

Council President Buchanan called the Council meeting to order at 7:01 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Farbaniec announced that this October 15, 2019 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Dalina, Enriquez,  
Kilpatrick, McGill, Novak.

Mayor is ill and will not be present.

Absent: Kennedy O'Brien, Mayor

Others Present: Daniel E. Frankel, Business Administrator  
Denise Biancamano, C.F.O./Treasurer  
Theresa A. Farbaniec, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney  
Jay Cornell, P.E., Borough Engineer

Others Absent: None

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

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

- ✕ August 14, 2019 - Receipt of Bids  
(Water & Sewer Pump Station Repair & Maintenance)
- ✕ September 9, 2019 - Special Meeting / EMS Matter & Grievance
- ✕ September 9, 2019 - Executive Session
- ✕ September 10, 2019 - Receipt of Bids  
(Duhernal Wellfield Generator & Electrical Improvements)
- ✕ September 23, 2019 - Regular & Agenda Session

Seconded by Councilwoman Novak.

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

- **SWEARING IN OF AUXILIARY POLICE OFFICERS**

Council President Buchanan called forward Chris Bardsley, Chief of the Police Auxiliary to explain the program.

Chris Bardsley stated that he is Chief of the Police Auxiliary under the direction of Police Chief John Zebrowski. He stated that several members of the Auxiliary had moved on to Law Enforcement so these candidates have already been on the road as auxiliary officers doing traffic control, etc. They have completed a three month police academy two nights a week and several Saturdays volunteering their time to become Police Auxiliary Officers to provide a service to the Borough of Sayreville. He called forward Sgt. David Viera to hold the Bible and then called forward the following Police Auxiliary members who were sworn in:

**-Clerk administered the Oaths of Office to:**

- Kirsten Colangelo
- Melissa Dias
- Vishal Madan
- Kelly Provenza
- Damian Truszkowski

Comments to each member made the Governing Body.

- **PRESENTATIONS –**  
**Daniel Harris on behalf of Assembly Speaker Craig Coughlin – 10<sup>th</sup> Annual Bowling for Hunger check presentation to Sayreville Care & Share Food Bank and Faith Fellowship Ministries Food Bank in the amount of \$1,000. check for each.**
- **EXECUTIVE SESSION –** Litigation/ Att’y. Client Priv.  
Personnel  
Possible Litigation

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

**RESOLUTION FOR CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10 minutes to discuss the following matters:

- Litigation
- Personnel
- Possible Litigation

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

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

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

/s/ Mary J. Novak, Councilwoman

APPROVED:

/s/ Daniel Buchanan, Council President

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

Roll Call: Voice Vote, all Ayes.

Time: 7:11 PM

**Reconvene:**

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

Roll Call: Voice Vote, all Ayes. - Time 7:20 PM

- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

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

Public Hearing on Ordinance #472-19.

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #472-19.

Those appearing were:

- John Krenzel, Esq., rep. 429 Washington Road, LLC a landlord, questioned what the reason was for the amendment.

The Borough Attorney responded that this Ordinance amendment was recommended by the Attorney for the Rent Leveling Board pursuant to his memo that he is recommending that this allows for the payment of surcharges and allows for the twelve equal installments by using a formula set forth in the Ordinance 12-6.6. He said that he understands that he (Mr. Krenzel) had been in touch with Mr. Nolan regarding this Ordinance and the changes and both parties agrees with the new changes.  
Mr. Krenzel agreed.

No other questions.

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

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

**ORDINANCE #472-19**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**SECTION 12.6 RENT CONTROL**

**12-6 Rent Control**

**12-6.8 Payment of Permitted Tax Surcharge.** Landlords that have been granted surcharges in accordance with the preceding sections shall bill the tenants for the payment of such surcharges in twelve (12) equal monthly installments ***each year by using the formula set forth in Section 12-6.6.***

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Twelve - Building and Housing**, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**INTRODUCED/APPROVED ON FIRST READING**      DATED: September 23, 2019

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

/s/ Mary Novak, Councilwoman  
(Public Works/Rent Leveling Committee)

**ADOPTED ON SECOND READING**      DATED: October 15, 2019

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

/s/ Mary Novak, Councilwoman  
(Public Works/Rent Leveling Committee)

APPROVED AS TO FORM:

/s/ MICHAEL DUPONT, ESQ., Borough Attorney

• **NEW BUSINESS:**

a) Clerk Farbaniec reported on having received **the Supplemental Debt Statement** from CFO Denise Biancamano as of today October 15, 2019.

