

Council President Buchanan called the Council meeting to order at 7:00 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Deputy Municipal Clerk Morelos announced that this October 28, 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, Novak.

Absent: Kennedy O'Brien, Mayor
David McGill, Councilman

Others Present: Daniel E. Frankel, Business Administrator
Denise Biancamano, C.F.O./Treasurer
Jessica Morelos, Deputy 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:

☒ October 15, 2019 - Regular & Agenda Session

Seconded by Councilwoman Novak.

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

- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

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

Public Hearing on Ordinance #473-19.

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #473-19.

There were no appearances.

Councilman Enriquez moved the Public Hearing be closed the Ordinance be adopted on second and final reading and advertised according to law.

Seconded by Councilwoman Novak.

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

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"

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 in order to **add** the following:

2-64 Fees and Licenses.

*1 thru 21

22. Tax Collector	Return Check	\$20.
23. Miscellaneous Fees <i>(adding)</i>	Return Check	\$20.

*24 & 25

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter 2-64 Licenses & Fees** of the Revised General Ordinances of the Borough of Sayreville, shall 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: October 15, 2019

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

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

ADOPTED ON SECOND READING DATED: October 28, 2019

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

/s/ Damon Enriquez, Councilman
(Admin/Finance Committee)

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq., Borough Attorney

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #474-19.

There were no appearances.

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

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

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

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Water Utility (the “Water Utility”) of the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the principal amount of \$240,000 by the Water Utility of the Borough. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$240,000 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$240,000 pursuant to and within the limitations prescribed by 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 a principal amount not exceeding \$240,000 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 purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, as follows:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(i) Purchase of mission dialers to convert alarm system dialers from copper lines to cellular lines to alert trouble at pump stations; and	\$44,000	\$44,000	7 years
(ii) Purchase and installation of yard hydrants with sample tap on various properties within the Borough to be located in a locked security box for use by the Water Department to conduct required water samples for testing purposes; and	\$57,000	\$57,000	10 years
(iii) Purchase of a GIS Mapping System, a pick-up truck with plow and a valve exercising machine to be mounted onto a truck to perform maintenance on water and sewer infrastructure.	\$139,000	\$139,000	5 years

TOTALS \$240,000 \$240,000

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$240,000.

(d) The estimated cost of said improvements or purposes is \$240,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough has certified that it has adopted a capital budget or temporary capital budget of the Water Utility of the Borough, as applicable. The capital budget of the Water Utility is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent

with the adopted capital budget or temporary capital budget of the Water Utility of the Borough, a revised capital budget or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 6.55 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, 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 or notes provided for in this bond ordinance by \$240,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. Unless paid from other sources, the full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: October 15, 2019

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

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

ADOPTED ON SECOND READING
DATED: October 28, 2019

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

/s/ Damon Enriquez, Councilman
(Admin. & Finance Committee)

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esq.
Borough Attorney

• **NEW BUSINESS:**

a) The Deputy Borough Clerk read the Introduction of the following ordinances:

ORDINANCE 475-19
AN ORDINANCE AMENDING CHAPTER II, "ADMINISTRATION",
"2-15.6 CRIMINAL HISTORY BACKGROUND
CHECKS FOR ALL YOUTH PROGRAMS"
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE

(Recreation Committee – Co. Enriquez - Public Hearing 11-12-19)

Councilman Enriquez moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 12, 2019. Seconded by Councilwoman Novak.

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

ORDINANCE # 476-19
AN ORDINANCE AMENDING CHAPTER XVII, "MUNICIPALLY SPONSORED ATHLETIC ORGANIZATIONS", "17-8 MEMBERSHIP" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE

(Recreation Committee – Co. Enriquez - Public Hearing 11-12-19)

Councilman Enriquez moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 12, 2019. Seconded by Councilwoman Novak.

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

CONSENT AGENDA RESOLUTIONS

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

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

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

RESOLUTION #2019-318

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

Absent
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 of October 28, 2019 in the amount of \$2,210,050.14 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).

