

Mayor O'Brien opened the Council Meeting at 7:00 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Assistant Municipal Clerk Morelos announced that this November 27, 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, Grillo, Kilpatrick, Lembo,
Melendez, Novak

Absent: None

Others Present: Mayor Kennedy O'Brien
Daniel E. Frankel, Business Administrator
Wayne A. Kronowski, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Jessica Morelos, Assistant 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:

☞ October 23, 2017 - Council, Agenda & Executive Session
Seconded by Councilwoman Novak.

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

Nays: None

- **PRESENTATION:**

Harry Delgado from the NJ State Chief of Police Association presented the Borough of Sayreville with a Certificate of Police Re-Accreditation.

Mayor read into record a letter from VFW Memorial Post #4699 that they will be holding a ceremony "In remembrance of the 76th Anniversary of the Attack at Pearl Harbor" on December 7, 2017 at Buchanan Waterfront Park at 7:48 a.m.

- **OLD BUSINESS:**

b) Public Hearing on the following Ordinances:

Mayor opened the meeting to the public for questions or comments on Ordinance 381-17.

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

NOW THEREFORE BE IT AN IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville that Ordinance #258-14 is hereby supplemented and amended to include adjustments and corrections to the following:

Borough of Sayreville – Temporary Employees
2016 Salary & Wage Schedule

Range \$8.25 - \$15.00

SECTION 2. Severability Clause.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

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

ATTEST:

APPROVED:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

There were no appearances. **Councilwoman Novak moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.**

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

Nays – None

Mayor O'Brien opened the meeting to the public on Ordinance #382-17

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**

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:

12-6.2 Definitions. As used in this Section;

Base Rent shall mean the amount paid for the rental of the apartment only for human habitation. This does not include any rent premium or surcharges for pets, and fees or charges for the use of garages, parking or other storage.

A. Any landlord seeking an increase in rent under any provision of this chapter shall first notify the tenant, by certified mail, **personal service, or hand delivering said notice to the tenants apartment and/or mailbox and certifying as to the service upon each individual tenant** ~~with proof of mailing,~~ of the calculations involved in computing the allowable increase against the previous year's base rent. The notice shall be sent no later than sixty (60) days prior to the date that the increased rent sought is to be effective, and notice shall detail the prior rent, the amount of the increase in dollars and the new base rent sought. The notice shall also be filed with the Sayreville Rent Leveling Board at least sixty (60) days prior to the date the increased rent is sought to be effective, ~~by certified mail, with proof of mailing.~~

~~B. The Rent Leveling Board shall advise the landlord of the approval or disapproval of such increase within thirty (30) days after receipt of such notice of increase. The landlord shall then notify the tenant of the approved increase. No increases shall become effective without the prior approval of the Rent Leveling Board.~~

12-6.3 Rent Increase Limitations; CPI. Establishment of rents between the landlord and tenants to whom this chapter is applicable shall be determined by the provisions of this chapter. At the expiration of a lease or at the termination of the lease of a periodic tenant, a landlord, upon notice to and approval by the Board, may request and receive a percentage increase in rent which does not exceed the following:

A. From the effective date of this section until March 2003, a percentage equal to the increase of the average CPI or 2001 over the average CPI for 2000, not to exceed five (5%) percent. The Sayreville Rent Leveling Board, at its ~~first~~ **February** meeting following the effective date of this Section, or as soon thereafter as can reasonably be accomplished, shall cause the percentage increase to be incorporated in an appropriate resolution to be adopted by the Board, which resolution shall be published in the Borough's official newspaper in a timely manner after adoption.

B. From April 1, 2012 and for each succeeding year thereafter (April 1st to March 31st), the percentage increase of the average CPI for the next preceding year, not to exceed five (5) percent and not to drop below a minimum increase of two (2%) percent. The Sayreville Rent Leveling Board, at its ~~first~~ **February** meeting for 2012, or as soon thereafter as can be accomplished in 2012, and in each succeeding year, shall cause the appropriate percentage to be incorporated in an appropriate resolution to be adopted by the Board, which resolution shall be published in the Borough's official newspaper upon adoption.

12-6.13 Powers of the Board.

d. To hold hearings and adjudicate applications from tenants for reduced rental as herein provided.

1) Tenants rights to retroactively appeal a rent increase for exceeding the maximum amount allowed by this ordinance and to seek a refund for any over charge of base rent shall be limited to one (1) year preceding the filing of an appeal to the board.

2) The Board shall give both landlord and tenant reasonable opportunity to be heard before making any determination.

3) Hearing shall be presided over by the Chairman of the Board or the Board Attorney as designated by the Chairman.

