

Mayor Kennedy O'Brien called the Council meeting to order at 7:00 PM followed by a short prayer and salute to the flag which was led by Ken Kelly and Richard Kosmoski of the Veterans Alliance.

- **STATEMENT OF NOTICE OF PUBLICATION**

Borough Clerk Theresa Farbaniec announced that this December 16, 2019 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: None

Others Present: Daniel E. Frankel, Business Administrator
Denise Biancamano, 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

- **Presentation(s) to:**

- ❖ **Council President Daniel Buchanan for his distinguished service rendered as a member of the Sayreville Borough Council for the years 2011-2019.**

Remarks made by Mayor O'Brien to Council President Buchanan and asked Council President for his statements.

Remarks and comments made by Councilwoman Novak to Council President Buchanan and thanked him for his service he rendered to the Council and to the Borough of Sayreville and its residents.

Thanks and remarks also made by Councilpersons Dalina, Kilpatrick, Enriquez and McGill.

- ❖ **Councilman David McGill for his distinguished service rendered as a member of the Sayreville Borough Council for the years 2018-2019.**

Remarks made by Mayor O'Brien to Councilman McGill.

Remarks and comments made by Councilwoman Kilpatrick, Council President Buchanan and Councilpersons Dalina, Novak, Enriquez to Councilman McGill.

Councilman McGill remarked on his service as Councilman and to each of the Councilmembers.

Council President Buchanan remarked and commented on his service to Sayreville as Councilman through the years and to the various colleagues and friends he has made along the way. He commented on how long politics has been in his family going back to his great grandfather Charles who served for 18 years, and grandfather Ken who served for 18 years then he and his sister Lisa who served for six and his 12 to make 18 years. Commented on his daughter Kayla and how she was only 10 days old when he was first sworn into office in 2004 and his trooper of a wife as she made sure both she and Kayla attended the

meeting for his swearing in. Went on to talk about the rest of his career as Councilman in 2010, 2013 and 2016. He spoke about the residents and the many great people he has served with through the years. He mentioned Stanley Drwal, Kathy Mackowski, Rory Zach, Ken Kelly and his sister Lisa Eicher. He commented on the things that made each stand out their career as well as his accomplishments such as the dog park at the Julian Capik Nature Preserve, Sponsor of ordinance to prohibit smoking around children and children's events. Supported Councilman McGills ordinance raising the age to purchase tobacco, supported upgrades to Sayreville's numerous parks, turfing the football and soccer field and recreation complex, upgrades to Kennedy Park. Giving recreation opportunities to everyone, expanded Sayreville's Fourth of July Celebration to a full day of events. Hoping tonight his ordinance banning Puppy Mills will pass. He stated that everything that he has passed could not be accomplished without the borough employees and dedicated staff. He recognized retired CFO Wayne Kronowski and current CFO Denise Biancamano, Attorneys past and present – Judy Verrone, Brian Hak and Mike DuPont, Borough Engineer Jay Cornell, Borough Clerk Terry Farbaniec. He went onto speak of integrity. Welcomed the newly elected councilpersons Michele Maher and Donna Roberts and wished them well. Spoke about the passing of his grandmothers and almost losing his mother. Spoke about Nanny Roberts, his Aunt Eileen, Aunt Barbara, Pat Coffey, Larry Helwig. Thanked all of his friends and those made along the way. Thanked all of his In-Laws, his parents. Thanked his daughter and his wife once again. Closed by wishing everyone a Merry Christmas and Happy New Year.

❖ **Mayor Kennedy O'Brien for his distinguished service rendered as a member of Sayreville Borough Council for the years 1996-1999 and as Mayor for the years 2000-2019.**

Council President Buchanan commented to Mayor Kennedy O'Brien and thanked him for his years of service and for what he has done for the borough during his tenure as councilman and twenty years of service as Mayor, a Republican lasting 20 years in a Democratic community. He said that it was an honor and privilege serving him and he would be sorely missed.

Remarks and comments made by Councilwoman Novak, Councilpersons Dalina, Kilpatrick, Enriquez, and McGill.

Mayor O'Brien thanked his wife Janice and said that he would not be here without her.

He then introduced Ken Kelly from the Veterans Alliance.

