

Council President Novak opened the Council Meeting at 7:05 PM followed by a short prayer and salute to the flag. This meeting was being held via electronic communications.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this December 14, 2020 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune and the Star Ledger, notifying the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Conti (telephone), Dalina (telephone), Enriquez (telephone), Maher (telephone), Novak, Roberts (telephone)

Absent: None

Others Present: Daniel E. Frankel, Business Administrator (telephone)  
Denise Biancamano, C.F.O./Treasurer (telephone)  
Jessica Morelos, Municipal Clerk  
Michael DuPont, Esq., Borough Attorney (telephone)  
Jay Cornell, P.E., Borough Engineer (telephone)  
Nicole Waranowicz, Asst. Municipal Clerk

Others Absent: Mayor Kilpatrick

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

Councilman Dalina moved the following minutes be approved, subject to correction if necessary:

☒ November 23, 2020 - Regular & Agenda Sessions

Seconded by Councilman Enriquez.

Roll Call: Councilpersons Dalina, Conti, Enriquez, Maher, Roberts, all Ayes.

- **PROCLAMATION & PRESENTATIONS**

☒ Proclamation – Supporting the Drive Sober or Get Pulled Over 2020 Year End Crackdown from December 4, 2020 – January 1, 2021

# Proclamation

## *Drive Sober or Get Pulled Over 2020 Year-End Holiday Crackdown*

**Whereas**, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

**Whereas**, impaired driving crashes killed 10,551 people in the United States in 2018; and

**Whereas**, impaired driving crashes cost the United States almost \$44 Billion a year; and

**Whereas**, during the past five years New Jersey's roadways experienced 36,049 crashes and 648 fatalities involving impaired drivers; and

**Whereas**, an enforcement crackdown is planned to combat impaired driving; and

**Whereas**, the year-end holiday season is traditionally a time for social gatherings which include alcohol; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2020 Year End Holiday Crackdown*; and

**Whereas**, the project will involve increased impaired driving enforcement from December 4, 2020 through January 1, 2021; and

**Whereas**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**Therefore**, be is resolved that the Borough of Sayreville declares it's support for the *Drive Sober or Get Pulled Over 2020 Year End Holiday Crackdown* from December 4, 2020 through January 1, 2021 and pledges to increase awareness of the dangers of drinking and driving.



**IN WITNESS WHEREOF**, I have caused this Proclamation to be issued and the official seal of the Borough duly affixed this 14<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Mayor

Councilman Dalina moved the following proclamation be approved. Seconded by Councilman Conti.

Roll Call: Voice Vote, all Ayes.

☞ COVID-19 Update

Business Administrator Frankel stated that for today there was 32 positive cases and total for the last three days is 85. He stated there was one fatality during the last week.

- **EXECUTIVE SESSION** –None

- **OLD BUSINESS: NONE**

a) Public Hearing on the following Ordinances:

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

Public Hearing on Ordinance #510-20.

Council President Novak opened the meeting to the public for questions or comments on Ordinance #510-20.

There were no appearances.

**Councilwoman Roberts moved the Public Hearing be closed the Ordinance be adopted on second and final reading and advertised according to law.**

**Seconded by Councilman Enriquez.**

**Roll Call: Councilpersons Roberts, Conti, Dalina, Enriquez, Maher, Novak, all Ayes.**

**BOND ORDINANCE #510-20**

**BOND ORDINANCE PROVIDING FOR THE  
ACQUISITION OF VEHICLES AND EQUIPMENT IN,  
BY AND FOR THE BOROUGH OF SAYREVILLE, NEW  
JERSEY, APPROPRIATING \$1,252,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$1,192,000  
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 \$1,252,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$60,000 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 \$1,252,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,192,000 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 \$1,192,000 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 acquisition of the following equipment and vehicles: (i) body cameras, (ii) microwave for police department, (iii) fire truck, (iv) fire department turnout gear, (v) fire department pagers, (vi) automated refuse containers, (vii) various police vehicles; and (viii) sewer camera vehicle.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,192,000.