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

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

/s/ Victoria Kilpatrick, Councilwoman
(Public Works/Rent Leveling Committee)

ATTEST:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

There were no appearances. **Councilwoman Kilpatrick moved the Public Hearing be closed the Ordinance be adopted on second and final reading and that it advertised according to law. Seconded by Councilman Buchanan.**

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

Mayor O'Brien opened the meeting to the public on Ordinance #383-17

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

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

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance, which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$4,200,000, said sum being inclusive of all appropriations heretofore made therefor

and including a matching grant from the County of Middlesex, New Jersey in the amount of \$1,500,000 (the "Grant") and the sum of \$135,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$4,200,000 appropriation not provided for by application hereunder of the Grant and said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,565,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$2,565,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the construction and installation of two turf fields, located at Veteran's Field at War Memorial Park and at the soccer complex on Bordentown Avenue, together with all other work, materials, equipment and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$2,565,000.

(c) The estimated cost of said purposes is \$4,200,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of the Grant said \$135,000 down payment for said purposes.

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

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

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

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,565,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$547,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

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

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

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

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$2,565,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

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

/s/ Ricci Melendez, Councilman
(Sponsor)

ATTEST:

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

-Jim Robinson, 12 Borelle Square

He questioned what was included in this ordinance.

Business Administrator Frankel responded that these are turf fields at Veterans' Park and at the soccer complex, repairs to buildings, parking lots and lighting.

- John Walsh

He thanked the Mayor and Council for their hard work. He stated he played on these same fields.

- Mary Ellen Dunn, Soccer Association President

She stated that they have 350 games a year and safety is a concern. She stated having a turn field is a huge win for them.

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

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

Nays – None

Councilman Melendez thanked his colleagues for believing in this dream and the parents for being vocal in what they wanted.

- **NEW BUSINESS:**

a) Assistant Clerk Morelos read the following Ordinances for Introduction:

ORDINANCE #384-17
**AN ORDINANCE AMENDING CHAPTER III, "FIRE DEPARTMENT",
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE**

(Public Safety – Public Hearing Dec. 18, 2017)

Councilman Grillo moved Ordinance 384-17 be introduced on first reading, advertised according to law and a public hearing be held on December 18, 2017. Motion was seconded by Councilman Buchanan.

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

ORDINANCE #385-17
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIX OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
CHAPTER XIX – SWIMMING POOLS**

(Public Safety – Public Hearing Dec. 18, 2017)

Councilman Grillo stated there is an error in the ordinance. He stated in 19-2.3c the ordinance should read that there is a onetime \$50.00 initial inspection fee and then a \$25.00 fee per inspection. There were no objections.

Councilman Grillo moved Ordinance 385-17 be introduced on first reading, advertised according to law and a public hearing be held on December 18, 2017. Motion was seconded by Councilman Buchanan.

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

ORDINANCE #386-17
**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE
IN THE COUNTY MIDDLESEX, NEW JERSEY SUPPLEMENTING AND AMENDING
ORD. 364-17 TO CHAPTER XXVI, SECTION 26-111,
ENTITLED "DEVELOPMENT FEE ORDINANCE", OF
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**

(Planning & Zoning – Public Hearing Dec. 18, 2017)

Councilman Lembo moved Ordinance 386-17 be introduced on first reading, advertised according to law and a public hearing be held on December 18, 2017. Motion was seconded by Councilwoman Novak.

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

- **CONSENT AGENDA/RESOLUTIONS**

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

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There were no appearances. **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.**

Councilman Grillo questioned Resolution #2017-347.
Response by Borough Attorney DuPont.

Mayor O'Brien stated that there is an error on Resolution #2017-338. He stated while he was attending the League of Municipalities and he was speaking with the Local Finance Board that you can only go out 2 years on a contract unless the board gives you an exemption. He asked to change this to a 2 year contract.

Mr. DuPont stated that the most it can be is a 5 year contract which can be an initial 3 year contract and then 2 years. The changes were made by the County Counsel
Roll Call – Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo,
Melendez, Novak.

Nays: Councilwoman Novak – Resolution #2017-331

Abstention: Councilman Grillo – Resolution #2017-347
Councilman Lembo – Resolution #2017-347

RESOLUTION #2017-329

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 27, 2017 in the amount of \$13,680,916.64 in a separate Bill List File for 2017 (See Appendix Bill List 2017-A for this date).