Council President Buchanan moved the Supplemental Debt Statement be received and filed. Seconded by Councilman Dalina.

Roll Call: Voice Vote, all Ayes. Carried.

b) The Borough Clerk read the Introduction of the following ordinances:

**ORDINANCE # 473-19**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER II OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO**  
**AMEND SECTION 2-64 "FEES AND LICENSES**

**Councilman McGill moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on October 28, 2019. Seconded by Councilwoman Kilpatrick.**

**Roll Call: Councilpersons McGill, Buchanan, Dalina, Enriquez, Kilpatrick, Novak, All Ayes. Carried.**

**ORDINANCE NUMBER 474-19**  
**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND**  
**EQUIPMENT FOR THE WATER UTILITY, BY AND IN THE BOROUGH OF**  
**SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY;**  
**APPROPRIATING \$240,000 THEREFOR AND AUTHORIZING THE ISSUANCE**  
**OF \$240,000 BONDS OR NOTES OF THE WATER UTILITY TO FINANCE THE**  
**COSTS THEREOF**

**Councilman McGill moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on October 28, 2019. Seconded by Councilwoman Novak.**

**Roll Call: Councilpersons McGill, Buchanan, Dalina, Enriquez, Kilpatrick, Novak, All Ayes. Carried.**

**CONSENT AGENDA RESOLUTIONS**

Clerk announced for the record that the amount in Resolution #2019-315 had been reduced to \$649,000.

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

**There were no appearances the Councilwoman Novak made a motion to close the public portion and that the Consent Agenda Resolutions be approved. Seconded by Councilman Dalina.**

**Roll Call:**

**Ayes: Councilpersons Novak, Buchanan, Dalina, Enriquez, Kilpatrick, McGill.**

**RESOLUTION #2019-304**

**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.

Absent

Kennedy O'Brien, Mayor

/s/Daniel Buchanan  
Councilman

/s/ Victoria Kilpatrick  
Councilwoman

/s/ Kevin Dalina  
Councilman

/s/ Dave McGill  
Councilman

/s/ Damon Enriquez  
Councilman

/s/ Mary Novak  
Councilwoman

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

/s/Michael DuPont  
Borough Attorney

**Bill list o f October 15, 2019 in the amount of \$10,804,006.61 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).**

OCTOBER 15, 2019  
REGULAR MEETING

**RESOLUTION #2019-305**

**WHEREAS**, property known as Lot(s) **8**, in Borough Block **343.02**, more commonly known as **1 Long Bow Road**, in **Parlin, NJ** is owned by **Bartolo D. Rodriguez**; and

**WHEREAS**, **Bartolo D. Rodriguez**, who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A 54; 4-3.30, causing his property to be exempt from taxation at the local level beginning with the first quarter of Calendar Year **2018** as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year **2018 & 2019** were generated from the **2017, & 2018** Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill for the calendar years **2018, & 2019**, while the property is correctly classified as being Tax Exempt commencing with first quarter of **2018**.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector be, and he hereby is, authorized and directed to cancel all four quarters of **2018**, all four quarters of **2019**, and the first two quarters of **2020**, in the amount of **\$23,356.91**, and refund the amount paid for first four quarters of **2018**, as well as the first three quarters of **2019**, in the amount of **\$16,139.99** on the property known and designated as Lot(s) **8** in Borough Block **343.02**.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Daniel Buchanan, Council President

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

/s/Michael DuPont, Esq. Borough Attorney

**RESOLUTION #2019-306**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING  
THE EXECUTION OF AN INSURANCE SERVICES AGREEMENT  
WITH RELIANCE INSURANCE GROUP, LLC**

**WHEREAS**, the Borough of Sayreville provides a complete benefits package to its employees, which includes provisions of health benefit services; and

**WHEREAS**, the Borough has investigated various options for providing comprehensive health benefits to its employees in a more cost effective manner; and