Mr. Kelly, Co. Chair. Veteran's Alliance.

He commended Councilmen Buchanan and McGill for their service to the community and this council. He thanked them both.

Commented to Terry Farbaniec, Borough Clerk on her retirement and how professional she has always been and willing to help the veterans and the Council.

Mr. Kelly then remarked to the Mayor on how helpful he has been to the Veteran's throughout the years. He commented on the three years he served on the Council and twenty years as Mayor he said, says a lot. He closed by congratulation Mayor-Elect Victoria Kilpatrick.

Richard Kosmoski, Pres. Veterans Alliance.

He remembered the day back in 1996 when he was running for Council and he shook his hand. He said that he gave him and Ken the charge to serve on the Sayreville Veterans Alliance and charged them to look out for the Veterans. He commented on all they have been able to accomplish in those twenty some years through his help as Mayor of this town. He said that he remembers two comments, whatever the veterans and firefighters want they will get it. He thanked the Mayor from himself and all the Veterans for what he has done for them.

Mayor O'Brien thanked the veterans of Sayreville and the Veterans of our Country. Without them we would not be here speaking English and have the culture we have freely. Particularly Rich Kosmoski and Ken Kelly of the Sayreville Veterans Alliance as they have done a wonderful job through the years. Ken Kelly has served as the Mayor's Chief of Staff through the years and a wonderful friend. He also recognized Staff Sergeant Rosetta Fisher. She has served 26 years in the US Army, Master of Weapons of Mass Destruction.

Mayor remarked on the following officials. Retired CFO Wayne Kronowski and current CFO Denise Biancamano, our Current Business Administrator Dan Frankel, and previous Administrator Jeff Bertrand, our First Responders, Special thanks to a friend of many years the retiring Borough Clerk Terry Farbaniec after 40 years, and her successor Jessica (Przybylowski) Morelos. Previous to Terry was Gladys Rzepka. He recognized his secretary Nicole Waranowicz, who succeeded Judy Smith and Ellen Buckely. Complemented Borough Engineer Jay Cornell, Borough Attorney Michael DuPont. He closed by speaking of the residents of the Borough of Sayreville. He said that it has been his high honor and privilege to serve the residents of the Borough of Sayreville as Mayor and said thank you and wished everyone a Merry Christmas and Happy, Healthy New Year.

Mayor asked that the Good Lord continue to Bless and protect this great Country of ours the United States of America.

Mayor excused himself from the meeting and was escorted out by the Veteran's Alliance and the Color Guard from the American Legion and VFW.

The meeting was then led by Council President Buchanan and announced that we would need to retreat into Executive Session.

- **EXECUTIVE SESSION** –Personnel & Litigation & Contract Negotiations

Borough Attorney Mr. DuPont read the following Executive Session 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 10-15 minutes to discuss the following matters:

- Personnel & Litigation and Contract Negotiations/Grievance

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/ Mary J. Novak, Councilwoman

APPROVED:

/s/ Daniel Buchanan, Council President

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

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

Time: 7:55 PM

Reconvene:

Councilman Dalina made a **motion to reconvene**. Motion was seconded by Councilwoman Novak.

Roll Call: Voice Vote, all Ayes. - Time 8:12 PM

The Council proceeded to give their comments and remarks to retiring Clerk Terry Farbaniec.

Borough Clerk Farbaniec made remarks to the governing body, residents and her family.

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

Council President Buchanan moved the following minutes be approved, subject to correction if necessary:

☞ November 12, 2019 - Regular & Agenda Sessions

Seconded by Councilwoman Novak.

Roll Call – Voice Vote, all Ayes.

• **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

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

Public Hearing on Ordinance #477-19.

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #477-19.

Those appearing were:

- Larry Cohen, Fanwood NJ
Volunteer with Humane Society of the United States
Expressed the Humane Society's concerns about the USDA Breeder Inspection reports no longer being available. Spoke in favor the Council passing Ordinance 477-19.
- Eileen Schaffer, 8 Jackson Avenue, Parlin
Shelter mother at Sammy's Hope Animal Welfare and Adoption Center
Strongly encouraged the Council to pass Ordinance #477-19. Talked about the terrible breeding habits of puppy mills. Promoted adoption from shelters.
- Mary Lardieri
Resident
Spoke about ongoing health issues her dog has had over the years and that they bought her from a pet store in Brooklyn. She urged Council to pass Ordinance.