RESOLUTION #2017-330

WHEREAS, Shiv Akshar, LLC is the holder of Plenary Retail Consumption License #1219-33-031-005 in the Borough of Sayreville; and

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2017/2018 and 2018/2019 license term; and

WHEREAS, on October 23, 2017, David P. Rible, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 10-17-1266 covering the **2017/2018 and 2018/2019 license term**; and

WHEREAS, the said Special Ruling of the Director does authorize the Mayor and Borough Council to consider the application for renewal of the subject license for the 2017/2018 and 2018/2019 license term and to grant or deny said application in the reasonable exercise of its discretion;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that

the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-031-005 to the licensee for the **2017/2018 license term**, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on October 23, 2017.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately and/or as required by law.

/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 #2017-331

WHEREAS, the following applicant has applied for trailer licenses to be used as a temporary office trailer(s):

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
Golden Age Development LLC 40 Monmouth Park Highway West Long Branch, NJ 07764	- One (1) Sales/Office Trailer	Block 451, Lot 1.10

WHEREAS, said application has been referred to the proper department for investigation and review; and

WHEREAS, a favorable report has been received from the Zoning Officer covering the location of a said trailer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate one (1) temporary trailer for office/sales use, in accordance with the applicable ordinance.

/s/Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2017-332

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND
BOROUGH CLERK TO EXECUTE A RISK MANAGEMENT
CONSULTANT'S AGREEMENT WITH ACRISURE, LLC/NAIMC**

WHEREAS, the Borough of Sayreville (the "Borough") is a member of the Middlesex County Joint Insurance Fund (JIF); and

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

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

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

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services is defined in paragraph two (2) of the Risk Management Consultant's Agreement; and

WHEREAS, the term of this Contract shall be from January 1, 2018 until December 31, 2018, unless sooner terminated in accordance with law and the contract; and

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

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

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

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

2. The Mayor or the Business Administrator of the Borough of Sayreville is hereby authorized to execute an agreement with North American Insurance Management commencing January 1, 2018 and terminating on December 31, 2018, which shall provide that all payment for the performance of the services contemplated thereunder shall be the responsibility of the Middlesex County Joint Insurance Fund; and

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

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-333

**RESOLUTION APPROVING THE AWARD OF AN
INSURANCE PRODUCER / CONSULTANT / BROKER CONTRACT
FOR EMPLOYEE BENEFITS**

WHEREAS, the Borough of Sayreville (the “Borough”) requires the services of an insurance broker of record in order to oversee the Borough’s employee benefits program including medical, prescription, dental, vision and other insurance needs as determined by the Borough: and

WHEREAS, Reliance Insurance Group, a division of Acrisure, LLC, (“Broker”) is qualified to provide the above- referenced services and its response was deemed the most advantageous to the Borough, in accordance with all factors considered: and

BE IT FURTHER resolved that the Borough is hereby authorized and directed to execute the Broker of Record authorization annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1) (a) (i).

NOW, THEREFORE, BE IT RESOLVED, by the Borough that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Agreement is hereby authorized and approved.
3. Reliance Insurance Group, a division of Acrisure, LLC, is hereby appointed to represent the Borough as Broker of Record for employee benefits including medical, prescription, dental, and vision coverage.
4. The Borough is hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
5. This resolution shall be effective immediately.

/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 #2017-334

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper borough official are hereby authorized and directed to renew the Health, Dental and Prescription Benefit Agreements between the Borough of Sayreville and Aetna Health Management, LLC (“AETNA”) for employee and retiree health and dental benefits and with Benecard Services, LLC for employee and retiree prescription services for a period of January 1, 2018 through December 31, 2018.

/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 #2017-335

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 other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and 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 that the Mayor and Council of the Borough of Sayreville, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize the submission of a strategic plan for the Sayreville Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$42,655.00
Cash Match	\$10,663.75
In-Kind	\$31,991.25

2. The Mayor and Council hereby acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

/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 #2017-336

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

NAME OF APPOINTEE:	Michael Turton
POSITION:	Mechanic
DEPARTMENT:	Dept. of Public Works
EFFECTIVE:	December 1, 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/ Victoria Kilpatrick
Councilwoman
(Public Works Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-337

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

NAME OF APPOINTEE:	Adrienne McGill
POSITION:	Clerk 1 – Full Time
DEPARTMENT:	Police Department
EFFECTIVE:	December 1, 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/ Steven Grillo
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-338

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Official are hereby authorized and directed to execute a Shared Services Agreement between the Borough of Sayreville and the County of Middlesex, pursuant to the Uniform Shared Services and Consolidation Act for the County to provide the infrastructure of the Radio Network System at no cost to the Borough as outlined in the attached Service Agreement for a period of January 1, 2018 thru December 31, 2020, with an option to renew for one (1) two (2) year term.

