for the properties subject to said Plan. In the event of any inconsistencies between the provisions of the Plan and any prior ordinance of the Borough of Sayreville, the provisions of the Plan shall govern.

Section 5. Chapter XXIII entitled “Zoning” of *The Revised General Ordinances of the Borough of Sayreville*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in said Redevelopment Plan for lands known as Block 425, Lot 2.02.

Section 6. A copy of this Ordinance shall be forwarded to the Planning Board in accordance with N.J.S.A 40A:12A-7e.

Section 7. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

Section 8. The within Ordinance shall take effect in the time and manner provided by law.

Exhibit A

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 12, 2022

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

/s/Christian Onuoha, Councilman  
(Planning & Zoning Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: September 27, 2022

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

/s/Christian Onuoha, Councilman  
(Planning & Zoning Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 27th DAY OF September, 2022.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

b) Appointments

Mayor stated that at the last meeting there was an appointment made to SERA and asked the Borough Attorney to get additional information and consultation on the validity of that appointment. She claims the appointment is hers for 30 days and then the Council can appoint after the 30 days is up. Mayor stated there was a SERA meeting last week and would like it to be looked into very carefully due to the possibility of that appointment not being legal. She stated the appointment of Kevin Dalina to SERA needs to be looked into being she didn't make the appointment. Mayor requested that SERA pause on their business, contracts or discussions with developers. She asked the Borough Attorney to prepare a letter for SERA to halt their business. Mayor stated that she will not be making any appointments to SERA at this time.

• **NEW BUSINESS:**

a) Clerk Morelos reported having received the Supplemental Debt Statement as of September 27, 2022, from CFO Denise Biancamano.

Councilwoman Novak moved the Supplemental Debt Statement be received and filed. Seconded by Councilwoman Roberts.

Roll Call: Councilpersons Novak, Conti, Dwumfour, Maher, Roberts, all Ayes.

a) Introduction of the following ordinances:

**BOND ORDINANCE #31-22**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SAYREVILLE, NEW JERSEY, APPROPRIATING \$1,433,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,361,350 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF SUCH APPROPRIATION**

(Admin. & Finance – Co. Novak – Public Hearing 10-11-22)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be scheduled for October 11, 2022. Motion was seconded by Councilwoman Roberts.

Roll Call: Councilpersons Novak, Conti, Dwumfour, Maher, Roberts, all ayes. Carried.

**ORDINANCE #32-22**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION 4-19.4 “PAYMENT FOR OFF-DUTY ASSIGNMENTS”**

(Public Safety – Co. Dwumfour – Public Hearing 10-11-22)

Councilwoman Dwumfour moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be scheduled for October 11, 2022. Motion was seconded by Councilwoman Maher.

Roll Call: Councilpersons Dwumfour, Conti, Maher, Novak, Roberts, all ayes. Carried.

Mayor commented on the search for Jonathan and praying for a safe return. She congratulated Councilman Onuoha and family on the birth of their son.

**CONSENT AGENDA RESOLUTIONS**

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

Those commenting were:

- Ken Olchaskey, 108 N. Edward Street

Mr. Olchaskey questioned Resolution #2022-249.

Borough Engineer Cornell responded that the developer of the Arsenal project was required to improve that intersection as part of this project.

Mr. Olchaskey questioned the left turn arrow that was supposed to be changed on the traffic signal at Bordentown and Jernee Mill Road.

Borough Engineer Cornell responded that the County was still negotiating with the railroad for those improvements and will reach out to the county for the status.

No further comments.

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

Roll Call: Councilpersons Maher, Conti, Dwumfour, Novak, Roberts, all Ayes.

**RESOLUTION #2022-247**

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

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

/s/ Victoria Kilpatrick, Mayor

/s/ Vincent Conti, Councilman

/s/ Mary J. Novak, Councilwoman

/s/ Eunice Dwumfour, Councilwoman

Absent

Christian Onuoha, Councilman

/s/ Michele Maher, Councilwoman

/s/ Donna Roberts, Councilwoman

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

/s/ Michael R. DuPont, Borough Attorney

**Bill list of September 27, 2022 in the amount of \$2,691,233.39 in a separate Bill List File for 2022 (See Appendix Bill List 2022-A for this date).**

**RESOLUTION #2022-248**

**WHEREAS**, an application has been received by the Municipal Clerk for a person to person transfer Plenary Retail Consumption License #1219-33-004-002, heretofore issued to Bailey's Tavern, Inc. (Pocket License).