- Serena Choi
Resident
Spoke about the inhumane conditions at the Puppy Mills and asked the Council to pass the ordinance.

- Rev. Francis Hubbard, Sammy's Hope Volunteer
Thanked the Council for taking the time in giving this Ordinance consideration.
Urged the Council to pass the Ordinance.

- Robert Gringer, Main Street Townhomes
Supports the passing of the Ordinance.

- Judy Ryan, 34 Albert Drive
Supports the passing of the Ordinance.

- Anna Ruzanski, 7429 Brook Ave.
Supports the passing of the Ordinance.

- Trish Quinn, Edison
Volunteer Sammy's Hope
Supports the passing of the Ordinance.

There were no other appearances.

**Council President Buchanan moved the Public Hearing be closed and Ordinance 477-19 be adopted on second and final reading and advertised according to law.
Seconded by Councilwoman Novak.**

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

Comments:

Councilwoman Kilpatrick thanked the two groups for meeting with Councilmembers and the compassion of the people involved. She said that she agreed with Mr. Cohen that the one line should be removed from the Ordinance and that amendment can be made down the road.

Councilman McGill spoke about his two rescues and the special needs of the one.

Councilwoman Novak said that she met with both sides but the main thing is the disreputable pet shops will not be able to open in town.

Council President Buchanan also commented on puppy mills and his rescue. He thanked everyone who came out tonight to speak on this Ordinance.

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

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:

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills", respectively); and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on the consumer; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dog and cats in pet shops; and

WHEREAS, according to the New Jersey Department of Health Animal Intake and Disposition Survey, thousands of dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Mayor and Borough Council believe it is in the best interests of the Borough of Sayreville to adopt reasonable regulation to reduce costs to the Borough and its residents, protect the citizens of the Borough who may purchase cats and dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare and foster a more humane environment in the Borough.

9-3.9 Banning the Sale of Dogs and Cats from Pet Shops associated with Puppy and Kitten Mills

Section 1. Definitions

***Animal care facility* means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes.**

***Animal Rescue Organization* means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.**

***Cat* means a member of the species of domestic cat, *Felis catus*.**

***Dog* means a member of the species of domestic dog, *Canis familiaris*.**

***Offer for sale* means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.**

***Pet shop* means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.**

Section 2. Restrictions on the Sale of Animals

No pet store shall sell, deliver, offer for sale, barter, auction, give away or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

Section 3. Severability.

In any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to the severable.

Section 4. Effective Date.

This Ordinance shall become effective ninety (90) days after passage.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 9, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change; and

BE IT FURTHER ORDAINED that the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, may review Chapter 9, Entitled "Animal Control" Section 9-3.9 six (6) months from the date of adoption of this Ordinance for further revisions.

INTRODUCED

/s/ Theresa A. Farbaniec, R.M.C.
Clerk of the Borough of Sayreville

/s/ Daniel Buchanan, Councilman
(Sponsor)

ADOPTED ON SECOND READING

/s/ Theresa A. Farbaniec, R.M.C.
Clerk of the Borough of Sayreville

/s/ Daniel Buchanan, Councilman
(Sponsor)

APPROVAL BY THE MAYOR ON THIS * DAY OF _____, 2019.

*/s/ Daniel Buchanan, Council President
Borough of Sayreville

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq., Borough Attorney

* Mayor left early on 12/16/2019. Mayor was called on 12/17/2019 and Was told this ordinance was being placed on his desk for signature. He asked to have Council President Buchanan sign it.

Council President Buchanan made a **motion to withdraw** Ordinance #479-19 from the Agenda and that it be re-introduced on January 13, 2019 with corrections.