**WHEREAS**, the Borough has determined that the health insurance needs of the Borough can be provided by Reliance Insurance Group, LLC in both a cost effective and comprehensive manner; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(m) provides for the purchase of insurance coverage and consultant services without the need for public bidding in accordance with the requirements for extraordinary un-specifiable services; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500.00, bringing the contract within the purview of P.L. 2004, c.19 as amended by P.L. 2004, c.51 (N.J.S.A. 19:44A-20.5 et seq.) and P.L. 2005, c.271 (N.J.S.A. 19:44A-20.26); and

**WHEREAS**, the term of this Contract shall be made from January 1, 2019 through December 31, 2020, unless sooner terminated in accordance with law and the contract; and

**WHEREAS**, Reliance Insurance Group, LLC has indicated that it will provide the services required at a commission to be paid by the insurance provider; and

**WHEREAS**, Reliance Insurance Group, LLC will complete and submit a Business Entity Disclosure Certification, which Certification provides that no contributions have been made that would bar the award of these contracts pursuant to P.L. 2004, c.19 and, further, that no reportable contributions to municipal political or candidate committees of the elected officials of the Borough will be made through the term of these contracts; and

**WHEREAS**, Reliance Insurance Group, LLC will complete and submit the Political Contribution Disclosure Form required pursuant to P.L. 2005, c.271, which form will be on file with the Municipal Clerk ten (10) days following to the adoption of this Resolution.

**BE IT AND IT IS HEREBY RESOLVED** by the Governing Body of the Borough of Sayreville that:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Borough Council hereby authorizes the Mayor, or the Business Administrator of the Borough of Sayreville, to execute an agreement with the Reliance Insurance Group, LLC for the provision of health insurance broker services for a term commencing January 1, 2019 and ending December 31, 2020, unless sooner terminated in accordance with law and the contract.
3. The authority conferred hereunder shall include authority to all designated individuals to perform any and all tasks, and execute any and all documents, in connection with the provision of health insurance brokerage services in order to affect the purposes of this Resolution as set forth hereunder.
4. The award of the herein contract shall be published in the official newspaper of the Borough of Sayreville setting forth the "nature, durations, service, and amount of the contract" and a copy of the contract and this Resolution shall be on file in the office of the Clerk of the Borough for public inspection during regular business hours pursuant to N.J.S.A. 40A:11-5(1)(a)(ii); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately; and;

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification, Political Contribution Disclosure Form, and the Determination of Value be placed on file with this Resolution.

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

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST: BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-307**

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the proper borough official are hereby authorized and directed to renew the Health, Dental and Prescription Benefit Agreements between the Borough of Sayreville and Aetna Health Management, LLC (“AETNA”) for employee and retiree health and dental benefits and with Benecard Services, LLC for employee and retiree prescription services for a period of January 1, 2019 through December 31, 2019.

/s/ David McGill  
Councilman  
(Admin. & Executive Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST: BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-308**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A RISK MANAGEMENT CONSULTANT’S AGREEMENT WITH NORTH AMERICAN INSURANCE MANAGEMENT CORPORATION (NAIMC)**

**WHEREAS**, the Borough of Sayreville (the “Borough”) is a member of the Central Jersey Joint Insurance Fund (JIF); and

**WHEREAS**, the Borough desires the services of a consultant to provide professional risk management services to be compensated by the JIF; and

**WHEREAS**, the Borough has determined that the Borough's needs may be met by North American Insurance Management Corporation in both a cost effective and comprehensive manner; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(m) provides for the purchase of insurance coverage and consultant services without the need for public bidding in accordance with the requirements for extraordinary un-specifiable services; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500.00, bringing the contract within the purview of P.L. 2004, c.19 as amended by P.L. 2004, c.51 (N.J.S.A. 19:44A-20.5 et seq.) and P.L. 2005, c.271 (N.J.S.A. 19:44A-20.26); and

**WHEREAS**, the term of this Contract shall be from January 1, 2019 through December 31, 2020, unless sooner terminated in accordance with law and the contract; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit a Business Entity Disclosure Certification, which Certification will provides that no contributions have been made that would bar the award of these contracts pursuant to P.L. 2004, c.19 and, further, that no reportable contributions to municipal political or candidate committees of the elected officials of the Borough will be made through the term of these contracts; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit the Political Contribution Disclosure Form required pursuant to P.L. 2005, c.271, **which form will be on file with the Municipal Clerk ten (10) days following to the adoption of this Resolution.**

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

1. The recitals set forth above are hereby incorporated into the body of this Resolution as if set forth at length herein.