(c) The estimated cost of said purposes is \$1,252,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$60,000 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 current expenses and are properties or improvements 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 7.33 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 \$1,192,000, 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 \$10,000 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 \$1,192,000. 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.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: November 23, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Donna Roberts, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: December 14, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Donna Roberts, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 14th DAY OF December, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

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

Public Hearing on Ordinance #511-20.

Council President Novak opened the meeting to the public for questions or comments on Ordinance #511-20.

There were no appearances.

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

**Seconded by Councilman Enriquez.**

**Roll Call: Councilpersons Dalina, Conti, Enriquez, Maher, Novak, Roberts, all Ayes.**

**ORDINANCE # 511-20**

**AN ORDINANCE AMENDING CHAPTER XXXV, "AFFORDABLE HOUSING", SUBSECTION 35-23, "AFFORDABLE HOUSING MANDATORY SET-ASIDE" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SAYREVILLE**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**35-23 Affordable Housing Mandatory Set-Aside**

**A. Purpose**

This section is intended to ensure that any site that benefits from a rezoning, variance or redevelopment plan approved by the Borough or the Borough Planning/Zoning Board that results in multi-family residential development of five (5) dwelling units or more produces affordable housing at a set-aside rate of twenty (20%) percent. This section shall apply except where inconsistent with applicable law.

**B. Affordable Housing Mandatory Set-Aside Requirement**

If the Borough Planning Board/Zoning Board permits the construction of multi-family or single-family attached residential development that is "approvable" and "developable". As defined at N.J.A.C. 5:93-1.3, the Borough or the Borough's Planning/Zoning Board shall require that an appropriate percentage of the residential units be set aside for low and moderate income households. This requirement shall apply beginning with the effective date the Ordinance creating this section was adopted to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units, whether permitted by a zoning amendment, a variance granted by the Borough's Planning Board or Zoning Board. For such development for which the Borough's land use ordinances already permitted residential development as of the effective the Ordinance creating this section was adopted, this requirement shall only apply if the Borough or the Borough's Planning Board or Zoning Board permits an increase in approvable and developable gross residential density to at least twice the permitted approvable and developable gross residential density as of the effective date the Ordinance created this section was adopted. Nothing in this paragraph precludes the Borough or the Borough's Planning Board or Zoning Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law. For all inclusionary projects, the appropriate set-aside percentage will be twenty percent (20%). This requirement does not create any entitlement for a property owner or applicant for a zoning amendment or variance, or for approval of any particular proposed project. This requirement does not apply to any sites or specific zones

otherwise identified in the Borough's Settlement Agreement with FSHC, which was executed by the Borough on July 8, 2016, or in the Borough's Adopted Housing Element and Fair Share Plan, for which density and set-aside standards shall be governed by the specific standards set forth therein. As such, this section will not apply to the Borough's CDB, HBD, LI, R-TH or OR zones, as said zones already have affordable housing set-aside requirements.

Furthermore, this section shall not apply to developments containing four (4) or less dwelling units. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.

**Section 1.** 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.

**Section 2.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Sayreville, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Sayreville are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**Section 3.** The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Middlesex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

**Section 4.** After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Sayreville for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**Section 5.** This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Middlesex County Planning Board pursuant to N.J.S.A. 40:55d-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 35, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

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

**INTRODUCED/APPROVED ON FIRST READING**

DATED: November 23, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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

**ADOPTED ON SECOND READING**

DATED: December 14, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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

**APPROVAL BY THE MAYOR ON THIS 14<sup>th</sup> DAY OF December, 2020**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

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

Public Hearing on Ordinance #512-20.

Council President Novak opened the meeting to the public for questions or comments on Ordinance #512-20.

There were no appearances.

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

**Roll Call: Councilpersons Conti, Dalina, Enriquez, Maher, Novak, Roberts, all Ayes.**

**ORDINANCE # 512-20**

**AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC"  
OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF SAYREVILLE**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

7-3.7 Handicapped Parking Spaces in Streets.