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

ORDINANCE #479-19 - Withdrawn
AN ORDINANCE AMENDING AND SUPPLEMENTING

**CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION
7-3.3 "PARKING PROHIBITED AT ALL TIME ON CERTAIN STREETS"**

(Public Safety Committee – Co. Buchanan)

Due to substantive change in the Ordinance there needs to be a Motion to withdraw Ord. #479-19 and re-introduce on January 13, 2020

b) Appointments (If any) – (None)

• **NEW BUSINESS:**

a) Introduction of the following ordinances: (None)

CONSENT AGENDA RESOLUTIONS

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

There were no appearances Council President Buchanan made a motion to close the public portion and that the Consent Agenda Resolutions be approved noting that Resolution #2019-373 be corrected to read Sewer Repairer I for Colby Redfield. Seconded by Councilwoman Novak.

Roll Call:

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

RESOLUTION #2019-365

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

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

Absent

Kennedy O'Brien, Mayor

/s/Daniel Buchanan, Councilman /s/ Victoria Kilpatrick, Councilwoman

/s/ Kevin Dalina, Councilman /s/ David McGill, Councilman

/s/ Damon Enriquez, Councilman /s/ Mary Novak, Councilwoman

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

/s/ Michael DuPont
Borough Attorney

Bill list of December 16, 2019 in the amount of \$239,532.27 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).

RESOLUTION #2019-366

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AMENDING THE PERSONNEL POLICY HANDBOOK**

WHEREAS, the Borough of Sayreville has in effect a Personnel Policies Employment Handbook that was adopted by the Governing Body in 1996; and

WHEREAS, the Governing Body of the Borough of Sayreville amended the Personnel Policies Employee Handbook in 2014 and desires to further amend and update the current Personnel Policies Employment Handbook as was amended in its entirety in 2014; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville that the following section is hereby amended and replaced:

- Section 3-12 Domestic Violence

BE IT FURTHER RESOLVED that this amendment shall take effect immediately.

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

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-367

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to award a contract for Dental Benefits Agreements between the Borough of Sayreville and Horizon Blue Cross Blue Shield NJ for employee and retiree dental benefits for the period of January 1, 2020 through December 31, 2021.

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-368

Resolution Authorizing Acceptance of Jones Act Tax Sale Bids &
Directing Issuance of Restricted Assignments of
Sayreville Municipal Tax Sale Certificates

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

WHEREAS, certain Tax Sale Certificates (“TSC”) have high monetary receivable values in comparison to the actual value of the properties, or the properties are apparently contaminated or unusable, making them undesirable to the general public or the investment community, and therefore remain held by the Borough; and

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

WHEREAS, N.J.S.A 54:5-114 et seq. (the “Jones Act”) permits a municipality to sell an entire Tax Sale Certificate to the highest bidder, which may be for an amount less than the full amount due on the Tax Sale Certificate, subject to all of the provisions of the “Jones Act” statute, and subject to confirmation by this governing body; and

WHEREAS, a public Jones Act Tax Sale Auction was conducted on **December 6, 2019** at 9:00 AM. by Sean P. Nolan, the Sayreville Tax Collector, in the Tax Collector’s office at 167 Main Street, Sayreville, as authorized and directed by this governing body, by Resolution **2019-336** dated **November 12, 2019**, and publicly advertised as per the Jones Act, with all bids received then being subject to review and approval or rejection by this governing body, in accordance with N.J.S.A. 54:5-114 et seq; and

WHEREAS, the following represents the highest bids received on these Tax Sale Certificates:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Owner</u>	<u>TSC</u>	<u>High Bid</u>	<u>High Bidder</u>
34.14	2	Johnson’s Lane	Cohorsky Construction Corp	09-00005	\$500.00	Cherokee
185	4	50 Quaid Avenue	Yeshivoth Shearith Hapletah	09-00010	\$500.00	Cherokee
412	5	Route 9	John B Moore Corporation	98-00031	\$500.00	Cherokee
551	1	1720-22-24 HWY 35	Auwite Construction Co, Inc.	17-00126	\$500.00	Cherokee

NOW, THEREFORE BE IT RESOLVED, BY THE GOVERNING BODY OF THE BOROUGH OF SAYREVILLE:

That all four (4) of the aforesaid bids are hereby **ACCEPTED**; and the Tax Collector is directed to issue a **Restricted Assignment** of each of the aforesaid Tax Sale Certificates to the winning bidders; **provided**:

2019-368

Payment is remitted to the Tax Collector no later than seven (7) calendar days after this Resolution is passed by this governing body and communicated by the Tax Collector to the winning bidders; and

That the Restricted Assignments of the Tax Sale Certificates are subject to all of the provisions of the aforesaid Jones Act Tax Sale Law (N.J.S.A. 54:5-114 et seq), including the requirement to pay subsequent taxes; and

Subject to all the provisions described in the public notice, including the environmental conditions.

