

Mayor O'Brien opened the Council Meeting 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 November 13, 2017 Council Meeting has been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Buchanan, Kilpatrick, Lembo,
Melendez, Novak

Absent: Co. Grillo.

Others Present: Mayor Kennedy O'Brien
Daniel E. Frankel, Business Administrator
Wayne A. Kronowski, 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 Council Minutes be approved, subject to correction if necessary:

☒ September 25, 2017 - Council, Agenda & Executive Session
Seconded by Councilwoman Novak.

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

Nays: None

- **SWEARING IN**

Police Chief Zebrowski presented the following two Police Officers for promotion. Municipal Clerk Farbaniec administered the Oaths of Office to each.

- Amy Noble, Police Sergeant
- Frank Olchaskey, Police Sergeant

- **PRESENTATION**

Councilman Melendez announced that on November 2, 2017 Middlesex County Board of Freeholders awarded the Borough of Sayreville \$1.5 million dollars for the installation of two turf fields. The Borough Engineer proposed concepts for a turf field at Veteran's Park and a field at the soccer complex. Councilman Melendez explained that this was a matching grant so tonight the council will be introducing a bond ordinance to include the match portion. He asked the Mayor if we could hear from some of those in attendance here tonight regarding the funding and the fields.

Those appearing were:

- John Walsh, President – Sayreville Jr. Bombers Football Team (former Sayreville Leprechauns)

He expressed how the fields have fell apart over time and use. He expressed how much this grant is appreciated in order to improve the fields. He thanked the Mayor and Council for investing in the kids of Sayreville.

- Mary Ellen Dunn, President of Sayreville Soccer

Thanked Co. Melendez for everything he has done for them. She expressed how much having these improved fields will mean for the kids and their safety. She thanked the council for their support.

- Jerry Ust, Recreation Director

Stated how long they have wanted and needed a turf field. He said that these fields will be used year round and drainage and mud will no longer be an issue.

Councilman Melendez said they worked hard on the grant and that they will receive the maximum amount and was proud to accept it on behalf of the Borough of Sayreville. He said that they will be voting on introducing the Bond Ordinance tonight and that the Public Hearing on adoption will be in two weeks. He said that once the ordinance gets adopted he would be working with the engineer, the organizations and the Recreation Director on finalizing and moving this forward to hope for construction in spring for use in the fall season.

Mayor called for the next item of business.

- **OLD BUSINESS:**

- **NEW BUSINESS:**

a) Clerk read the introduction of the following ordinances:

ORDINANCE #381-17
AN ORDINANCE SUPPLEMENTING AND AMENDING
ORDINANCE #258-14 FIXING THE SALARIES OF
CERTAIN BOROUGH OFFICIALS, OFFICERS AND
EMPLOYEES FOR THE YEARS 2013, 2014, 2015 AND 2016

Temporary Employees - 2016
(Admin. & Finance - Public Hearing Nov. 27, 2017)

Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 27, 2017. Motion was seconded by Council President Buchanan.

Roll Call:

Ayes: Councilpersons Novak, Buchanan, Kilpatrick, Lembo,
Melendez.

Nays: None

ORDINANCE 382-17
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO
AMEND SECTION 12.6 RENT CONTROL

(Public Works Committee/Rent Leveling - Public Hearing Nov. 27, 2017)

Councilwoman Kilpatrick moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on November 27, 2017. Motion was seconded by Council President Buchanan.

Roll Call

Ayes: Councilpersons Kilpatrick, Buchanan, Lembo,
Melendez, Novak.

Nays: None

b) Notice of Grant Award from Middlesex County in the amount of \$1,500,000 for the installation of turf fields and authorizing the introduction of Bond Ordinance #383-17 to cover the Borough's match portion was discussed earlier by Councilman Melendez.

ORDINANCE #383-17
**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION
AND INSTALLATION OF TWO TURF FIELDS IN THE BOROUGH
OF SAYREVILLE, NEW JERSEY AUTHORIZING THE ISSUANCE OF
\$2,565,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF SUCH APPROPRIATION**

Councilman Lembo said that the Ordinance received in the packet on Friday indicated \$1.425 million dollar bond ordinance and questioned why it was this increased.