- a. The purpose of this subsection is to establish certain designated parking spaces on public streets for use by handicapped persons and to prohibit parking spaces designated as handicapped parking spaces for use by persons who have been issued special identification cards by the Division of Motor Vehicles of the State of New Jersey. No other person shall be permitted to park in these spaces.
- b. The following areas shall be designated as handicapped parking spaces for use by persons who have been issued special identification cards by the Division of Motor Vehicles. No other persons shall be permitted to park in these spaces and shall be so marked by signs indicating the handicapped parking spaces in conformance with the current Manual on Uniform Traffic Control Devices for Streets and Highways.

~~**Thomas Street/29 Hart Street**~~

~~**One (1) parking space at 29 Hart Street, easterly side, beginning at a point thirty five (35') feet east of the prolongation of the northern curb line of Hart Street and extending to a point twenty-two (22') feet north thereof.**~~

~~**32 Heston Street**~~

~~One (1) parking space at 32 Heston Street, on the south side of the street approximately thirty-five (35) feet from Clay Street and continuing easterly for a distance of fifteen (15) feet.~~

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 7, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

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

**INTRODUCED/APPROVED ON FIRST READING**

DATED: November 23, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Vincent Conti, Councilman  
(Public Safety Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: December 14, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Vincent Conti, Councilman  
(Public Safety Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 14<sup>th</sup> DAY OF December, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

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

Public Hearing on Ordinance #513-20.

Council President Novak opened the meeting to the public for questions or comments on Ordinance #513-20.

There were no appearances.

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

**Roll Call: Councilpersons Maher, Conti, Dalina, Enriquez, Novak, Roberts, all Ayes.**

**ORDINANCE # 513-20**

**AN ORDINANCE AMENDING CHAPTER XIV,  
"WATER AND SEWER" OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF SAYREVILLE**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**14-15 BILLING**

**14-15.3 Deductions.** All claims for deductions shall be made in writing to the Council.

**14-15.3a. Credits.**

*Customers of the Sayreville Water Department that participate in the lead and copper sampling program will be credited the amount of Fifteen (\$15.00) Dollars for each sampling event in which a valid sample is received by the department. Such credit will be issued no later than thirty (30) days after the sampling event has ended.*

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 14, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

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

**INTRODUCED/APPROVED ON FIRST READING**

DATED: November 23, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Michele Maher, Councilwoman  
(Water/Sewer Committee)

**ADOPTED ON SECOND READING**

DATED: December 14, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville  
Committee)

/s/Michele Maher, Councilwoman  
(Water/Sewer  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 14<sup>th</sup> DAY OF DECEMBER, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

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

Public Hearing on Ordinance #514-20.

Council President Novak opened the meeting to the public for questions or comments on Ordinance #514-20.

There were no appearances.

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

**Roll Call: Councilpersons Roberts, Conti, Dalina, Enriquez, Maher, Novak, all Ayes.**

**BOND ORDINANCE #514-20**

**BOND ORDINANCE PROVIDING FOR THE  
ACQUISITION OF WATER UTILITY VEHICLES AND  
EQUIPMENT IN THE BOROUGH OF SAYREVILLE,  
NEW JERSEY, APPROPRIATING \$300,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$300,000  
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 \$300,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 4(e) of this bond ordinance.

Section 2. For the financing of the improvements or purposes, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$300,000 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 \$300,000 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 (i) the acquisition of a turbidity monitor and various vehicles and (ii) various water main repairs, together with all other work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said improvements or purposes is \$300,000.

(c) The estimated cost of said improvements or purposes is \$300,000.

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

(a) The said improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted 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 18.8 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 an electronic copy thereof has been 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 \$300,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,000 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 or purposes.

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

Section 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 \$300,000. 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.

**INTRODUCED/APPROVED ON FIRST READING**  
DATED: November 23, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Donna Roberts, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**  
DATED: December 14, 2020

/s/Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

/s/Donna Roberts, Councilwoman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS 14th DAY OF December, 2020.**

/s/Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ., Borough Attorney

- **NEW BUSINESS: NONE**

**CONSENT AGENDA RESOLUTIONS**

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

There were no appearances.

Councilman Dalina made a motion to close the Public Portion and adopt the Consent Agenda Resolutions. Seconded by Councilman Enriquez.

Roll Call: Councilpersons Dalina, Conti, Enriquez, Maher, Novak, Roberts, all Ayes.

