

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**

Municipal Clerk Farbaniec announced that this November 12, 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.

Absent: Mayor Kennedy O'Brien (ill)

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:

- ☒ October 15, 2019 - Executive Session
- ☒ October 22, 2019 - Receipt of Bids (Hercules Village Area Roadway Paving & Reconstruction Project)
- ☒ October 28, 2019 - Regular, Agenda & Executive Sessions

Seconded by Councilwoman Novak.

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

- **PROCLAMATION & PRESENTATIONS -**

- ☒ Proclamation – Celebrating Morgan First Aid Squad's 50th Anniversary

Morgan First Aid's 50th Anniversary

WHEREAS, the Morgan First Aid Squad was founded in 1969 to provide beneficial services to area residents and has established a foundation of success that has allowed this institution to positively impact numerous lives.

WHEREAS, On behalf of the Borough of Sayreville, we are proud to recognize the Morgan First Aid Squad as they celebrate their 50th Anniversary. Throughout the past five decades, they have had a remarkable impact on the local community through their commitment to providing individuals with the best emergency services so that the residents of Sayreville can live, work and participate safely in the community. We are truly grateful for the positive difference they have made in our town.

WHEREAS, the Morgan First Aid Squad is a one hundred percent volunteer organization and we are forever thankful for the dedication and labor of our volunteers and the sacrifices that they make in service to our community.

NOW, THEREFORE, the Mayor and Council of the Borough of Sayreville, do hereby offer congratulations and best wishes for a memorable celebration and many more years of continued service to the Borough of Sayreville.

NOVEMBER 12, 2019
REGULAR MEETING

IN WITNESS WHEREOF, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 12th day of November, 2019 and the same duly attested by the Municipal Clerk.

/s/ Mayor Kennedy O'Brien

/s/Councilman Daniel Buchanan /s/Councilman Damon Enriquez /s/Councilwoman Victoria Kilpatrick

/s/Councilman Kevin Dalina /s/Councilman Dave McGill /s/Councilwoman Mary J. Novak

Attest:

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

• **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 #475-19.

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #475-19.

Those appearing were:

- Christina Davis, 92 Miller Avenue

She questioned the changes in the ordinances governing the criminal background check and what exactly that would encompass.

The Borough Attorney explained that the only changes in the ordinances are that in bold lettering, giving the Mayor and Council more control, power and discretion over the specific recreation leagues and those individuals who are participating in those leagues.

- Tom Pollando, 15 Oakwood Drive

He commended the Council for introducing this ordinance. Thinks that there are situations that exist that warrant the Mayor and Council to send letters to the organization for someone to be removed from office. Spoke about missing and misappropriated funds. He asked the Council to appoint a committee to oversee this matter and that the committee be made up of himself, Bill Tumbleson and Johanna DeMild.

-Christina Davis, 92 Miller Avenue

She asked if this ordinance is being put in place for a specific situation. Mr. DuPont stated that this ordinance applies to all organizations.

She talked about the background checks and what would disqualify an individual.

Mr. DuPont said that this ordinance is specifically to give greater discretion to the Mayor and Council to ensure the protection of the kids.

Councilman Enriquez said that the ordinance would cover more of her concerns.

There were no other appearances.

Councilman Enriquez moved the Public Hearing be closed and Ordinance 475-19 be adopted on second and final reading and advertised according to law.

Seconded by Councilman Dalina.

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

**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**

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:

2-15.6 Criminal History Background
h.

12. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth related activities within the Borough.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 2-15, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such 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 28, 2019

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Damon Enriquez, Councilman
(Recreation Committee)

ADOPTED ON SECOND READING

DATED: November 12, 2019

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Damon Enriquez, Councilman
(Recreation 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 #476-19.

Those appearing were:
-Christina Davis, 92 Miller Avenue

She said that she spoke with a few attorneys regarding this ordinance and they described it as being very vague. That it does not explain any code of conduct unbecoming.

Council President Buchanan said that he was involved in the Sayreville AA many years ago and they had a code of conduct in their by-laws and that it was great to have. He said that you could not list every item that could be construed as conduct unbecoming. You do not know what that is until it happens. The overall goal is to protect the children.

The Borough Attorney said that he sees no reasons to object to this ordinance. This ordinance is for the betterment of all organizations and for the betterment and protection of our kids.

No further questions or comments.

Councilman Enriquez moved the Public Hearing be closed and that Ordinance 476-19 be adopted on second and final reading and advertised according to law. Seconded by Councilwoman Kilpatrick.