Councilman Melendez explained that the initial estimates given by the engineer did not include bond fees and engineering costs, etc. so this is the correct total amount.

Mayor asked that inasmuch as Co. Melendez worked to secure the funding for these fields that he introduce the Ordinance.

Councilman Melendez moved the Ordinance be introduced on first reading, advertised according to law and a Public Hearing be held on November 27, 2017. Motion was seconded by Councilwoman Novak.

Comments:

Council President Buchanan thanked Co. Melendez for his work on this grant. He also thanked the Freeholders and Council for their support. He commented on how these turf fields will cut down on the need for man power, equipment, etc.

Councilwoman Kilpatrick echoed everything Co. Buchanan said. She expressed how great it was to have students coming together with the merge of the two teams. She said that she is glad to support such an excellent undertaking with this Ordinance.

Councilwoman Novak said that speaking for the first aid squad that with these turf fields there would be fewer injuries.

Roll Call

Ayes: Councilpersons Melendez, Buchanan, Kilpatrick, Lembo,
Novak.

Nays: None

c) Clerk Farbaniec announced having received the Supplemental Debt Statement from our CFO Wayne Kronowski, dated November 13, 2017.

Motion was made by Council President Buchanan to receive and file. Motion was seconded by Councilwoman Novak.

Roll Call – Voice Vote: All Ayes.

• **CONSENT AGENDA/RESOLUTIONS**

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

Those appearing were:

- Janice Benedetto, 1 Thomas Avenue, Melrose

Questioned Resolution #321-17 and if there would be a resolution needed for the Cross Avenue/National Lead property. The action that the council took at the last meeting was authorizing Mr. Frankel to do so, so we will insure that the memorialization take place at the next meeting.

Ms. Benedetto then asked if the work has been done. Mr. Frankel said that he would check in the morning and could give a report.

- Ken Olchaskey, 108 No. Edward Street

Resolution #2017-327 questioned with regards to Judge Natali's Order if there had been fees set aside in association with the arguments before the Court.

Mr. DuPont stated that there were not that that hearing is December 15th.

He asked if this order is final without the fees having been set.
Mr. DuPont said that Mr. Sachs has filed the appeal as of today.

Mr. Olchaskey said that he has been told that until the actual fees have been set we could take this back before Judge Natali, not only on the fees but on the issues of that Order.

Mr. DuPont said that there is some argument that that Order is not final. That there are issues in this particular case that are not final until the Order of Fees are set. They can file a Motion objecting to the fees and a Motion set aside or amend the Settlement Agreement.

Discussion on the appeal process and what this Resolution actually does.

- Steve Malaneski, 28 Scarlett Drive

Questioned if the Planner had the Performer figure yet.

Councilwoman Kilpatrick read an e-mail they received late in the day regarding his need for more time.

There being no further questions or comments on Consent Agenda Items, the mayor called for a motion.

Council President Buchanan moved the public hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

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

Nays: None

RESOLUTION #2017-316

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

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

/s/Kennedy O'Brien, Mayor

/s/Councilman Daniel Buchanan

/s/Councilman Pasquale Lembo

/s/Councilman Steven Grillo

/s/Councilman Ricci Melendez

/s/Councilwoman Victoria Kilpatrick

/s/Councilwoman Mary J. Novak

**Bill list of November 13, 2017 in the amount of \$4,874,868.68
in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this date).**

RESOLUTION #2017-317

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$7,650.71, which item is now available as a revenue from the New Jersey Division of Criminal Justice – Body Armor Program; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$7,650.71 is hereby appropriated under the caption of:

“Body Armor Grant”

and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O’Brien
Kennedy O’Brien
Mayor

RESOLUTION #2017-318

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$27,700.27, which item is now available as a revenue from the Bureau of Justice Assistance – Bulletproof Vest Partnership; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$27,700.27 is hereby appropriated under the caption of:

“Bulletproof Vest Partnership Grant”

and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O’Brien
Kennedy O’Brien
Mayor

RESOLUTION #2017-319

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,500.00, which item is now available as a revenue from the New Jersey Division of Traffic Safety Program – Distracted Driving Crackdown; and

SECTION 2.