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-369
A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING
THE EXECUTION OF AN AGREEMENT BETWEEN THE
BOROUGH OF SAYREVILLE AND THE
ASSOCIATED HUMANE SOCIETIES, INC.

WHEREAS, the Governing Body of the Borough of Sayreville has determined that it is in need of a provider of services for animal protection which will be available on a daily basis; and

WHEREAS, the Governing Body of the Borough of Sayreville has come to an agreement with the Associated Humane Societies, Inc., a non-profit, charitable organization to provide the Borough services including but not limited to, the rescue, custody and care of injured animals, trapped animals, sick animals and animals whose lives are endangered or animals that present a danger to humans, including those that have bitten a person; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials and the Borough Administrator are authorized and directed to execute the Agreement between the Borough of Sayreville and the Associated Humane Societies, Inc. which Agreement will run from the 1st day of January, 2020 through December 31, 2020.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-370

BE IT RESOLVED that the proper Borough officials are hereby authorized to purchase through NJ State Contract A82932, radios for the Borough of Sayreville, Fire Department, from Tactical Public Safety, 1036 Industrial Drive, West Berlin, NJ 08091, at a total cost not to exceed \$19,940.40.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-371

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

NAME OF APPOINTEE: Richard Jurkiewicz
POSITION: Supervisor – Sewer Collection
DEPARTMENT: Water & Sewer Department
EFFECTIVE: January 1, 2020

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
(Water & Sewer Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-372

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

NAME OF APPOINTEE: Christopher Baist
POSITION: Water Treatment Repairer
DEPARTMENT: Water & Sewer Department
EFFECTIVE: January 1, 2020

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
(Water & Sewer Committee)

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

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST: **BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-373

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

NAME OF APPOINTEE: Colby Redfield
POSITION: Sewer Repairer 1
DEPARTMENT: Water & Sewer Department
EFFECTIVE: January 1, 2020

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
(Water & Sewer Committee)

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

/s/ Michael DuPont, Borough
Attorney
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/Daniel Buchanan
Council President

RESOLUTION #2019-374

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

NAME OF APPOINTEE: Kenny Huff
POSITION: Water Repairer I
DEPARTMENT: Water & Sewer Department
EFFECTIVE: January 1, 2020

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
Victoria Kilpatrick,
Councilwoman
(Water & Sewer Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/Daniel Buchanan
Council President

RESOLUTION #2019-375

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

NAME OF APPOINTEE: Derek Kopek
POSITION: Water Repairer I
DEPARTMENT: Water & Sewer Department
EFFECTIVE: January 1, 2020

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
(Water & Sewer Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec
Municipal Clerk

/s/Daniel Buchanan
Council President

RESOLUTION #2019-376

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

NAME OF APPOINTEE: Robert Caramella

POSITION: Water Repairer I

DEPARTMENT: Water & Sewer Department

EFFECTIVE: January 1, 2020

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
(Water & Sewer Committee)

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

/s/ Michael DuPont
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

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

/s/Daniel Buchanan
Daniel Buchanan
Council President

RESOLUTION #2019-377

BE IT RESOLVED that the proper Borough officials are hereby authorized to award a non-fair and open contract to E. H. Wachs, of Lincolnshire, IL for the purchase of one (1) Valve Exercise in an amount not to exceed \$28,370.00.