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

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

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:

17-8 - MUNICIPALLY SPONSORED ATHLETIC ORGANIZATIONS

17-8.1a. Code of Conduct

The Borough of Sayreville reserves the right to suspend or remove any Executive Board Member, Coach, Player or Volunteer for conduct deemed unbecoming or conduct detrimental to the League or Borough of Sayreville as determined by the Governing Body of the Borough.

Any organization not adhering to this Code of Conduct will forfeit its Municipally Sponsored Youth Athletic Organization or Non-Municipally Sponsored Youth Athletic Organization status and all privileges associated with it.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 17-8, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such 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 28, 2019

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Damon Enriquez, Councilman
(Recreation Committee)

ADOPTED ON SECOND READING

DATED: November 12, 2019

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Damon Enriquez, Councilman
(Recreation Committee)

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq., Borough Attorney

- **NEW BUSINESS:**

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

ORDINANCE 477-19
**AN ORDINANCE AMENDING CHAPTER IX, "ANIMAL CONTROL",
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO ADD SECTION 9-3.9
BANNING OF SALE OF DOGS & CATS FROM
PET SHOPS ASSOCIATED WITH PUPPY AND KITTEN MILLS**

Council President Buchanan moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 25, 2019. Seconded by Councilwoman Novak.

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

ORDINANCE # 478-19
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER V OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO
AMEND SECTION 5-5.6 a & b "POLITICAL SIGNS"**

(Public Safety Committee – Co. Buchanan – Public Hearing 11-25-19)

Councilman Buchanan asked that the time in the ordinance be changed from 12 midnight to 11:59PM. The Borough Attorney said that change is not substantial and could be made tonight.

Clerk to make the change before advertising.

Council President Buchanan moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 25, 2019. Seconded by Councilwoman Kilpatrick.

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

ORDINANCE #479-19
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION
7-3.3 "PARKING PROHIBITED AT ALL TIME ON CERTAIN STREETS**

(Public Safety Committee – Co. Buchanan - Public Hearing 11-25-19)

Council President Buchanan moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 25, 2019. Seconded by Councilwoman Kilpatrick.

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

Roll Call:

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

RESOLUTION #2019-333

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/ David 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 of November 12, 2019 in the amount of \$11,626,653.14 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).

RESOLUTION #2019-334

WHEREAS, property known as Lot(s) **495**, in Borough Block **340.01**, more commonly known as **53 Wilson Avenue**, in **Parlin, NJ** is owned by **Steven Pekarsky**; and

WHEREAS, Steven Pekarsky, 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 third quarter of Calendar Year **2019** as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year **2019** were generated from the **2018** Assessor's Tax List, 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 year **2019**, while the property is correctly classified as being Tax Exempt commencing with third quarter of **2019**;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and he hereby is, authorized and directed to cancel the last two quarters of **2019**, and the first two quarters of **2020**, in the amount of **\$4,615.91**, and refund the amount paid for third quarter of **2019**, in the amount of **\$131.45** on the property known and designated as Lot(s) **495** in Borough Block **340.01**.

/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 #2019-335

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an appraiser to provide an appraisal covering Block 337, Lot 9 in the Borough of Sayreville; and

WHEREAS, the Laws of New Jersey provide for such services and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A11-5(1)(a) requires that the resolution authorizing such services without competitive bids must be publicly advertised; and

WHEREAS, funds are available for this purpose;

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

1. Stern Dragoset Appraisal Group is hereby appointed to provide an appraisal covering borough owned property known as Warwick Road and Yorkshire Place, Block 337, Lot 9 and that he be paid for said services at a fee not to exceed \$1,250.00.
2. This appointment is made without competitive bidding as a "professional service" under the provisions of N.J.S.A. 40A11-1, et seq.
3. That a copy of this resolution shall be kept on file with the Borough Clerk.
4. That a copy of this, certified copy be a true copy by the Borough Clerk, shall be published as required by law within ten (10) days from the date of adoption.

BE IT FURTHER RESOLVED THAT that the report and deed contain a deed restriction that the property only be used for additional yard area and would exclude any new building lots.

BE IT AND IT IS HEREBY RESOLVED that the Borough Clerk be and is hereby authorized to forward a true copy of this resolution to Stern Dragoset Appraisal Group, 109 Green Street, Woodbridge, NJ 07095.