**RESOLUTION #2020-274**

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

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

Absent  
Victoria Kilpatrick, Mayor

/s/ Vincent Conti, Councilman

/s/ Michele Maher, Councilwoman

/s/ Kevin Dalina, Councilman

/s/ Mary J. Novak, Councilwoman

/s/ Damon Enriquez, Councilman

/s/ Donna Roberts, Councilwoman

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

/s/ Michael R. DuPont, Borough Attorney

**Bill list of December 14, 2020 in the amount of \$8,240,415.59 in a separate Bill List File for 2020 (See Appendix Bill List 2020-A for this date).**

**RESOLUTION #2020-275**

**WHEREAS**, the Borough Clerk is in receipt of applications for renewal of licenses for the year 2021 covering the following:

- Barber & Beauty Shops
- Junkyards
- Private Horse Stable Operator
- Taxi Cab Owner/Operator
- Temporary Trailer
- Motels

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Borough Council that applications for license renewals for the year 2021 for the aforementioned be and the same are hereby approved, subject to the completion of the proper paperwork.

/s/ Donna Roberts, Councilwoman  
(Admin. & Finance Committee)

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-276**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE  
MODIFICATION AND DISCHARGE OF MORTGAGE FOR PROPERTY LOCATED AT 108  
STANDIFORD AVENUE, SAYREVILLE, NEW JERSEY**

**WHEREAS**, a certain Mortgage dated December 2, 1988 was made by Marian Grabas, residing at 108 Standiford Avenue, Sayreville, New Jersey, identified as Block 201.03 Lot 12 on the official assessment maps of the Borough of Sayreville in the County of Middlesex and State of New Jersey to the Borough of Sayreville; and

**WHEREAS**, this Mortgage, never modified, was made to secure payment in the amount of NINE THOUSAND NINE HUNDRED FIVE DOLLARS (\$9905.00) without interest. The mortgage was recorded or registered in the office of the County Recording Officer of Middlesex County, State of New Jersey, on April 29, 1999 in Book 05905 at Page 0309; and

**WHEREAS**, Table “A” of said Mortgage states that the debt is forgiven at the end of the sixth year, as long as the residence remained the property of Borrower; and

**WHEREAS**, according to said Mortgage the debt was due to be forgiven in April of 2006; and

**BE IT AND IT IS HEREBY RESOLVED** Mayor Victoria Kilpatrick and Jessica Morelos, Borough Clerk of the Borough of Sayreville are authorized to execute a Discharge of Mortgage for the property located at 108 Standiford Avenue, Sayreville, New Jersey 08872.

/s/ Donna Roberts, Councilwoman  
(Admin. & Finance Committee)

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-277**

**RESOLUTION OF THE BOROUGH OF SAYREVILLE CONFIRMING PAYMENT OF AFFORDABLE HOUSING TRUST FUNDS FOR THE DEVELOPMENT OF A 100% MUNICIPALLY SPONSORED AFFORDABLE HOUSING PROJECT IN FURTHERANCE OF THE BOROUGH'S APPROVED AFFORDABLE HOUSING SETTLEMENT AGREEMENT**

**WHEREAS**, the Borough of Sayreville (the "Borough") has an obligation under the New Jersey Fair Housing Act, N.J.S.A. 52: 27D-301, et seq. to create a realistic opportunity for the provision of low and moderate income housing; and

**WHEREAS**, the Borough entered in to a Settlement Agreement with the Fair Share Housing Center dated May 21, 2018 to resolve the Borough's Mount Laurel Fair Share housing obligations (the "Settlement Agreement"); and

**WHEREAS**, the Sayreville Economic and Redevelopment Agency serves as an instrumentality and agency of the Borough of Sayreville pursuant to the Local Redevelopment Housing Law for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the Borough ("Redevelopment Agency" or "SERA"); and

**WHEREAS**, in order to accommodate the development of affordable housing units as contemplated in the Settlement Agreement, SERA has subdivided property that it owns to form a new 13.745+/- acre parcel to be known as Block 175, Lot 10.01 (the "Affordable Project Site"); and