/s/ Steven Grillo, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

MIDDLESEX COUNTY SHARED RADIO NETWORK AGREEMENT

THIS AGREEMENT (hereinafter referred to as "Agreement") for the use of the Middlesex County Radio Network (hereinafter referred to as "MCRN") is made this 27th day of November, 2017. This Agreement is between the County of Middlesex, a municipal corporation, having its principal offices at 75 Bayard Street, New Brunswick, New Jersey 08901, (hereinafter referred to as "County") and the Borough of Sayreville, a municipal corporation, having its principal offices at 167 Main Street, Sayreville, NJ 08872, (hereinafter referred to as "Municipality").

RECITALS

WHEREAS, the COUNTY has constructed a NEW p25 Phase II, 700/800 megahertz, radio network with microwave redundancy for the purpose of improving public safety and public service communications and interoperability; and

WHEREAS, the MUNICIPALITY desires the ability to use the MCRN for purposes that have been approved by the MCRN Administrator; and

WHEREAS, the COUNTY and the MUNICIPALITY are authorized to enter into this Agreement, pursuant to Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. and N.J.S.A. 40A:11-5(2); and

WHEREAS, nothing in this Agreement is intended to reduce the MUNICIPALITY'S authority over responsibility for events occurring within its jurisdiction.

NOW, THEREFORE, it is mutually agreed by and between parties as follows:

1. **RECITALS:**
The Recitals identified above are incorporated to this Agreement by reference.
2. **SYSTEM OPERATION:**
The MCRN shall provide a P25 Phase II, 700/800 megahertz, microwave network for the Municipality's use.
3. **GOVERNANCE:**
By entering this Agreement, the MUNICIPALITY acknowledges that use of the MCRN will be controlled by the Middlesex County Department of Public Safety & Health, Radio Bureau Administrator. No actions by the Radio Network Administrator may be so broad in nature that they negatively affect or impact the operational legal integrity of the MUNICIPALITY.
4. **MUNICIPAL RADIOS:**
The MUNICIPALITY agrees to provide and use only radios that are designed for use on the MCRN. The Middlesex County P25 Public Safety Radio Communications Network is manufactured by Harris Corporation. The COUNTY recommends using Harris radios on the network as the radio network has been designed to operate at optimal performance using Harris radios.
5. **PROHIBITION FROM SELLING MCRN SERVICE:**
The MUNICIPALITY is strictly prohibited from selling or transferring service on the MCRN to another agency or entity.

6. EQUIPMENT MAINTENANCE & REPAIR:
The MUNICIPALITY shall be responsible for the purchase, maintenance and repair of its radio equipment, including but not limited, to portable radios, mobile radios, control station radios, and console equipment. All repairs shall be made through a County authorized repair facility. This is essential to maintain system integrity and continuity. It shall be the responsibility of the MUNICIPALITY to notify the authorized repair facility when service to radio equipment operated by the MUNICIPALITY is necessary.
7. CONFIDENTIALITY OF MUNICIPALITY RADIO PROGRAMMING:
MCRN considers programming of municipal radios confidential. The MUNICIPALITY may not divulge MCRN programming or database information in any way to any entity or person. The MUNICIPALITY shall be responsible for appointing two (2) Liaisons who shall have the sole authority, on behalf of the MUNICIPALITY to request programming or database changes to the MCRN Administrator. The appointed Liaisons shall also be required to participate in MCRN user group trainings and meetings.
8. TERM OF AGREEMENT:
The MCRN agreement is for a three (3) year term with an option to extend for One (1) Two (2) year term. The COUNTY will provide the participating MUNICIPALITY the infrastructure of the system at no cost to the MUNICIPALITY. The MUNICIPALITY shall be responsible for their radio components (mobiles/portables/ base-station etc.) and all associated costs for the maintenance, repair and upkeep of same.
9. PROPER USE OF RADIO NETWORK:
The MUNICIPALITY must ensure that all of its users are in full compliance with MCRN and Federal Communications Commission (FCC) rules and regulations. Failure to comply may result in the loss of use for one or all radios depending on the violation. If any fines result from improper use, the MUNICIPALITY shall be responsible to pay such fine. Any complaints of improper use shall be handled through the appointed liaison(s), which will be expected to investigate the complaint and report back to MCRN Administrator.
10. MUNICIPAL NETWORK ACCESS PRIORITIES:
The MCRN Administrator shall be responsible for establishing and maintaining access level priorities.
11. INDEMNIFICATION:
The MUNICIPALITY agrees to indemnify and hold harmless the COUNTY, including its officers, trustees, employees and agents against all claims, damages or causes of action which might arise as a result of acts, omissions or negligence of the MUNICIPALITY, its employees or its agents arising out of the MUNICIPALITY'S obligations under this Agreement.
12. AGREEMENT MODIFICATION; ENTIRE AGREEMENT:
This Agreement may only be amended in writing with the approval of the COUNTY and the MUNICIPALITY. This Agreement constitutes the entire agreement of the parties and any previous oral or written agreements are superseded by this Agreement.
13. Compliance With Terms:
In the event, the MUNICIPALITY fails to comply with any of the terms set forth herein and the attached "Schedule A", and any other action which may compromise the integrity of the MCRN, the COUNTY shall have the exclusive discretion to immediately terminate this Agreement and impose any/all appropriate sanctions without any further notice to the MUNICIPALITY.