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-378

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

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
Human Resource OE (9-01-20-105-129)		5,000.00
General Administration S&W (9-01-20-100-011)		3,000.00
Police OE (9-01-25-240-124)		6,000.00
Recycling S & W (9-01-26-306-011)		1,000.00
Public Buildings & Grounds S&W (9-01-26-310-011)		37,000.00
Parks & Playground-Rec S&W (9-01-28-370-011)		2,000.00
Telephone (9-01-31-440-148)		4,000.00
Interest on Bonds (9-01-45-930-000)		6,300.00
Financial Administration S & W (9-01-20-130-011)	9,000.00	
Tax Assessment OE (9-01-20-150-158)	8,000.00	
Legal OE (9-01-20-155-163)	8,800.00	
Engineering OE (9-01-20-165-171)	5,000.00	
Group Insurance (9-01-23-220-195)	16,500.00	
Crossing Guard S & W (9-01-25-255-020)	5,000.00	
Commuter Parking S&W (9-01-28-375-015)	3,000.00	

Commuter Parking OE (9-01-27-364-290)	3,000.00
Municipal Court S & W (9-01-43-490-011)	6,000.00
	<u>\$ 64,300.00</u>
<u>\$64,300.00</u>	

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-379

RESOLUTION CANCELLING OUTSTANDING CHECKS

WHEREAS, there exists on the records of the Borough of Sayreville checks dating back to 2018; and

WHEREAS, the independent auditors recommend these checks be cancelled and the monies be returned to the originating accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Sayreville, County of Middlesex, New Jersey that the attached list of outstanding checks are hereby cancelled; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Administrator.

CURRENT FUND

<u>Check No.</u>	<u>Check Date</u>	<u>Check Amount</u>
61117	01-22-18	8.00
61295	02-12-18	453.60
61501	02-26-18	93.10
61641	03-12-18	120.00
61773	03-26-18	2,250.00
62496	05-29-18	1,777.34
62593	05-29-18	11.95
63419	08-20-18	2.15
64228	10-22-18	45.00
64467	11-13-18	10,503.00

TOTAL **15,264.14**

PAYROLL ACCOUNT

<u>Check No.</u>	<u>Check Date</u>	<u>Check Amount</u>
15218	2-28-18	195.60
15412	3-29-18	119.24
15770	6-15-18	59.62
15844	6-29-18	29.80
15974	7-13-18	26.18
16252	8-15-18	91.70
16573	10-15-18	195.60
16953	12-31-18	195.60
TOTAL		\$913.34

MUNICIPAL CLERK ACCOUNT

<u>Check No.</u>	<u>Check Date</u>	<u>Check Amount</u>
3393	8-20-18	8.33

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

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

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

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019-380

BE IT AND IT IS HEREBY RESOLVED that Resolution #2019-254 adopted on August 19, 2019 approving the 2019/2020 renewal of Plenary Retail Liquor License #1219-33-031-006, issued to Shiv Akshar, LLC, hereby rescinded.

BE IT FURTHER RESOLVED that in order for the Mayor and Council of the Borough of Sayreville to renew PRCL #1219-33-031-006, Shiv Akshar LLC must first apply to the ABC for a 12:18 Special Ruling due to the late filing of the 2019-2020 Renewal Application.

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

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

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

RESOLUTION #2019- 381

WHEREAS, Pat's Pub, LLC is the holder of Plenary Retail Consumption License number **1219-33-007-005**, issued by the Council of the Borough of Sayreville as the Issuing Authority for premises located at 367 Washington Road, Sayreville, New Jersey; and

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

BE IT FURTHER RESOLVED that Plenary Retail Consumption License number **1219-33-007-005, Pat's Pub, LLC** is hereby **renewed for the 2019-2020** license year, subject to the following conditions as contained in the Stipulation of Settlement Agreement approved by Resolution #2008-132, adopted on May 27, 2008 and remaining on the license:

1. At least at ½ hourly intervals between the hours of 6:00 PM and closing time (currently 2:00 AM under municipal ordinance), Licensee shall monitor and supervise its patrons as they exit the licensed premises to insure against littering and disorderly conduct, including but not limited to littering on and disorderly conduct affecting neighboring properties . After the licensed Premises closes each night under its regulated hours of operation, Licensee shall have at least one employee or agent inspect the surrounding premises and nearby parcels of property for any refuse, litter, or debris left behind by Licensee's patrons and shall remove all such refuse, litter or debris. Licensee, prior to opening for business on a daily basis, shall inspect the immediate vicinity of the Licensed Premises and remove all litter found in the immediate vicinity.