**WHEREAS**, on April 25, 2019, SERA conditionally designated Community Investment Strategies ("CIS") as the Redeveloper of the Affordable Project Site in order to facilitate the Borough's compliance with the Settlement Agreement; and

**WHEREAS**, on June 1, 2019, SERA entered in to a Redevelopment Agreement for the redevelopment of the Affordable Project Site which will provide for eighty-eight (88) 100% municipally sponsored affordable housing units; and

**WHEREAS**, on July 10, 2019, the Borough entered in to an Affordable Housing Agreement which in part provides for a municipal contribution of Two Million Six Hundred Ninety-Five Thousand (\$2,695,000.00) Dollars ("Trust Fund Contribution") to be applied to the development of the Affordable Project Site; and

**WHEREAS**, on August 15, 2019, CIS transferred its redevelopment rights to The Place at Sayreville, LLC (the "Redeveloper") a "Qualified Entity" in accordance with the Redevelopment Agreement and as confirmed in the First Amendment to Redevelopment Agreement dated June 19, 2020; and

**WHEREAS**, the Redeveloper has indicated that it anticipates closing title on the Affordable Project Site and commencing development in December 2020 (the "Closing"); and

**WHEREAS**, the Borough has agreed to fund its Trust Fund Contribution at Closing to the extent that funds are available in its affordable housing trust fund and to provide the remaining balance of affordable housing trust funds be included in the 2021 budget and delivered to the Redeveloper no later than July 15, 2021 so that the Redeveloper may obtain financing and move forward with the Closing as contemplated

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sayreville that the Trust Fund Contribution shall be applied at Closing to the extent that there are funds available in the Borough's affordable housing trust fund.

**BE IT FURTHER RESOLVED**, that to the extent that any portion of the Trust Fund Contribution is not available at Closing, the Borough shall provide for funding in its 2021 budget and shall deliver the remaining Trust Fund Contribution to the Redeveloper not later than July 15, 2021 provided that the Redeveloper has closed title.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-278**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING THE SAYREVILLE  
FIRE DEPARTMENT USE OF OUT-OF-SERVICE VEHICLES**

**WHEREAS**, the Garage Services Department of the Borough of Sayreville took certain vehicles out of services and transferred said vehicles to Fort Grumpy;

**WHEREAS**, the Sayreville Fire Department has requested the use of the said vehicles;

- 2001 Chevrolet Express #IGBFG15R411109922
- 2008 Crown Victoria #2FAFP71V58X155154

**WHEREAS**, the Garage Services Department and the Department of Public Works representatives agree to the use and will schedule the said vehicles to be scrapped after the re-certification takes place; and

**BE IT AND IT IS HEREBY RESOLVED** that Mayor and Council of the Borough of Sayreville do hereby authorize and grant permission for the requested use by the Sayreville Fire Department and the subsequent removal of said vehicles for scrap.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-279**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough officials are hereby authorized to award an emergency contract for automated refuse containers through the NJPA/Sourcwell Cooperative Contract 041217-SFR to Schafer Systems, Inc., 1021 Westlake Dr., Charlotte, NC 28273, at a total cost not to exceed \$28,381.68.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-280**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough officials are hereby authorized to award an emergency contract for the purchase and installation of touchless faucets at various Borough Buildings through ESCNJ Contract 20/21-18 to Magic Touch Construction, 59 W. Front St., Keyport, NJ 07735, at a total cost not to exceed \$50,000.00.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-281**

**BE IT AND IT IS HEREBY RESOLVED** that the following transfers between 2020 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

FROM

TO

CURRENT FUND

Rent Leveling OE (0-01-21-190-123)		1,500.00
Police OE (0-01-25-240-122)		10,000.00
Police Dispatch S&W (0-01-25-250-014)		15,000.00
Uniform Fire Safety Code S&W (0-01-25-270-016)		2,500.00
Group Insurance (0-01-23-220-195)	29,000.00	
	<u>29,000.00</u>	<u>29,000.00</u>



- Contractor: S & G Paving, Inc.  
224C Forsgate Drive  
Jamesburg, NJ 08831
- Net Decrease: \$6,569.20
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-284**