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

**WHEREAS**, the applicant has duly advertised in the Home News Tribune on July 11, 2022 and July 18, 2022, as required by law, and has produced proof of publication as to such advertising; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sayreville does hereby approve, the transfer of Plenary Retail Consumption License #1219-33-004-002 now Bailey's Tavern, Inc. to **Karen Bailey Bebert (Pocket License)** and that the Municipal Clerk is hereby authorized to endorse the license certificate to the new ownership, subject to all its terms and conditions, **effective September 28, 2022.**

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

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-249**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH CLERK TO EXECUTE THE MULTI-PARTY TRAFFIC SIGNAL AGREEMENT**

**WHEREAS**, the Borough of Sayreville has been advised by the developer of Parlin Section 1 Urban Renewal, LLC, that it wishes to replace the existing traffic signal at the intersection of Bordentown Avenue and Cheesequake Road; and

**WHEREAS**, the aforementioned traffic signal includes rights-of-way for both the Borough of Sayreville and the Township of Old Bridge; and

**WHEREAS**, the replacement of the existing traffic signal will improve the intersection of Bordentown Avenue and Cheesequake Road; and

**WHEREAS**, the developer will bear all costs and replace said traffic signal according with the current MUTCS and the Middlesex County, Office of the County Engineer, Standards and Requirements for Developer Designed Modified and Constructed Traffic Signals; and

**WHEREAS**, the Developer shall provide a one-year Maintenance Bond for the all bonded traffic control signal improvements within the public Right-of-Way and easements from the date of acceptance of the traffic control signal; and

**WHEREAS**, all parties have reviewed the Multi-Party Traffic Signal Agreement and have approved same; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Borough Clerk is authorized and instructed to execute the Multi-Party Traffic Signal Agreement.

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

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-250**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to award a non-fair and open contract to Laurel Ford of Winder, PA for the purchase of one (1) 2022 Police Interceptor in an amount not to exceed \$40,200.00.

/s/ Eunice Dwumfour, Councilwoman  
(Public Safety Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-251**

**BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to award a contract for the purchase of one (1) Loader Bucket Attachment to Jesco, Inc., 1260 Centennial Avenue, Piscataway, NJ 08002 through ESCNJ Contract 18/19-25 in an amount not to exceed \$27,100.00.

/s/ Vincent Conti, Councilman  
(Public Works Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-252**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to purchase through Sourcewell Contacts #110719-CNH and 070821-AGI, one (1) One Arm Cutter for the Department of Public Works from Storr Tractor, 3191 Route 22, Branchburg, NJ 08876 in an amount not to exceed \$164,386.02.

/s/ Vincent Conti, Councilman  
(Public Works Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-253**

**BE IT AND IT IS HEREBY RESOLVED** that the Proper Borough Officials are hereby authorized and directed to release the balance in escrow to AMS Acquisitions in the amount of \$781.25 covering Gillette Towers, Main Street.

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

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-254**

**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 hereby requests the Director of the Division of Local Finance to approve the insertion of the following items of revenue in the budget of the year 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

**SECTION 2.**

- Safe and Secure Grant \$17,400.00

**SECTION 3.**

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

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

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-255**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 3:

- Project: 2020 Roadway Paving & Reconstruction – Phase I project
- Contractor: Lima Charlie Construction  
1 Broad Street, Suite 4  
Freehold, NJ 07728
- Net Decrease: \$54,244.39
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

/s/ Vincent Conti, Councilman  
(Public Works Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-256**

**ACCEPTING FINAL WORK  
AND AUTHORIZING FINAL PAYMENT  
UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: 2020 Roadway Paving & Reconstruction – Phase I project
- Contractor: Lima Charlie Construction  
1 Broad Street, Suite 4  
Freehold, NJ 07728
- Balance Due \$21,091.11

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.



2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$158,183.34 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Vincent Conti, Councilman  
(Public Works Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-257**

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

**WHEREAS**, the Borough of Sayreville is in need of certain vehicles for snow removal, maintenance and repair of Borough facilities and Code Enforcement Inspections; and

**WHEREAS**, the Borough of Sayreville wishes to purchase five (5) Ford Trucks; four (4) Pick Up Trucks and one (1) SUV; and

**WHEREAS**, there are sufficient funds to complete these purchases; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the QPA is authorized and directed to prepare and publish bids for five (5) Ford Trucks.

/s/ Vincent Conti, Councilman  
(Public Works Committee)

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

/s/ Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Mayor

- **BOROUGH ATTORNEY - Michael DuPont- NONE**

- **PUBLIC PORTION**

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

Those commenting were:

- Patricia Farrell, 7 Elacqua Blvd.

Ms. Farrell questioned that status of the redevelopment area on Ernston Road. Borough Engineer Cornell responded that back in May SERA sent a letter to the Council requesting a study be performed to see if that area met the criteria to be put in a redevelopment area and the council referred it to the Planning Board to perform that study.

- Allison Hornbeck, 7 Driftwood Drive

Ms. Hornbeck questioned how the Ernston Road property is determined to be an area in need of redevelopment.

Borough Engineer Cornell responded that the planner will look into all those criteria in his study to see if they are satisfied.

Ms. Hornbeck requested all projects that have been put through by SERA should be on hold. She stated the last audit on the website is from 2016. Ms. Hornbeck asked that this property be left alone.

Further discussion ensued.

Councilman Conti made a motion to have Borough Attorney send a letter to the Planning Board asking them to pause the study on Block 446, Lot 2. Seconded by Councilwoman Maher.

Roll Call: Councilpersons Conti, Dwumfour, Maher, Novak, Roberts, all ayes.

Mayor requested that the Borough Attorney send a letter/email to SERA stating that all the audits and budgets be posted on our website.