BE IT FURTHER RESOLVED that the like sum of \$5,500.00 is hereby appropriated under the caption of:

“Distracted Driving Grant”

and

SECTION 3.

BE IT FURTHER RESOLVED that the proper documents as required be forwarded to the Director of the Division of Local Finance for approval.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION 2017-320

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2017 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>		
Central Mailing & Postage (1100-102-9060)	\$	\$ 10,000
Annual Audit (1135-111-2-2010)	10,000	
Cost of Appraisals (1150-121-2-6020)	6,200	
Code Enforcement (1200-200-2-0000)		2,000
Public Building and Grounds (1310-150-2-11080)		15,000
Parks Maintenance (1375-705-2-11080)	15,000	
Senior Citizen Activities (1411-730-2-1113)		3,000

Cultural Arts Council (1413-725-2-11120)	1,000
Recycling Commission (1423-171-2-17010)	200
	<u>\$ 31,200</u>
	<u>\$ 31,200</u>

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2017-321

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 TO RETAIN THE SERVICES OF SOCKLER REALTY SERVICES GROUP, INC. AND STERN & DRAGOSET TO PROVIDE APPRAISAL SERVICES

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an appraiser to provide appraisals for property known as Block 367.01, Lot 1 for the purpose of an Open Space Acquisition; and

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) requires that a resolution authorizing such services without competitive bids must be publicly advertised;

WHEREAS, at the October 23, 2017 Regular Council Meeting the Mayor and Borough Council authorized Sockler Realty Services Group, Inc. and Stern & Dragoset to provide appraisals of the property known as Block 367.01, Lot 1; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Sayreville that firms of Sockler Realty Services Group, Inc. and Stern & Dragoset Appraisal will both provide appraisals services to the Borough of Sayreville for the property known as Block 367.01, Lot 1 at a cost not to exceed \$6,000.00 for both appraisals

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

RESOLUTION #2017-322

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to refund property taxes for 2015 and 2016 in the amount of \$14,126.75, effective January 1, 2015 due to the approval by the Tax Assessor of a 100% Disabled Veteran's Tax Deduction covering Block 308,

Lot 10, 7 James Street.

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Kennedy O'Brien
Kennedy O'Brien, Mayor

RESOLUTION #2017-323

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

NAME OF APPOINTEE: Michelle McGloan
POSITION: Omnibus Operator, per diem
DEPARTMENT: Office on Aging
EFFECTIVE: October 25, 2017

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

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

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2017-324

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

NAME OF APPOINTEE: James Revel
POSITION: Water Repairer II
DEPARTMENT: Water & Sewer Department
EFFECTIVE: February 24, 2017 as per
Civil Service Appeal Decision

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
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/ Kennedy O'Brien
Kennedy O'Brien
Mayor

RESOLUTION #2017-325

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase nine (9) Watch Guard in Vehicle Camera Systems from Advanced Electronic Design of North Attleboro, MA through State Contract (T0106/A81300), at a total cost not to exceed \$50,211.00.

/s/ Pasquale Lembo
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-326

WHEREAS, Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 4:

- Project: Radio Communication System
- Contractor: Tactical Public Safety
1036 Industrial Way
West Berlin, NJ 08091
- Net Increase: \$16,005.00
- 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 QPA 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/ Mary J. Novak
Councilwoman
(Administration & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017 - 327

WHEREAS, the Mayor and Borough Council of the Borough of Sayreville are knowledgeable that the Borough requires the services of an attorney to provide legal services in connection with any matters arising in the Borough which pertain to the State Agency - the Council on Affordable Housing; and

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

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-5(1)(a)) requires that a resolution authorizing such services without competitive bids must be publicly advertised; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Sayreville that Lawrence B. Sachs, Esquire be authorized to file an appeal of Judge Natali's Order of October 10, 2017 and to file a Notice of Motion to Set Aside the Settlement executed between the parties on August 8, 2016.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017 - 328

WHEREAS, Skytop Gardens, Inc., owner of real property located in the Borough of Sayreville has filed real property tax appeals for the years 2012, 2013, 2014, 2015, 2016, 2017 affecting Block 449.07, Lot 4 and Block 449.07, Lot 4.01; and