**ACCEPTING FINAL WORK  
AND AUTHORIZING FINAL PAYMENT  
UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Public Safety Complex Parking Lot Improvements
- Contractor: S & G Paving, Inc.  
224C Forsgate Drive  
Jamesburg, NJ 08831
- Balance Due \$17,421.67

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.
2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.
3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.
4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$130,662.50 and the approval of same as to form and sufficiency by the Borough Attorney.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-285**

**WHEREAS**, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Closeout Contract Change Order No. 1:

- Project: 2018 Roadway Paving & Reconstruction Project – Phase II
- Contractor: S & G Paving, Inc.  
224C Forsgate Drive  
Jamesburg, NJ 08831
- Net Decrease: \$109,338.34
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:

2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-286**

**ACCEPTING FINAL WORK  
AND AUTHORIZING FINAL PAYMENT  
UPON EXPIRATION OF STATUTORY PERIOD**

**WHEREAS**, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: 2018 Roadway Paving & Reconstruction  
Project – Phase II
- Contractor: S & G Paving, Inc.  
224C Forsgate Drive  
Jamesburg, NJ 08831
- Balance Due \$15,684.89

**WHEREAS**, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

**WHEREAS**, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

**WHEREAS**, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:**

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$117,636.70 and the approval of same as to form and sufficiency by the Borough Attorney.

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

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**RESOLUTION #2020-287**  
**BOROUGH OF SAYREVILLE RESOLUTION TO RENEW**  
**P.R.C.L. #1219-33-022-003, STOCK ENTERPRISE, INC.**  
**T/A COLOSSEUM WITH CONDITIONS FOR THE**  
**2020-2021 LICENSE YEAR**

**WHEREAS**, Stock Enterprise, Inc. t/a Colosseum is the holder of Plenary Retail Consumption License # 1219-33-022-003 issued by the Mayor and Council of the Borough of Sayreville as the Issuing Authority; and

**WHEREAS**, application for renewal has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2020-2021 licensing term; and

**WHEREAS**, said applicant has complied with the necessary requirements including payment of fees, etc.

**WHEREAS**, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2020-2021 license term; and

**WHEREAS**, on December 2, 2020, James B. Graziano, Acting Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of a pocket license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 09-20-387 for a one-year period, covering the 2020-2021 license terms; 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 2020-2021 license term and to grant or deny said application in the reasonable exercise of its discretion;

**BE IT FURTHER RESOLVED THAT** Plenary Retail Consumption License Number 1219-33-022-003, Stock Enterprise, Inc. t/a Colosseum, is hereby renewed for the 2020-2021 license year, subject to the following conditions remaining on the license:

1. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License must close the Licensed Premises for sixty (60) days of continuous operation after the License has been reactivated.

Such sixty (60) day suspension will commence on the thirtieth (30<sup>th</sup>) day after the Licensed Premises has been in operation and open for business.

2. Licensee or any other transferee, person or entity who may retain a present or future possessory interest in the License will not submit a request to the Director of the New Jersey Division of Alcoholic Beverage Control requesting a monetary payment in lieu of the sixty (60) day suspension or any other offer in compromise of suspension at any time in the future.

3. Licensee will not appeal this sixty (60) day suspension or the terms thereof to the Director of the New Jersey Division of Alcoholic Beverage Control at any time in the future.

4. All current existing conditions already on the License shall remain with the License and will not be affected by Licensee's sixty (60) day suspension. These conditions on the License shall remain with the License for each and every renewal period until further resolution by the Mayor and Council.

5. The License is revocable at any time for failure to comply with these conditions. Any violation of Alcohol Beverage Control Law or the previously mentioned conditions may result in immediate revocation of the License.

6. Licensee shall establish a litter-free zone surrounding the Licensed Premises as well as any littering in the neighborhood which can be directly attributed to the conduct of the business and must assign specific personnel on a daily basis to accomplish the fore-mentioned litter-free zone.

7. Licensee shall implement and shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises and who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This is in recognition of the fact that this activity of re-entering the Licensed Premises by patrons provides the patrons the opportunity to facilitate the use of drug activities inside the Licensed Premises.