2. In order to avoid excessive noise emanating from the building, and with the goal of avoiding nuisance to the surrounding neighbors, the Licensee shall take appropriate care to:

- Keep its windows and doors closed at all times when open for business, especially when music is being played inside the licensed premises.
- Set and maintain any jukeboxes, sound systems, or any other audio enhancement devices (audio devices) on a low to moderate level.
- Use available consumer electronic decibel meters, electronic noise limiters or any other sound volume filters in order to measure and limit the audio device sound volume emanating from the Licensed Premises.

3. The Licensee shall make periodic observations of the location of vehicles parked in the immediate vicinity of the licensed premises and announce to and advise its patrons of any vehicles which are improperly parked, giving patrons notice and opportunity to move such vehicles.

4. Licensee will use its reasonable efforts to avoid patrons from loitering on or about the Licensed Premises and/or on nearby residential properties immediately surrounding the Licensed premises. Licensee will not allow patrons to congregate or loiter in front of its establishment and, if necessary to accomplish that goal, shall post signs indicating "No Loitering" "Loitering" shall not include patrons standing outside the bar for the purposes of smoking, but will include any patrons standing outside the bar, for any purpose, after closing time.

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

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

/s/ Michael DuPont, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Buchanan
Borough Clerk

/s/ Daniel
Council President

RESOLUTION 2019-382

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: Improvements to MacArthur Avenue
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Increase: \$75,769.88
- 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, Esq.
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Borough Clerk

/s/ Daniel Buchanan
Council President

READ IN FULL (None)

- **BOROUGH ATTORNEY - Michael DuPont** – (None)

- **BOROUGH ENGINEER - Jay Cornell**– (None)

Council President Buchanan opened the meeting up to the Public for questions or comments. Those appearing were:

- Michelle Buchanan (wife of Co. President Buchanan)

Commented publically how very proud she is of him. Proud that he has always done what was best for Sayreville. Gone out of his way to help residents, borough workers, volunteers, pets, teachers and students of our community. Incredible role model for their daughter through his dedication, hard work and honesty. Reminded him of the love and respect Sayreville has for him. It is evident in accolades and invitations and support he has been given over these years. Most recently he had been inducted into the Hall of Fame and was even asked to be the key note speaker at the High School Graduation. The outpouring of people from both sides of the isle who reached out to him to continue your political service. Even Sayreville is losing one of the few honest good and hearted politicians we are getting more time with you at home. She thanked all of his true supporters who was kind to him and to Kayla and herself. Thanked their friends who understood his commitment to our town. Thanked their family who has always been there to love and support them. She said she knew that his parents and sister are very proud of him and wish they could be here tonight. Thanked her parents for taking his journey with them despite their feelings towards politics. Expressed her thanks and love.

-Ruth Ann Mahoney, 2 Gerard Place, Parlin
Thanked Terry and Councilman Buchanan.

Steven Kaeffer, 83 Harding Avenue
Renter in Parlin. Complained about the Mayor and the Director of Buildings and Code Enforcement for having ignored his phone calls. He said he rents a home in Parlin. Councilman Buchanan stated that he and the rest of the Council are not aware of his problem. He said that his rental home has no CO. He went on to explain the violations and issues he has. The Borough Attorney suggested giving the clerk his contact information and he would make an appointment and meet with him. Mr. DuPont went on to say that he would meet with him at 1:30 tomorrow afternoon in room 308.

- Jane Maher, 7 Outlook Avenue
Commented on the renewal of Liquor License #1219-33-007-006 Pat's Pub. Handed in a petition voicing the residents' concerns on the problems with the establishment. She said the Bar has been closed over the past few months and the neighborhood has been quiet. She went on to say someone was found dead in the bar when it was closed.

- Victor DeGirolamo, 7 Outlook Ave.
He stated that he did not finish getting signers on the petition.
He explained various complaints he has regarding the establishment.

Council President asked the clerk to pull reports and leave the petition with the Clerk and the Council will review and see if there is a need for a hearing.

No further questions or comments.

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

Roll Call: Voice Vote, all Ayes.

ADJOURNMENT

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

Roll Call: Voice Vote, all ayes.

Time: 9:07 P.M.

Respectfully submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved: _____