14. Termination of Agreement:

This Agreement shall be for a period of three (3) years with a two (2) year option to renew commencing January 1, 2018 and terminating December 31, 2020. Either party may terminate this Agreement by providing no less than 90 days written notice of intent to terminate to the other party.

IN WITNESS WHEREOF, the parties have duly signed and sealed this agreement.

RESOLUTION #2017-339

BE IT AND IT IS HEREBY RESOLVED that the proper borough official are hereby authorized and directed to execute the renewal an Interlocal Services Agreement between the Borough of Sayreville and the Board of Fire Commissioners of Fire District #1 in the Township of East Brunswick for Fire Protection Services in the "Old Bridge" section of Sayreville and along Bordentown Avenue up to Jernee Mill Road for the period covering May 1, 2018 through April 30, 2023.

/s/ Steven Grillo
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-340

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO PURCHASE PASS DEVICES

WHEREAS, the Governing Body of the Borough of Sayreville is in need of automated PASS Devices;

WHEREAS, the Governing Body of the Borough of Sayreville have determined that the Borough of Sayreville should purchase PASS devices; and

WHEREAS, the Borough of Sayreville is a member of the Houston-Galveston Area Council (HGACBuy) and through the HGACBuy is able to purchase Pass Devices; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are authorized and directed to purchase PASS devices in the amount of \$27,616.00, pending public notice procedures.

/s/ Steven Grillo
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-341

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through the State Contract Fourteen (14) Microsoft Surface Pro Tablets and Related Peripherals and Accessories, through SHI International Corp., Somerset, NJ (Contract #M-0483/A40166) at a total cost not to exceed \$18,018.28.

/s/ Steven Grillo
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-342

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

NAME OF APPOINTEE:	Sean Tischler
POSITION:	Laborer
DEPARTMENT:	Dept. of Public Works
EFFECTIVE:	January 2, 2018

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/ Victoria Kilpatrick
Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-343

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE PROVISION OF SPECIAL ORDER PIPES, VALVES AND VARIOUS OTHER APPURTENANCES ON AN AS NEED BASIS

WHEREAS, the Borough of Sayreville has a need to acquire special order pipes, valves and various other appurtenances on an as need basis as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5* and,

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

WHEREAS, the anticipated term of this contract is One year; and

WHEREAS, Water Works Supply Co. of Farmingdale, NJ has indicated they have and will provide the necessary special order pipes, valves and various other appurtenances for the Borough of Sayreville; and

WHEREAS, Water Works Supply Co. of Farmingdale has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in The Borough of Sayreville in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

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

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sayreville authorizes the Purchasing Agent to enter into a contract with Water Works Supply Co. as described herein; and,

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

/s/ Daniel Buchanan
Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-344

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase, through the State Contract Three (3) 2018 Ford F-250 Pick-up Trucks, through Beyer Ford, Morristown, NJ (Contract #T2100/A88727) at a total cost not to exceed \$108,158.00.

/s/ Daniel Buchanan
Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-345

WHEREAS, on October 11, 2017 the Mayor and Council of the Borough of Sayreville, have received bids for "Routine and Emergency Repairs to Water, Sewer, Road and Storm Sewer Infrastructure"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 27th day of November, 2017, that:

November 27, 2017
Council Session

1. Contract for "Routine and Emergency Repairs to Water, Sewer, Road and Storm Sewer Infrastructure" be awarded to B & W Construction Co. of NJ Inc., P.O. Box 574, South River, NJ 08882, on their low bid price of \$669,440.00.