8. The employees and staff of Licensee shall be required to obtain photo identification cards prepared by and from the Sayreville Police Department. Said identification card must be kept on their persons at all times while employed at and located on the property of Licensee. The purpose of this requirement is to alleviate difficulties encountered by police investigating complaints on the premises in which members of the security staff are identified as either potential witnesses or suspects and designed to respond to the findings of a previous ABC investigation in which it was determined that some of the employees found on-site during the investigations were not properly entered in the employee records of the License.

9. Licensee shall provide proper trash receptacles in the parking lots and outside the Licensed Premises as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises. This includes all parking lots, Chevalier Avenue from Oak Street to Route 35 and Oak Street from Old Route 4 to Fouratt Avenue, Route 9 & 35 from Chevalier Avenue South to and including the business Beau Monde Furniture, which shall be cleaned of all litter, trash and other discarded items. This cleaning shall be accomplished by 10:00 a.m. each day following the hours of operation of the Licensed Premises. The described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with the operation of the Licensee, to the extent that the residents within the five hundred (500) foot radius consent to permit access to their private property to be cleaned of all litter, trash and other discarded items at the sole cost and expense of Licensee. This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, can, bottles, and other debris that is the result from the operation of the Licensed Premises.

10. Licensee shall install “zero tolerance” signs inside the Licensed Premises at or adjacent to the entry to the premises containing language indicating that the patrons will be prosecuted to the fullest extent of the law for any possession, sale or distribution of any drug, controlled substance or drug paraphernalia. This measure is designed to discourage drug activity occurring at or on the Licensed Premises.

11. Licensee shall install soundproofing equipment and take any other necessary steps to eliminate the emission of sound and vibration from the Licensed Premises sufficient to ensure that no audible sound is transmitted beyond the property line of the Licensed Premises. This measure is designed to alleviate concerns regarding noise levels as recounted from complaints received. The bass beat is not to be transmitted to the exterior of the building. The doors to the Licensed Premises will remain closed at all times.

12. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of music at 1:45 a.m. This measure is designed to facilitate the prompt and orderly exiting of patrons at or before the time of closing and to prevent large groups of patrons from exiting the Licensed Premises at the same time resulting in loitering around the Licensed Premises and in the street, blocking traffic and inhibiting the dispersal of other patrons from the Licensed Premises and from the area. The Licensed Premises is to be vacated by all patrons by 2:00 a.m.

13. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the Licensed Premises along with patrons aged twenty-one (21) and over, such patrons over the age of twenty-one (21) shall be required to wear secure wristbands of a color differentiated from any wristbands required to be worn by patrons under the age of twenty-one (21), and that patrons age twenty (20) and under shall be stamped with an indelible mark on their hands in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). All such wristbands shall be incapable of being reattached once removed in order to prevent violations of laws prohibiting sales of alcohol to persons under age twenty-one (21). This measure is designed to prevent violations of the drinking age laws.

14. Licensee shall securely stow all alcoholic beverages and shall not serve any alcohol whatsoever on those occasions that Licensee provides access to teenagers under the legal drinking age at events commonly referred to as “Teen Nights”. During such events, all alcoholic beverages shall be removed from the bar areas and secured. This measure is designed to prevent violations of drinking age laws as noted by the Council in previous findings related to a prior disciplinary action. This condition is included in anticipation of Licensee having a “Teen Night” in the future.

15. Licensee shall require all security staff, except for undercover security staff employed by Licensee to wear clothing or uniforms which are highly visible and well marked on the front and rear. This will include orange shirts with black block letters stating “SECURITY”. This measure is designed to ensure that security staffers constitute a visible, identifiable and adequate security presence to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot and further to assist police in identifying security personnel when patrolling or responding to complaints or calls.

16. Licensee shall institute a policy of providing minimum security staff in a ratio of one (1) security employee for each fifty (50) patrons, and that such security personnel be stationed in the parking lot area of the premises at all times during the hours of operation to control and supervise the parking lot area, not only with regard to parking, but with regard to the conduct and behavior of the patrons while on the Licensed Premises.