RESOLUTION 2019-319

WHEREAS, an application has been received by the Municipal Clerk for a person to person transfer of the Plenary Retail Consumption License #1219-33-051-005 (“the license”), covering the sale of alcoholic beverages in the Borough of Sayreville (“the Borough”); and

WHEREAS, the applicant, Sayreville PR II Liquor License I, LLC (“Applicant”), whose sole member is PRISA II LHC, LLC, has requested that the Borough consider the application pursuant to limited review of the qualifying shareholders and officers and members of the Board of Directors who would otherwise be required to qualify as an appropriate applicant pursuant to N.J.A.C. § 13:2-2.1(a)(1); N.J.A.C. § 13:2-1.2(a); N.J.S.A. 33:1-25; and N.J.S.A. 33:1-26; and

WHEREAS, in support of that request, Sayreville PR II Liquor License I, LLC has provided the Affidavit of Darin Bright, Vice President of PRISA II LHC, LLC, who in his best knowledge has averred, in part, as follows:

1. Any direct or indirect investor of Applicant holding more than a 10% interest in Applicant, pursuant to N.J.S.A. 33:1-25, is qualified to hold an interest in or associate with a New Jersey Alcoholic Beverage License or permit according to all standards established in Title 33 of the New Jersey Statutes, regulations promulgated thereunder and any pertinent local ordinances and conditions imposed consistent with Title 33.
2. All officers and directors of PRISA II LHC, LLC qualify pursuant to the provisions of the Alcoholic Beverage Control Act.
3. It is the intent of Applicant, as an affiliate of a financial institution, to hold the license for period of time during which the license would remain inactive as a pocket license.
4. These statements were made realizing that the Division of Alcoholic Beverage Control and the Borough of Sayreville will rely on them. Applicant is also aware that any misstatements or omissions of material fact that are made are grounds for suspension or revocation of any New Jersey Alcoholic Beverage license or permit that Applicant may have an interest in or association with.

WHEREAS, the Borough’s ABC Counsel has completed a limited review of the qualifying members and officers of Sayreville Liquor License I, LLC, and having deemed that review satisfactory, and in reliance upon the representations made in the Affidavit of Darin Bright, of PRISA II, LHC, LLC sole member of Sayreville PR II Liquor License I, LLC, finds that such a limited review is permissible in this limited and specific circumstance; and

WHEREAS, the Borough having otherwise thoroughly investigated the application; and

WHEREAS, the application being found to be complete in all respects, and whereas Applicant has disclosed with the issuing authority the source of all funds used in the purchase of said license and business; and

WHEREAS, the transferee has executed a valid consent to transfer the license; and

WHEREAS, the applicant has duly advertised in the Home News Tribune on March 13, 2019 and March 20, 2019, 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 specified representative of the applicant, Darin Bright, is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations or Division-approved conditions.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Sayreville does hereby approve, effective October 29, 2019, the transfer of the Plenary Retail Consumption License #1219-33-051-005 now held by 1901 Commercial Management Co. LLC, and to remain a pocket license, and does hereby direct the Borough Clerk to endorse the license certificate as follows:

LICENSE NO.: 1219-33-051-005	FROM: 1901 Commercial Mgmt. Co. LLC	TO: Sayreville PRII Liquor License I, LLC
Effective Date: October 29, 2019		

/s/ Damon Enriquez
Councilman
(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 DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-320

BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise for the receipt of bids for all annual Professional Services Proposals for the year 2020.

/s/ Damon Enriquez
Councilman
(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 DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-321

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020-June 2025

FORM 1B

WHEREAS the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and the other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sayreville, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Governing Body does hereby authorize submission of a strategic plan for the Sayreville Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$40,491.00
Cash Match	\$10,123.00
In-Kind	\$30,369.00

2. The Governing Body acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

/s/ Damon Enriquez
Councilman
(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 DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-322

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the County of Middlesex to provide the Borough of Sayreville with Public Health Services for the year 2020 at a cost not to exceed \$180,533.07.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-323

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to purchase from Beyer Ford of Morristown, NJ one (1) 2020 Ford F-250 Pick Up Truck through ESCNJ Contract 17/18-21 for the Fire Department in an amount not to exceed \$35,631.61.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-324

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

NAME OF APPOINTEE: Melanie McHenry
Tara Brullo

POSITION: School Traffic Guard

DEPARTMENT: Police

EFFECTIVE: October 29, 2019

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Department of Personnel.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