/s/ Daniel Buchanan
Councilman
(Water & Sewer Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-346

RESOLUTION AUTHORIZING THE RENEWAL OF THE BOROUGH'S \$2,800,000 BOND ANTICIPATION NOTES, SERIES 2016A, DATED DECEMBER 13, 2016, AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE

WHEREAS, the Borough Council of the Borough of Sayreville, County of Middlesex, New Jersey (the "Borough") has heretofore issued its Bond Anticipation Notes, Series 2016A dated December 13, 2016 in the aggregate principal amount of 2,800,000 (the "Prior Notes"); and

WHEREAS, the Prior Notes mature on December 12, 2017 and it is desirable to renew the Prior Notes pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); and

WHEREAS, the Borough intends that the Prior Notes upon renewal will be deemed as "Qualified Tax-exempt Obligations" within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Prior Notes to be renewed shall be issued in a principal amount of not more than \$2,800,000 (the "Notes") and shall be issued pursuant to the Local Bond Law; now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, in the County of Middlesex, New Jersey as follows:

SECTION 1. That the Notes shall be issued as one issue and at such time as shall be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer") and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue, redemption and maturity, such redemption price or prices, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled "Bond Anticipation Notes, Series 2017A" or any other designation determined by the Chief Financial Officer.

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and he hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and his signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and he hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt

of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and 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 to include the principal amount, description, interest rate, and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the Notes will be "deemed designated" for purposes of Section 265(b)(3) of the Code (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). The Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such deemed designation of the Notes.

Section 8. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the Notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 9. That the Mayor of the Borough, the Chief Financial Officer, the Borough Administrator and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 10. That this resolution shall take effect immediately.

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

Exhibit A

No. 2017A-__

CUSIP _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

BOROUGH OF SAYREVILLE
in the County of Middlesex, New Jersey

BOND ANTICIPATION NOTE, SERIES 2017A

The BOROUGH OF SAYREVILLE, a municipal corporation of the State of New Jersey (the "Borough"), for value received promises to pay to the bearer of this Note, or if it be registered other than to bearer, to the registered owner hereof, in lawful money of the United States of America, the sum of _____ DOLLARS (\$_____) together with interest thereon from the date hereof at the rate of _____ per centum (____%) per annum, on _____, 2018, upon presentation and surrender of this Note at the office of the Chief Financial Officer of the Borough, Sayreville, New Jersey.

This Note is transferable by delivery, unless registered otherwise than to bearer. At the request of the holder, this Note will be registered in his name on the books of the Borough for the series of Notes of which this is a part (the "Notes") kept for that purpose in the office of its Chief Financial Officer, such registration to be noted on the back of this Note, and thereafter until registered transfer to bearer, no transfer of this Note shall be valid unless made on the registration books for the Notes and similarly noted hereon.

This Note is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey, a bond ordinance of the Borough Council of the Borough in all respects duly adopted and published as required by law and a resolution adopted by the Borough Council of the Borough. This Note is a Bond Anticipation Note, Series 2017A and is issued in anticipation of the issuance of bonds of the Borough. The Notes are intended to be treated as "Qualified Tax-exempt Obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). This Note is issued for a period not exceeding one year, and may be renewed from time to time for additional periods, not exceeding one year.

[The Notes are subject to redemption prior to maturity at the option of the Borough, in whole or in part at any time, and if in part, by lot, on or after _____, 2018, upon notice of redemption given by the Borough by first class mail, postage prepaid, to the registered owner of any Note to be redeemed at the address shown on the registration books of the Borough not less than thirty (30) days nor more than sixty (60) days prior to the redemption date; provided, however, that failure to mail or to receive such notice, or any defect therein, shall not affect the validity of the proceedings for redemption. The Notes subject to redemption shall be redeemed at the redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption.

If notice of redemption has been given by mail, the Notes or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Notes redeemed.]

[The Notes are not subject to redemption prior to maturity.]

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or upon the issuance of this Note, exist, have happened and have been performed and that the amount and terms of this Note do not exceed any limitation imposed thereon by the Constitution or statutes of the State of New Jersey.

IN WITNESS WHEREOF, the BOROUGH OF SAYREVILLE, acting through its Borough Council, has caused this Note to be signed by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto affixed, this Note and the seal to be attested by the manual signature of the Borough Clerk of the Borough Council and this Note to be dated the ____ day of December, 2017.

ATTEST:
(SEAL)

CLERK OF THE BOROUGH COUNCIL

BOROUGH OF SAYREVILLE

MAYOR

CHIEF FINANCIAL OFFICER

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the Borough Council of the Borough HEREBY CERTIFIES that a true and correct copy of the original legal opinion of the law firm of McCarter & English, LLP, Newark, New Jersey as to the validity of the issue of notes of which the within note is one is available for inspection at the Office of the Chief Financial Officer of the Borough and a copy thereof may be obtained by the owner hereof upon request.