WHEREAS, the Mayor and Borough Council upon advice of the Tax Assessor and Special Tax Counsel be and are hereby desirous of settling the pending tax court appeals; and

WHEREAS, the Tax Assessor and Special Tax Counsel after due deliberation and settlement conferences with Counsel for Skytop Gardens. Inc., duly recommend the following:

- Appeal of 2012 – Total assessment not changed
- Appeal of 2013 – Total assessment will be reduced to \$28,514,000
- Appeal of 2014 – Total assessment not changed
- Appeal of 2015 – Total assessment not changed
- 2016 – No appeal filed
- Appeal of 2017 – Total Assessment not changed
- As part of the settlement - 2018 Total assessment will be reduced to \$25,000,000
- As part of the settlement – 2019 Total assessment will be increased to \$30,424,300.

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

1. That the Tax Assessor and Special Tax Counsel be and are hereby authorized to cause to be drafted any and all documents and agreements which may be required to effectuate the settlement as herein above-proposed and authorized.

2. That a copy of this Resolution shall be kept on file with the Borough Clerk.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

- **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting up to the public for questions or comments on any and all matters.

- Steve Malaneski, 28 Scarlett Drive
Questioned Ordinance 364-17, Redevelopment Fees

He questioned the language on the approval as opposed to the actual construction of the homes.

Mr. DuPont said that those changes were suggested but he has not seen any recommendation back. He is waiting for the recommendations from Mr. Sachs and Mr. Leoncavallo.

Councilwoman Kilpatrick said that those changes were recommended because of SERA and redevelopment projects. She said that this is not something we want to delay or push back. She asked if we could authorize the attorney or Mr. Frankel to have some discussion with the professionals from the redevelopment agency in reference to construction development fees ordinance. Mr. DuPont said he sent her comments and revisions to Mr. Baker. He said that he would follow-up with Mr. Baker tomorrow.

- Janice Benedetto, 1 Thomas Ave., Melrose

Asked if the Judge signed the Court Order regarding the National Lead Intervenor matter. Mr. DuPont said that he had not seen that signed order yet from the Judge. She expressed her concerns about the 45 day clock on appealing if it has been signed.

She then talked about grant possibilities for Open Space Acquisition.

Mr. Frankel responded that he would try to look into other sources in the future.

There were no further questions or comments. Council President Buchanan moved the public Portion be closed. Seconded by councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **EXECUTIVE SESSION**

Mr. DuPont read the following Resolution:

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 15 minutes to discuss the following matters:

Litigation - Police Grievance

Personnel (added to resolution following the conclusion of Closed Session)

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/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

Council President Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Motion seconded by Councilwoman Novak.

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

Time: 7:59 PM

Reconvene

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

Roll Call: Voice Vote, all Ayes. - Time 8:34 PM

Borough Attorney DuPont stated that during the Executive Session there was a portion in which Personnel was discussed and he would be adding that to the Resolution.

At this time the Borough Attorney said that following the Executive Session there appears to be a settlement of a Grievance between the Sayreville PBA Local 98 and the Borough of Sayreville. He also indicated that there have been some changes made to that Agreement in paragraph #5 is should state:

5) Until December 31, 2020 all members of the Police Department who had time taken away from.....

Then in paragraph 8 there would be the deletion of the language "and approval of the Borough Council".

He said that he believed these are the only two changes that were made. So, at this point if the Mayor and would like to approve and authorize the execution, subject to the PBA Local #98 agreeing to it we would need a motion.

Council President Buchanan made a motion that the Agreement be approved. Motion was seconded by Councilwoman Kilpatrick.

Roll Call

Ayes: Councilpersons Buchanan, Kilpatrick, Melendez, Novak.

Abstain: Councilman Lembo, concerns about the financial impact.

• **ADJOURNMENT**

No further business. Council President Buchanan moved to adjourn the Council Session. Motion was seconded by Councilwoman Novak.

Roll Call – Voice Vote, all ayes. Carried.

Time 8:37 P.M.

Theresa A. Farbaniec, RMC

Date Approved