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

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-325

WHEREAS, on January 28, 2019 the Borough of Sayreville awarded a contract for the collection and disposal of e-waste recycling services to GreenChip Recycling, Inc.; and

WHEREAS, said agreement, expires on December 31, 2019; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract agreement for a one (1) additional year term and that the 2019 pricing be extended through 2020; and

WHEREAS, GreenChip Recycling, Inc., has indicated their interest in extending their terms of the aforesaid contract for one (1) additional year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for Collection and Disposal of Electronic Waste Recyclables is hereby renewed for one additional year period at no additional increase in price.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-326

WHEREAS, on November 27, 2017 the Borough of Sayreville awarded a contract for "Routine & Emergency Repairs to Water, Sewer, Road and Storm Sewer Infrastructure" to B & W Construction Company of NJ, Inc. P.O. Box 547, South River, NJ 08882; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for a final two year period at no additional increase in price contained therein; and

WHEREAS, B & W Construction Company of NJ, Inc., has indicated their interest in extending their terms of the aforesaid contract for a final two year (2) period;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for "Routine and Emergency Repairs to Water, Sewer, Road and Storm Sewer infrastructure" is hereby renewed for a final two year period at no additional increase in price.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-327

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to purchase and install playground equipment at Hoffman Park from Martuano Recreation, P.O. Box 106, Spring Lake, NJ 07762 for the Borough of Sayreville Parks Department through the Educational Services Commission of NJ Contract #17/18-20, at a total cost not to exceed \$44,600.00.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-328

BE IT AND IT IS HEREBY RESOLVED, that the Qualified Purchasing Agent is hereby authorized and directed to advertise for the receipt of bids for Traffic Light Repair and Maintenance.

/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 for the Mayor's signature.

/s/ Michael DuPont, Esq. _____
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC _____
Deputy Municipal Clerk

/s/ Daniel Buchanan _____
Council President

RESOLUTION #2019-329

WHEREAS, Hess Industrial Park has posted Performance Bonds and a Cash Bond covering Block 58.01, Lot 1; Block 60.01, Lots 1 and 5 which was received July, 2006; and

<u>90% Performance Bond</u>	<u>10% Cash Bond</u>
\$414,629.28	\$46,069.92

WHEREAS, the Performance Bond and Cash Bond covering Block 58.01, Lot 1; Block 60.01, Lots 1 and 5 were reduced as follows:

<u>Date</u>	<u>90% Performance Bond</u>	<u>10% Letter of Credit</u>
February, 2007	\$241,466.54	\$26,829.61
May, 2008	\$163,725.51	\$18,191.72
April, 2009	\$161,247.72	\$17,916.41

WHEREAS, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required work has been completed and has recommended that the Performance Bonds and Cash Bonds be released, subject to the posting of a two (2) year 15% maintenance bonds in the amounts listed below:

<u>15% Maintenance Bond</u>
\$69,104.88

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

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

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

/s/ Michael DuPont, Esq. _____
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC _____
Deputy Municipal Clerk

/s/ Daniel Buchanan _____
Council President

RESOLUTION #2019-330

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 in Contract Change Order No. 2:

- Project: Improvements to Pulaski Avenue
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Increase/Decrease: No Change in Contract Amount
- 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/ Damon Enriquez
Councilman
(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 DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-331

WHEREAS, on October 22, 2019 the Mayor and Council of the Borough of Sayreville, have received bids for the "Hercules Village Area Road Improvements"; and

WHEREAS, Certification as to Availability of Funds is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 28th day of October, 2019 that:

1. Contract for the "Hercules Village Area Road Improvements" be awarded to Z. Borthers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, NJ on their bid price of \$1,105,200.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

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

OCTOBER 28, 2019
REGULAR MEETING

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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

READ IN FULL

RESOLUTION #2019-332

RESOLUTION OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING BOROUGH OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,967,750 GENERAL IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2019A AND \$2,600,000 WATER CAPITAL BOND ANTICIPATION NOTES, SERIES 2019B