CLERK OF THE BOROUGH COUNCIL

REGISTRATION CERTIFICATE

It is hereby certified that the within note is registered as to principal and interest as follows:

Date of Registry by	Name of Registered Holder	Registered
_____	_____	_____
_____	_____	_____
_____	_____	_____

RESOLUTION #2017-347

**Resolution approving the terms of an Agreement
between the Borough of Sayreville and the PBA Local 98**

WHEREAS, there is a pending grievance filed on behalf of the Sayreville PBA Local NO. 98 with regard to a dispute over vacation leave accrual; and

WHEREAS, representatives of the Borough and the PBA have reached an agreement on terms to resolve the grievance and to address the issue of accrual and use of vacation time presently and going forward; and

WHEREAS, it has been determined by the Borough Council that the recommended terms, which are contained in a written settlement agreement, will resolve the dispute between the parties and will avoid the time and expense necessary to adjudicate the matter by way of binding arbitration; now

BE IT HEREBY RESOLVED this 27th day of November 2017 that the Borough Council hereby approves the terms of the Settlement Agreement negotiated between the Borough and the PBA and authorizes the Council President to sign the agreement on behalf of the Borough to effectuate the agreed upon terms and conditions.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

Mayor returned unsigned
Mayor

RESOLUTION #2017-348

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY 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 333, Lot 1; Block 332, Lots 1, 3 & 4; Block 297, 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 approved the retention of Sockler Realty Services Group, Inc. and Stern & Dragoset to provide appraisals of the property known as Block 333, Lot 1; Block 332, Lots 1, 3 & 4; Block 297, 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 333, Lot 1; Block 332, Lots 1, 3 & 4; Block 297, 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 #2017-349

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for "Veterans Field Synthetic Turf Improvements" and that he be paid for said services at a fee not to exceed \$145,000.00 .

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick
Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2017-350

BE IT RESOLVED, that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for "Sayreville Recreation Complex Synthetic Turf Improvements" and that he be paid for said services at a fee not to exceed \$115,000.00 .

BE IT FURTHER RESOLVED that upon approval of said plans and specifications for the project the Borough Clerk is also herein authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick
Councilwoman
(Public Works Committee)

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

- **EXECUTIVE SESSION – Litigation and Personnel**

Mayor announced that the Council would be going into Closed Executive Session.

Borough Attorney DuPont read the following resolution into record.

RESOLUTION FOR CLOSED SESSION

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

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

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

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

Litigation – Tax Appeal – Personnel

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

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

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

/s/ 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, Grillo, Kilpatrick, Lembo, Melendez, Novak.

Nays: None.

Time: 7:28 PM

Reconvene

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

Roll Call: Voice Vote, all Ayes. - Time 7:47 PM

Borough Attorney DuPont stated that the Council would like to retain Mr. Surenian for the purpose of reviewing and/or represent the Borough with respect to its Mt. Laurel and COAH obligations and/or litigations. The hourly rate is included in the executive summary for a fee not to exceed \$15,000.00.

Councilwoman Novak moved the motion. Seconded by Councilwoman Kilpatrick.

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

• **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

He questioned the loss of revenue on the development fees and the cost COAH would be bring to the town.

Business Administrator stated that both things would be ready by Dec. 18th.

Mr. Malaneski questioned the basis for the appeal on Judge Natali's ruling.

Borough Attorney DuPont responded that the notice of appeal was arbitrary and capricious and that we have ordered the transcript and now we have to file a brief and a hearing. He stated that at the meeting in October, Mr. Sachs was authorized to file a notice of motion to vacate the settlement and/or amend the settlement.

- Mike D'Addio, 13 Zaleski Drive

He thanked them for taking out the redevelopment zone from Ordinance 386-17. He stated on Page 6 Paragraph 7 regarding the classes of development it states that they would be exempt from fees. He stated that this paragraph needs to be taken out unless you don't want the money.

Borough Attorney DuPont stated that some of the concerns that were raised were addressed in Paragraph 5.

Borough Attorney DuPont stated that they need to remove paragraph 7 on page 6 a-f from introduced Ordinance #386-17.

Motion made by Councilwoman Kilpatrick. Seconded by Councilman Lembo.

Councilman Grillo questioned if tax exempt developments would be exempt.

Response by Borough Attorney DuPont.

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

- Jim Robinson, 11 Borelle Square

He questioned the status of the appraisal for North Ernston Road.

Business Administrator Frankel responded that it was sent to the appraisers for them to do the work.

Mr. Robinson stated that a few meetings ago he questioned if Gillette Manor was included in affordable housing count.