2. The Mayor or the Business Administrator of the Borough of Sayreville is hereby authorized to execute an agreement with North American Insurance Management commencing January 1, 2019 and terminating on December 31, 2020, which shall provide that all payment for the performance of the services contemplated thereunder shall be the responsibility of the Central Jersey Joint Insurance Fund; and

**BE IT FURTHER RESOLVED** that the award of the herein contract shall be published in the official newspaper of the Borough setting forth the "nature, duration, service, and amount of the contract" and a copy of the contract and this Resolution shall be on file in the office of the Borough Clerk for public inspection during regular business hours pursuant to N.J.S.A. 40A:11-5(1)(a)(ii); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately; and

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification, Political Contribution Disclosure Form, and the Determination of Value be placed on file with this Resolution.

/s/ David McGill  
Councilman  
(Admin. & Executive Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-309**

**RESOLUTION TO JOIN  
CENTRAL JERSEY REGIONAL EMPLOYEE BENEFITS FUND**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **CENTRAL JERSEY REGIONAL EMPLOYEE BENEFITS FUND** hereafter to as "FUND", as permitted 40A:10-36 et seq. and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of the Borough of Sayreville, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT'S Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s) :
  - a) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.
- v. Commit to the four principles of the FUND which are:
  - a) A long term philosophy on rate.
  - b) A willingness to work with bargaining units to achieve plan design changes.
  - c) Professional management with stability and commitment.
  - d) Rating structure based on actuarial numbers.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval the LOCAL UNIT by the FUND.

- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Banking and Insurance and Department of Community Affairs.

/s/ David McGill  
Councilman  
(Admin. & Executive Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST: BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-310**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to award contract to Value Added Voice Solutions, LLC of Brielle, NJ for the replacement of Public Safety 9-1-1 Call Logger through NJ State Contract #T0109/A83908 in an amount not exceed \$35,496.

/s/ Daniel Buchanan  
Councilman  
(Public Safety Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST: BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-311**

**WHEREAS**, the Borough of Sayreville is in need of certain goods/services; namely an the resurfacing of the Boehmurst Avenue Basketball Court through a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

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

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

**WHEREAS**, Halecon Construction, Inc of Bridgewater, NJ has indicated they will provide the necessary goods and services necessary for the resurfacing of the Boehmhurst Avenue Basketball Court for the Borough of Sayreville; and

**WHEREAS**, Halecon Construction, Inc of Bridgewater, NJ has completed and submitted a Business Entity Disclosure Certification which certifies that Halecon Construction, Inc has not made any reportable contributions to a political or candidate committee in the Borough of Sayreville in the previous one year, and that the contract will prohibit Halecon Construction, Inc from making any reportable contributions through the term of the contract, and

**WHEREAS**, Certification as to the Availability of Funds is annexed hereto

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Sayreville authorizes the Purchasing Agent to enter into a contract with Halecon Construction, Inc of Bridgewater, NJ as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

/s/ Daniel Buchanan  
Councilman  
(Public Safety Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-312**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN**  
**THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,**  
**MEMORIALIZING THE ACTIONS OF THE MAYOR AND BOROUGH COUNCIL**  
**AWARDING A CONTRACT FOR THE MECHANICS GARAGE ADDITION**  
**TO MURRAY PAVING AND CONCRETE**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough officials are hereby authorized to award a contract for the addition to the mechanics garage in the Borough of Sayreville Public Works Department, through the Educational Services Commission of NJ, from Murray Paving and Concrete, 210 S. Newman Street, Hackensack, NJ 07601 at a total cost not to exceed \$140,000.00.

/s/ Mary J. Novak  
Councilwoman  
(Public Works Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-313**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to award contract to Rubber Recycle of Lakewood, NJ for the Sayreville Soccer Complex Playground Resurfacing Project through NJ State Contract #16-FLEET-00121 in amount not exceed \$110,400.00.