NOVEMBER 12, 2019
REGULAR MEETING

/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 #2019-336
Authorizing Jones Act
Assignment Sale of Municipal Tax Title Liens

WHEREAS, the Borough of Sayreville has held tax sales, but having no bidders for various properties, certain certificates of sale have been struck off to the Borough; and

WHEREAS, certain tax certificates have high monetary receivable values in comparison to the actual value of the properties, or the properties are apparently contaminated or unusable, making them undesirable to the general public or the investment community, and therefore remain held by the Borough; and

WHEREAS, in an effort to improve the financial integrity of the Borough, and facilitate the potential economic development and/or environmental remediation of certain reportedly contaminated properties, the sale of such liens is warranted; and

WHEREAS, N.J.S.A 54:5-114 et seq (the "Jones Act") permits a municipality to sell an entire lien to the highest bidder, which may be for an amount less than the full amount due on the certificate, subject to all of the restrictions of the "Jones Act" statute, and subject to confirmation by the governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to conduct a public assignment sale (Jones Act Sale) of any/all municipally held tax sale certificates held by the Borough of Sayreville, as soon as such auction sale can be held, pursuant to the Jones Act.

BE IT FURTHER RESOLVED, that said Jones Act Sale bids will be received by the Tax Collector at 9:00 AM on December 6, 2019 at the Borough Hall, 167 Main Street, Sayreville, NJ 08872, or as soon thereafter as can be effectuated pursuant to the Jones Act; and

Acceptance or rejection of all bids will be publicly considered and acted upon at an open meeting of the Borough of Sayreville Council at their regularly scheduled meeting on December 16, 2019, or as soon thereafter as can be accommodated on the Council's agenda.

/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 #2019-337

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

NAME OF APPOINTEE: Fallon Hartman
POSITION: Clerk I – Full Time
DEPARTMENT: Tax Department
EFFECTIVE: November 18, 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/ David McGill
David McGill, Councilman
(Admin. & Finance 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
Michael DuPont, Borough Attorney

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/Daniel Buchanan
Council President

RESOLUTION #2019-338

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

NAME OF APPOINTEE: Jennifer Dusko
POSITION: Senior Payroll Clerk
DEPARTMENT: Finance Department
EFFECTIVE: October 1, 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/ David McGill
David McGill, Councilman
(Admin. & Finance 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
Michael DuPont, Borough Attorney

ATTEST: BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-339

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE
POLICE CHIEF TO DONATE A DE-COMMISSIONED
VEHICLE TO THE SAYREVILLE HIGH SCHOOL AUTO SHOP**

WHEREAS, the Sayreville Police Department will be de-commissioning a uniformed patrol vehicle which is no longer a viable vehicle for the Police Department; and

WHEREAS, the cost to repair the vehicle; namely; 2010 Ford Crown Victoria, VIN# 2FABP7BVXAX111332; is prohibitive and as such it is not a candidate for transfer to another department with the Borough; and

WHEREAS, the Sayreville High School Auto Shop has expressed interest in the vehicle to be used as a tool to further develop the skills of the students assigned to this class; and

WHEREAS, transferring the vehicle to the Sayreville High School Auto Shop is an opportunity to help out students gain valuable occupational skills to help them succeed in the workforce; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville authorizes the Sayreville Police Department to transfer title of the 2010 Ford Crown Victoria, VIN# 2FABP7BVXAX111332, to the Sayreville High School Auto Shop.

/s/ Daniel Buchanan
Councilman
(Public Safety 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 #2019-340

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

NAME OF APPOINTEE: Vincent Buffalino
POSITION: Communications Operator – Full Time
DEPARTMENT: Police Department
EFFECTIVE: January 1, 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
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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-341

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

NAME OF APPOINTEE: Sarah Bardsley
POSITION: Communications Operator – Per Diem
DEPARTMENT: Police Department
EFFECTIVE: November 1, 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
Daniel Buchanan, Councilman
(Public Safety Committee)

/s/ Michael DuPont
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-342

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to execute an Inter-Local Service Agreement between the Borough of Sayreville and the County of Middlesex for the striping of municipal roadways as outlined in the attached agreement and made a part hereof.

/s/ Mary J. Novak
Councilwoman, Public Works 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 #2019-343

WHEREAS the Borough of Sayreville desires to participate in the County Sponsored CFC/HCFC Recovery Program; and

WHEREAS, the Borough of Sayreville agrees to provide the County of Middlesex with a list of preapproved vendors who's employees are properly trained to perform CFC/HCFC recoveries and that documentation supporting that the CFC/HCFC's recovered by the vendor are sent to a USEPA certified reclaimer; and

WHEREAS, the County of Middlesex agrees to provide a subsidy of up to 50% reimbursement of the cost of each properly documented CFC (Chlorofluorocarbons) and HCFC (Hydorchloroflourocarbons) recovery program.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED that the Mayor and is hereby authorized and directed to execute an Agreement between the County of Middlesex, Division of Solid Waste Management and the Borough of Sayreville covering the CFC and HCFC Recovery Reimbursement Program for a 5-year period, commencing on January 1, 2020 through December 31, 2024.