Councilwoman Kilpatrick responded that it was not included.

Mr. Robinson suggested that maybe in 2018 we need a planner who has the time to devote to one of the most important issues facing this town.

He questioned the attorney that was retained tonight.

Response by Borough Attorney DuPont.

Mr. Robinson commented on how the meetings are scheduled and suggested that meetings be changed to be able to allow the Council to discuss issues more effectively.

- Ken Olchaskey, 108 North Edward Street

He questioned if the COAH appeal was filed.

Response by Borough Attorney DuPont.

He questioned if Mr. Surenian was handling the appeal.

Borough Attorney DuPont responded that Mr. Surenian is reviewing the file and will give his opinion.

Mr. Olchaskey questioned the allocation of fees.

Borough Attorney DuPont responded that there was an application filed by Fair Share Housing and Kaplan for fees but has not been heard yet. Mr. DuPont stated that Mr. Sachs has filed opposition to those fees.

Mr. Olchaskey questioned what is judicial reconsideration.

Mr. DuPont responded that Mr. Sachs was authorized to file a Notice of Appeal and Notice of Motion to vacate or amend the settlement which is scheduled to be heard on December 15th.

- Janice Benedetto, 1 Thomas Avenue

She thanked Mr. Frankel for getting back to her about the appraisals.

She stated that the meetings are being watched on YouTube and TV by residents of the Melrose section.

She questioned the appeal status and review by the new attorney, intervenors status with National Lead.

Borough Attorney DuPont stated that National Lead has filed an answer and there has been no appeal filed.

She questioned who the intervenors were.

Mr. DuPont responded that Kaplan, National Lead and SERA. He stated that Mocco property was denied.

She questioned if they should be appealing the National Lead intervenor status to cover us.

Mr. DuPont responded that they can make a motion to authorize Mr. Sachs to file an appeal of the National Lead intervenor order.

Motion made by Councilwoman Kilpatrick. Seconded by Councilman Lembo.

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

Councilwoman Novak questioned in the appeal if we were going with the new numbers that Susan Gruel came up with.

Borough Attorney DuPont responded that some of those arguments will be presented in the motion to vacate and/or amend.

Councilman Grillo questioned Mr. Leoncavallo on the status of adaptive reuse and the rezoning of Route 35.

Mr. Leoncavallo responded that he hasn't had a chance to complete those reports.

Ms. Benedetto stated that in the Susan Gruel's report there are rooms for rent at the Parlin Guest House that were never counted in the master plan.

Councilwoman Kilpatrick stated that some members of the council that voted to bring Susan Gruel on were to look at those numbers and she did find additional credits.

- Jim Robinson, 11 Borelle Square

He stated that being the Council retained special counsel that they should authorize Susan Gruel to work with special counsel.

He questioned when the appeal was filed by Mr. Sachs and can that be augmented when an attorney with special expertise comes in and find things.

Response by Mr. DuPont

Mr. Robinson asked if Mr. Sachs was the Planning Board Attorney when they came up with inclusionary zoning plan.

Council President Buchanan responded he was the attorney in 2016.

Councilwoman Kilpatrick stated that she wants to make sure that the attorney coming in has all the information needed.

Mr. DuPont stated that he's going to copy everything in his file for Mr. Surenian.

Councilman Melendez made a motion to appoint Susan Gruel at a fee not to exceed \$15,000.00. Seconded by Councilwoman Kilpatrick.

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

- Ken Olchaskey

He thanked "God" for Susan Gruel because without her we would be in bad shape. He also commented about residents watching this on TV and YouTube and heard from a resident that there was no sound on TV.

Councilman Melendez responded that it has been fixed.

- Vincent Mackiel, Perth Amboy

He informed them about the Salvation Army shelter will stop operating. He requested that they start communicating with other towns about the shelter being eliminated.

Mayor O'Brien stated that there is a county organization on homelessness and Capt. Fitzsimmons is our liaison to that organization.

- Junior Romaro, Food & Water Watch

He questioned the Northeast Supply Project being proposed. He stated it's a natural gas expansion project with a 26 mile pipeline through the Raritan Bay. The other part of this project is a gas compressor station proposed for Somerset County which they are fighting. He asked the governing body to relay this information to your residents.

Mayor O'Brien stated that he will have the Clerk contact the Environmental Commission who will then reach out to him. He stated that the Environmental Commission will assess and evaluate and report to the Council.

There were no other questions or comments. Mayor O'Brien called for a Motion.
Council President Buchanan made a motion to close the Public Portion. Seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes.

- **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 8:52 P.M.

Jessica Morelos
Assistant Municipal Clerk

Date Approved