/s/ Damon Enriquez  
Councilman  
(Recreation Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-314**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the replacement of a 12" water main in the area of Tennant Brook along Bordentown Avenue at a fee not to exceed \$34,500.00 and upon approval of said plans and specifications that Borough Clerk is authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick  
Councilwoman  
(Water & Sewer Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

OCTOBER 15, 2019  
REGULAR MEETING

**RESOLUTION #2019-315**

**BE IT RESOLVED** that the proper Borough officials are hereby authorized to Award a Contract for Security enhancements at the Water Treatment Plant to Helix Technology Group, P.O. Box 401, Cedar Grove, NJ 07009, through State Contract #89980 at a total cost not to exceed \$649,000.00.

/s/ Victoria Kilpatrick

Councilwoman

(Water & Sewer Committee)

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

/s/ Michael DuPont, Esq.

Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC

Municipal Clerk

/s/ Daniel Buchanan

Council President

**RESOLUTION #2019 -316**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A SECOND AMENDED DEVELOPMENT FEE ASSESSMENT AND ALLOCATION AGREEMENT BETWEEN THE BOROUGH, SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P. AND SAYREVILLE ECONOMIC & REDEVELOPMENT AGENCY**

**WHEREAS**, the Borough of Sayreville (“Borough”), Sayreville Seaport Associates Urban Renewal, L.P. (“SSA”) and Sayreville Economic & Redevelopment Agency wish to amicably resolve a dispute regarding the utilization of trust fund dollars generated from development fees from the Waterfront Redevelopment Plan Project currently referred to as Riverton; and

**WHEREAS**, as a result, the Borough and SSA entered into a Developer Fee Assessment and Allocation Agreement on or about October 9, 2018;

**WHEREAS**, the Borough and SSA entered into an Amended Developer Fee Assessment and Allocation Agreement on or about November 13 2018;

**WHEREAS**, the Amended Developer Fee Agreement was conditionally approved at a Fairness Hearing on November 16, 2018.

**WHEREAS**, approval was conditioned upon revising the agreement to account for the Court’s Special Master’s non-substantive comments contained in her November 2018 Master Report.

**WHEREAS**, the representatives of the parties have negotiated a Second Amended Agreement that accounts for the Master’s recommendations, in the form attached hereto and parties wish to enter this Amended Agreement.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** as follows:

1. The Borough Council authorizes Council President Kilpatrick or the Borough’s Mayor, Kennedy O’Brien to execute the Second Amended Settlement Agreement in the form attached hereto; and

2. The Borough directs its Affordable Housing counsel to seek approval of the agreement from the trial court, in the event that court approval is necessary.

/s/ Kevin Dalina, Councilman  
(Planning & Zoning Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**READ IN FULL 10-15-19**

**RESOLUTION #2019-317**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE  
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
CONSENTING TO THE SETTLEMENT AGREEMENT  
BETWEEN THE BOROUGH OF SAYREVILLE AND PBA LOCAL #98 AND JEFFREY P.  
KUTZ**

**WHEREAS**, there now exists a proposed Settlement Agreement between the Borough of Sayreville, the PBA Local 98 and Jeffrey P. Kutz to resolve a pending grievance filed by the PBA; and

**WHEREAS**, representatives of PBA Local #98 and the Borough of Sayreville have agreed to the terms in the Settlement Agreement and have been reviewed by all parties.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Sayreville, County of Middlesex and State of New Jersey hereby consent to the execution of the Settlement of Agreement between the PBA Local #98, Jeffrey P. Kutz and the Borough of Sayreville.

/s/ Kevin Dalina, Councilman  
(Public Safety Committee)

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel E. Frankel  
Business Administrator

At this time Council President Buchanan opened the meeting up to the Public for questions or comments on Resolution #2019-317. There were no appearances. **Councilwoman Novak moved the Public Portion be closed and the Resolution be approved on Roll Call Vote. Seconded by Councilman Dalina.**

Roll Call:  
Ayes: Councilpersons Novak, Dalina, Enriquez, Kilpatrick, McGill.  
Nays: Council President Buchanan.

Carried.

- **BOROUGH ATTORNEY - Michael DuPont** - (None)
  
- **BOROUGH ENGINEER - Jay Cornell**- (None)

Council President Buchanan opened the meeting up to the Public for questions or comments.

Those appearing were:

-Arthur Rittenhouse, 33 Delikat Lane

He made comments regarding Fulton's Landing and questioned if anyone had done anything to check the soil at the site.

The Borough Attorney said that he reached out to Mr. Lehrer after last meeting and again on Monday and have not received a call back.