/s/ Mary J. Novak
Councilwoman
(Public Works 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 #2019-344

WHEREAS the Borough of Sayreville desires to participate in the County Sponsored Tire Recycling program; and

WHEREAS, the County of Middlesex agrees provide the Borough of Sayreville with a trailer for the County Sponsored Tire Recycling Program and the Borough of Sayreville agrees to accept tires from any County resident during its normal operating hours; and

WHEREAS, the County of Middlesex agrees to pay for the Borough of Sayreville 40% of the total weight of the material deposited and which shall be credited to the benefit of the Municipality.

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to execute an Agreement with the County of Middlesex for the Borough's participation in the County Sponsored Tire Recycling program.

/s/ Mary J. Novak
Councilwoman, Public Works 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 #2019-345

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2019 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Human Resources OE (9-01-20-105-127)		20,000.00
Municipal Clerk Election OE (9-01-20-121-126)		4,000.00
Code Enforcement & Zoning OE (9-01-21-200-124)		3,000.00
Legal OE (9-01-20-155-163)	10,000.00	
Sayreville Conservation Core SW (9-01-28-385-013)	15,000.00	
Sayreville Conservation Core OE (9-01-28-385-290)	2,000.00	
	<u>\$ 27,000.00</u>	<u>\$27,000.00</u>

/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 -346

WHEREAS, on December 4, 2014 Downey Realty, LLC posted the following Performance Bonds and a Cash Bond covering Sharon Estates Major Subdivision, Block 79, Lot 6; and

<u>90% Performance Bond</u>	<u>10% Cash Bond</u>
\$62,555.40	\$6,950.60

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>
\$10,425.90

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)

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 -347

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, EXPRESSING SUPPORT
FOR TRANSPORTATION ELECTRIFICATION IN THE
STATE OF NEW JERSEY**

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including global warming emissions, ground-level ozone, fine particulate matter;

WHEREAS, numerous scientific studies have found links between exposure to fine particulates and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders, including groundbreaking research from Rutgers Environmental and Occupational Health Science Institute (EOHSH);

WHEREAS, New Jersey is especially at threat from the impact of climate change, with more than 300,000 people in coastal areas in danger from rising sea levels, flooding, and dangerous storms;

WHEREAS, New Jersey is warming at twice the rate of the rest of the United States because of fossil fuel use, leading to dangerous environmental and public health impacts;

WHEREAS, petroleum-based gasoline and diesel fuel are non-renewable fuels, and for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to climate change nationally and in-state;

WHEREAS, more than forty (40%) percent of energy-related greenhouse gas emissions in New Jersey are from the transportation sector, with about half of that twenty (20%) percent from fossil fuel-powered cars;

WHEREAS, increased adoption of electric vehicles and the charging infrastructure to support them is an effective way to reduce climate-heating greenhouse gas emissions and improve air quality;

WHEREAS, the Borough of Sayreville wants to be prepared to take advantage of the rapidly expanding market in electric vehicles and the growing range of funding sources for transit electrification;

WHEREAS, the Borough of Sayreville is committed to fostering sustainability and ensuring a healthy environment for present and future citizens; and

WHEREAS, the Trump Administration's proposed rollback of the Clean Cars Program and attack on the ability of states like New Jersey to set their own emissions standards, it is more critical than ever for counties like Middlesex County support the goals of the New Jersey Clean Cars Program to put more than 330,000 electric vehicles on the road by 2025 to reduce air pollution and carbon emissions; and

WHEREAS, it is essential to pass S2252/A4819 to install at least 600 public DC fast chargers and Level 2 public community chargers at 1,000 locations or more across the state by December 31, 2021 as soon as possible; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sayreville, County of Middlesex and State of New Jersey supports the electrification of transportation and welcomes investment in electric vehicles and electric vehicle supply equipment by agencies public and private; and

BE IT FURTHER RESOLVED, that in order to achieve this, the Borough Council of the Borough of Sayreville supports S2252/A4819 and urges New Jersey's legislature to pass the bill as quickly as possible to expand charging infrastructure and rebates for electric vehicle owners; and

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Sayreville supports and encourages the efforts of non-profits and agencies in the county to raise money and interest in transportation electrification with the goal of beginning to electrify the municipal fleet of towns as soon as possible.