WHEREAS, pursuant to, and in accordance with, general capital bond ordinance numbers 291-15, 338-16, 372-17, 398-18, 409-18, 419-18, 420-18, and 422-18 (collectively, the "General Capital Bond Ordinances") duly adopted by the Borough Council of the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the "Borough"), the Borough is seeking to authorize the sale, issuance and delivery of not to exceed \$4,967,750 General Improvement Bond Anticipation Notes, Series 2019A (the "General Capital Notes") to temporarily finance various capital improvements in the Borough (the "General Capital Project"); and

WHEREAS, pursuant to, and in accordance with, water capital bond ordinance numbers 357-17 and 466-19 (collectively, the "Water Capital Bond Ordinances" and together with the General Capital Bond Ordinances, the "Bond Ordinances") duly adopted by the Borough Council of the Borough, the Borough is seeking to authorize the sale, issuance and delivery of not to exceed \$2,600,000 Water Capital Bond Anticipation Notes, Series 2019B (the "Water Capital Notes" and together with the General Capital Notes, the "Notes") to temporarily finance various water capital improvements for the water utility in the Borough (the "Water Capital Project" and together with the General Capital Project, the "Project"); and

WHEREAS, the Borough also seeks to, among other things, authorize the preparation, execution and delivery of the Notes and any other documents, certificates, or agreements required for the authorization, sale, issuance and delivery of the Notes.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY as follows:

Section 1. The Borough is hereby authorized to issue not to exceed \$4,967,750 aggregate principal amount of General Improvement Bond Anticipation Notes, Series 2019A and \$2,600,000 Water Capital Bond Anticipation Notes, Series 2019B for the purpose of financing the Project.

Section 2. The Chief Financial Officer is hereby authorized to sell the Notes on a competitive basis and award the Notes to the bidder based upon a bid of the lowest net interest rate or true interest rate. The Chief Financial Officer is also authorized, at her

discretion to offer and sell the Notes at a private sale on a negotiated basis. The Chief Financial Officer is hereby authorized to deliver the Notes to the purchaser thereof upon receipt of payment of the purchase price and, if applicable, accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer shall determine all matters in connection with the Notes issued pursuant to the Bond Ordinances, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations

Section 3. All actions taken to date by the officers, employees, professionals and agents of the Borough with respect to the authorization, sale, issuance, and delivery of the Notes are hereby approved, ratified, adopted and confirmed, and the Mayor, Borough Administrator, and Chief Financial Officer are hereby authorized and directed to execute and deliver the Notes and any such agreements, documents or submissions required for the authorization, sale, issuance and delivery of the Notes, and the Borough Clerk is hereby authorized and directed to attest to the signatures of the Mayor, Borough Administrator, and the Chief Financial Officer and to affix the seal of the Borough on such Notes and, as applicable, on any such agreements, documents or submissions related to the authorization, sale, issuance and delivery of the Notes.

Section 4. All other details or requirements of the Local Bond Law or necessary to issue the Notes shall be determined and approved by the Mayor, Borough Administrator or Chief Financial Officer of the Borough, upon consultation with Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the Borough, and such approvals are to be conclusively evidenced by his or her execution of the Notes as provided herein or in any other document, certificate or agreement related to the authorization, sale, issuance and delivery of the Notes.

Section 5. The Chief Financial Officer is directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.

Section 6. This resolution shall take effect immediately.

/s/ Damon Enriquez
Councilman
(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 DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Deputy Municipal Clerk

/s/ Daniel Buchanan
Council President

At this time Council President Buchanan opened the meeting up to the Public for questions or comments on Resolution #2019-332.

Those appearing were:

- Steve Melanaski, 28 Scarlett Drive
He questioned the interest rates on the bonds.
CFO Biancamano responded between 1.8% and 1.95%.
He then questioned the cost to the Borough.

CFO Biancamano responded about \$90,000. She stated the reason she's selling notes is because they have debt service dropping off next year and most likely to go out for permanent financing on these.

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, Buchanan, Dalina, Enriquez, Kilpatrick.
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. There were no appearances

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

Roll Call: Voice Vote, all Ayes.

ADJOURNMENT

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

Roll Call: Voice Vote, all ayes.

Time: 7:12 P.M.

Respectfully submitted,

Jessica Morelos, RMC
Deputy Municipal Clerk

Date Approved: _____