Mr. Rittenhouse commented on what the letter said and that it meets NJDEP non-residential soil standards which is true. He said in 2014 the soil was tested twice; 2015 No Reports; 2016 tested three times; 2017 tested five times; 2018 No Reports and 2019 one on Feb. 11<sup>th</sup>.

He said that on Friday he spoke with NJDEP Solid Waste and that there are violations at the site and may be more coming. He felt that all this time the Borough could have had it checked or had done something with the Land Use. Felt this is a quality of life issue. It has been reported that there is activity at the site at 2-3:30AM this morning.

-Mike D'Addio, 13 Zaleski Drive & SERA Chairman

He addressed Mr. Rittenhouse's concerns regarding the soil. He also explained that this application has not come before SERA as of yet and once it does they will do their due diligence, testing, they will be in contact with the NJDEP and will address any and all violations, if any. They will be corrected before Mr. Mocco is allowed to build.

Council President Buchanan asked that when SERA does the soil testing if they would be doing it at commercial or residential standards. Mr. D'Addio said that by law they only have to conform with Non Residential, but SERA will make sure that all reports are up to standards and will be reviewed by CME, as we all live here.

Councilwoman Novak asked if we had the right to go on their property or issue any violations.

Mr. DuPont responded that any applications with SERA will require a determination of environmental clean-up and site standards will have to be met.

Council President Buchanan said that even though he was against the warehouses he want to be sure the correct process and standards is being followed and met.

- Steve Melanaski, Scarlett Drive

He thanked the Council for their hard work this past year and asked that any councilman to follow will do the same in putting the needs and benefits of the residents and town ahead of politics.

Reminded everyone that Fulton's Landing is right behind Scarlet Drive and asked that the Council to be vigilant to the noise ordinance and the 24/7 truck access these warehouses will have. Want to be sure that there will be no extreme noise that will disturb the residents surrounding this development.

Mr. DuPont said that this is a good point and these concerns should be brought up before SERA when the applications are filed.

Mr. Melanaski said that the traffic light coming off of Main Street Extension onto Main Street is blocked by trees and light cannot be seen until you are on top of the light and have seen a lot of short stops and break squeaking. Asked if the trees could be trimmed for clearer site view of the light.

Council President Buchanan asked the engineer about the "Light Ahead" signs.

The Borough Engineer said that Main Street Extension is a Borough road. He said that the DPW should address the tree issue. Councilwoman Novak said that she was not made aware of this matter and would have DPW and Traffic Bureau look into the matter.

- Donna Roberts, 369 Washington Road

She commented on the Fulton's Landing letter that was discussed.

She said that she took exception about a statement that was made that a private resident was not entitled to have access to this information and the source of the letter. She said that as a resident she is entitled to know what is going on.

- Eileen Povone, 155 Norton Street

She commented about Fulton's Landing and the testing of the soil. She asked that the Council take the necessary steps to protect the citizens and children of Sayreville. She doesn't want Sayreville to end up with a superfund nightmare.

Council President Buchanan addressed comments made on social media. He further addressed the property that the Borough purchased on North Ernston Road. He stated that originally there was going to be houses on that property and this Council voted to preserve that open space with the caveat that we will be testing it once we get it and if there is contamination on the property we have the right to pursue legal action against the previous land owner for the cleanup. If we did not vote to purchase this property as open space the entire COAH plan would have been in jeopardy and would have had more houses then we are getting now with this plan. He said that with the Fulton's Landing, he was vocal that he was not for the warehousing but we are following the COAH process that needs to take place. Once the application comes before SERA, they will be testing the soil to make sure that we are protected. There are two separate issues. One is COAH and that was open space purchase by the Borough to preserve open space and we preserved our right to pursue any litigation against the former property owner in case there is contamination.

No further questions or comments.

**Councilwoman Novak made a motion to close the public portion. Seconded by Councilman Dalina.**

Roll Call: Voice Vote, all Ayes.

**No further questions or comments. Councilwoman Novak moved the public portion be closed. Seconded by Councilman Dalina.**

Roll Call: Voice Vote, all Ayes.

## **ADJOURNMENT**

**No further business, Councilwoman Kilpatrick moved to adjourn. Motion was seconded by Councilman Dalina.**

Roll Call: Voice Vote, all ayes.

Time: 7:48 P.M.

Respectfully submitted,

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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