/s/ Daniel Buchanan Council President
(Sponsor)

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 2019-348

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, recycling regulations impose certain requirements on municipalities such as a condition for applying for grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the Borough of Sayreville to apply for the **Middlesex County's 2020 Recycling Enhancement Grant**, will memorialize the commitment of this municipality to recycling and to indicate the assent of Mayor and Borough Council to the efforts undertaken by the Borough of Sayreville and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville does hereby endorse the submission of the **Recycling Enhancement Grant** application to Middlesex County and hereby **designates Elyse Barone, CRP/Municipal Recycling Coordinator** to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

/s/ Mary J. Novak
Councilwoman
(Public Works 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

- **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:

- Amy Cohen, Fanwood, NJ

She is speaking on behalf of her husband, Larry, who is a volunteer legislator of the Humane Society of NJ and was committed to speak in another town, so she is here to read a statement he prepared.

She thanked the Mayor and Council for joining in with the 139 towns in NJ along with 100's more States around the Country regarding the broken business model where profits come at the expense of tortured and dead animals and that it has no place in Sayreville. This ordinance welcomes to the town any store dealing with pet supplies and services including PetCo, Pet Smart and 24 of the largest 25 pet store chains in the County, which already refused to sell dogs and cats because they know that supply chain is polluted with inhumane puppy mills. She said only Pet Land among the big chains sells dogs and cats and they have no stores in NJ. She said that if you were to google this store the public would be appalled at the results. She went on to claim other mis-justices regarding animal cruelty as well as a pet store in Union County with defining violations and abuses of the animal welfare act (which can be found in this minute mile). She said that this ordinance is one against animal cruelty and one in which we hope Sayreville will be very proud and adopt. She handed out information packets to the Mayor and Council.

- Art Rittenhouse – 33 Delikat Lane

Spoke regarding the Fulton's Landing property and the possible contamination that is on that property. He commented about a Notice of Violation from the State Dept. of Environmental Protection to an OPRA Request. #PEA 19001-1U3011 Lack of a Permit, Storage of Soil that is mixed with and discarded asphalt. He said that a review of the analytical results received by the Dept. for imported soils to these properties revealed the soil has exceeded an hazardous contaminant of NJ Residential of direct contact soil remediation standards and or the NJ Non Residential Direct contact soil remediation

standards. He proceeded to name some of the chemicals that were detected. He expressed concerns about it draining into the water supply or into over 600 homes. He described what these chemicals were and that Permits have not been checked. He hoped for the Council to do something for the residents.

- Mike D'Addio, SERA Chairman

Mr. D'Addio said that the Borough attorney is in receipt of a testing report that was completed this year which gave it a clean bill of health and brought it up to Non-Residential Standards so that the property could be built upon. He also reiterated to the Council and to Mr. Rittenhouse that SERA would have the land tested when it comes before SERA. Nothing will be built on it and if there is anything contaminated on there, just like at Riverton, it will be removed. He said that he is not aware of any asphalt upon that property. SERA will do their own independent testing and be cleaned up if there is anything contaminated in the soil.

- Art Rittenhouse, 33 Delikat Lane

He stated that a report he read was from the DEP dated October 7, 2019. And they have 30 days to prepare their report on how to clean it up.

- Darrel Hartsfield, 104 Sayreville Blvd.

He commented on the Rent Leveling Board Ordinance that was passed without the Rent Leveling Boards comment or approval.

Mr. DuPont said that he spoke with Mr. Nolan who is the Rent Leveling Board Attorney regarding this ordinance and he indicated that the Rent Leveling Board was advised and did support the changes.

Mr. Hartsfield stated that was incorrect. He said that in May, Mr. Nolan's Associate said that they were in consultation and would get back in touch with them in two weeks and the board hasn't heard since.

Mr. DuPont said that he would follow-up with Mr. Nolan tomorrow and would report back to the Business Administrator.

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.

Before closing Councilwoman Kilpatrick asked that Mr. Hartsfield put in writing anything that the Board is opposed to regarding this ordinance. Mr. Hartsfield stated that he wasn't sure if the Board was opposed but not sure why there were not part of the process.

ADJOURNMENT

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

Roll Call: Voice Vote, all ayes.

Time: 7:35 P.M.

Respectfully submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved: _____