- Meg Heekin, 50 Driftwood Drive

Ms. Heekin commented on whether the Ernston Road property would be an appropriate place for elderly people and want the noise barrier between Ernston Road and her property.

- Jim Robinson, 11 Borelle Square

Mr. Robinson commented on the Ernston Road property and the SERA meeting he attended. He stated the resolution referring the Ernston Road property to Planning Board should be rescinded.

- Art Rittenhouse, 33 Delikat Lane

Mr. Rittenhouse explained the tree bank. He also commented on concerns he has with different projects in town that they were not aware of. Mr. Rittenhouse requested that the Shade Tree Commission be notified. He commented on the Rutgers plan for MacArthur and Weber Avenue. Mr. Rittenhouse stated that the plan for the money in the tree bank is the Rutgers plan, every tree in the Borough needs to be counted which will cost between \$100,000-\$200,000, UES had to remove trees and they will be replacing 20 trees there and may put up a sound barrier for the residents near the new Dunkin Donuts that is being built. He also stated that three memorial trees were just planted. Mr. Rittenhouse commented on the mosque being issued a violation back in September 2021 and still do not have permits.

- Debbie Ravelle, 17 Driftwood Drive

Ms. Ravelle commented on the Ernston Road property.

- Ken Olchaskey, 108 N. Edward Street

Mr. Olchaskey commented on the Hercules Redevelopment Plan. He commented on the traffic issues that will come with those warehouses.

- Steve Melanaski, 28 Scarlet Drive

Mr. Melanaski stated that the Borough really needs to look at the appointments and reporting needs to come back from the boards and commissions.

- Carol Johnson, 210 Ernston Road

Ms. Johnson stated she is here representing her mother who is highly upset about the community center, traffic and cars parking on lawns.

Borough Attorney DuPont responded that the application for the mosque has been filed and will be reviewed by the Zoning Board.

Borough Engineer responded that the application is still deemed incomplete and when complete it will go to technical review then a hearing will be scheduled before the Zoning Board.

Further discussion ensued.

- Shameer Sadar, 216 Ernston Road

Mr. Sadar stated that the fees were paid a few months ago. He stated anything the resident wants for privacy they are willing to do.

- Karen Bebert, 9 Burlington Road

Ms. Bebert questioned if the Executive Director of SERA sold this property to the community center. She stated there is no CO for that property and should not be utilized.

Councilwoman Novak stated the Executive Director only owned  $\frac{1}{4}$  of that property and was on the market for over a year.

- Ghalib Syed, 3 Sophie Street

Mr. Syed stated that Verizon came in to put Fios on his street and dug up there front yard and should have been informed. He commented that they replaced the grass but it's dead.

Borough Engineer responded that the grass will have to be replaced. He also stated that Verizon would have to file a road opening permit.

- Karin Linder, 9 S. Minisink Avenue

Ms. Linder commented on the issues with truck traffic on their road causing her house to shake. She asked them to consider a weight limit on that street.

- Farrah, 58 Cori Street

Ms. Farrah stated that she's active member of the community and the community center. She stated that there have been multiple attempts to reach out to the neighbors and have not seen anyone come to the center to voice their concerns. Ms. Farrah stated she doesn't see any traffic issues. She stated the community center is willing to work with them.

- Basam Mohammed, Unknown address

Mr. Mohammed stated that they don't want to cause any hardship to anyone with the mosque. He also commented on the TNR ordinance.

- Ghalib Syed, 3 Sophie Street

Mr. Syed stated that the community's backbone is the youth. He stated that now they have an opportunity with the community center to help the youth which will have a positive effect for them.

- Syed Ali, 44 Kierst Street

Mr. Ali thanked the governing body for the positive approach to put the community center and neighbors together to resolve issues.

- Theresa Heery, 8 Parkway Place

Ms. Heery stated that this is political interference that made the mosque happen. She stated this has been done illegally from the purchase and they are still able to operate.

No further comments.

**Council President Maher made a motion to close the Public Portion. Seconded by Councilwoman Roberts.**

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION**

Borough Attorney DuPont read the following Executive Session Resolution into record.

**RESOLUTION FOR CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and **WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 20-25 minutes to discuss the following matters:

- Personnel

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

**NOW, THEREFORE BE IT RESOLVED** that the public be excluded and this resolution shall take effect immediately.

/s/ Michele Maher, Council President

APPROVED:

/s/ Victoria Kilpatrick, Mayor

**Council President Maher moved the Executive Session Resolution be adopted on Roll Call Vote. Motion seconded by Councilwoman Roberts.**

Roll Call: Councilpersons Maher, Conti, Dwumfour, Novak, Roberts, all Ayes.

Time: 10:39 PM

**Reconvene:**

Council President Maher made a **motion to reconvene**. Motion was seconded by Councilwoman Roberts.

Roll Call: Voice Vote, All Ayes.

Time: 11:46 PM

- **ADJOURNMENT**

No further business Council President Maher made a motion to adjourn. Seconded by Councilwoman Roberts.

Roll Call: Voice Vote, all Ayes.

Time 11:47 P.M.

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

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