17. Parking attendants, valet parking staff, waitresses, bartenders, and the owner shall not count as “security staff” in calculating the proper ratio of security staff to patrons. Any undercover security will be in addition to the readily identifiable

security and not included in the security of one (1) per fifty (50) patrons. This measure is designed to ensure that the security staff employed by Licensee is sufficient to handle the number of patrons in attendance on a given night so as to constitute a visible, identifiable and adequate security presence, to discourage unlawful, disorderly, or hazardous activities within the Licensed Premises and in the parking lot. All security staff are to expedite the removal of all customers from the premises by 2:00 a.m. and then exit and assist in the dispersal of the customers from the parking lots.

18. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police and notify the Police Department a minimum of two (2) weeks (fourteen days) in advance.

19. On a weekly basis, Licensee will deliver in person, mail, or fax a copy of the E-141-A list, commonly known as the employee list, to the Police Department. DJs, dancers, and other entertainers are to be included as employees, as per ABC rules.

20. Licensee shall institute a policy and instruct its parking lot attendants and employees to abide by a policy that requires that, when the parking facilities used by the Licensed Premises are at full capacity, any additional cars seeking to enter the parking lots shall be "waved off" by parking lot attendants in order to ensure that traffic jams do not occur, but that such traffic continues to move through and out of the area of the Licensed Premises when there are no legal spaces available in the Licensed Premises' parking lots to accommodate additional cars. "Wave off" will also be put in place when traffic backs up onto Route 9 & 35 North.

**NOW THEREFORE BE IT FURTHER RESOLVED** that Borough Clerk is hereby authorized and directed to make the necessary notations or endorsements to the License certificate and that a certified copy of the within Resolution is to be forwarded by the Borough Clerk to the following:

- a. Licensing Bureau  
Division of Alcohol Beverage Control  
140 East Front Street  
P. O. Box 087  
Trenton, New Jersey 08625-0087

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

/s/ Donna Roberts, Councilwoman  
(Admin. & Finance Committee)

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

**READ IN FULL**

**RESOLUTION #2020-288**

**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 hereby requests the Director of the Division of Local Finance to approve the insertion of the following items of revenue in the budget of the year 2020 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

**SECTION 2.**

- U.S. DOT/National Highway Traffic Safety Administration  
- Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant Program \$7,200.00

**SECTION 3.**

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

/s/ Donna Roberts, Councilwoman  
(Admin. & Finance Committee)

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Jessica Morelos, RMC  
Municipal Clerk

/s/ Mary J. Novak  
Council President

At this time Council President Novak opened the meeting up to the public for questions or comments on this resolution.

There being no comments, Council President called for a motion.

Councilman Dalina moved the public portion be closed and the Resolution be adopted on Roll Call vote. Seconded by Councilman Enriquez.

Roll Call: Councilpersons Dalina, Conti, Enriquez, Maher, Novak, Roberts, all Ayes. Carried.

➤ **BOROUGH ATTORNEY - Michael DuPont - NONE**

• **PUBLIC PORTION**

At this time Council President Novak opened the meeting to the public for questions or comments on any and all matters.

Those appearing were:

- Arthur Rittenhouse, 33 Delikat Lane

Mr. Rittenhouse question the status on Fulton's Landing.

Borough Attorney responded that there is no change in status.

Mr. Rittenhouse questioned the status of the Main St. Bypass.

Borough Engineer responded that there is no change in status.

Mr. Rittenhouse commented on how many ballots were rejected in Sayreville from the last election.

He asked for status on his OPRA.

Borough Attorney stated he should have the cost to him by tomorrow.

Mr. Rittenhouse stated that the Historical Society will be open on December 21<sup>st</sup> and 22<sup>nd</sup> from 6pm-9pm.

No further comments.

Council President Novak called for a Motion. **Councilman Dalina made a motion to close the Public Portion. Seconded by Councilman Enriquez.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business Councilman Dalina made a motion to adjourn. Seconded by Councilman Enriquez.

Roll Call: Voice Vote, all Ayes.

Time 7:22 P.M.

Respectfully submitted,

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Jessica Morelos, RMC  
Municipal Clerk

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