

**RESOLUTION 2024-116**

**BE IT RESOLVED** by the Council of the Borough of Sayreville, County of Middlesex that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 37,321,949.99 for municipal purposes, and
- (b) \$ 0 for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0 to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 474,948.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.
- (e) \$0 Arts and Culture Trust Fund Levy
- (f) \$2,181,709.00 Minimum Library Levy (R.S. 40:54-8 et seq.)

**RECORDED VOTE**

<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAINED</u></b>	<b><u>ABSENT</u></b>
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Balka  
Colaci  
Onouha  
Roberts  
Synarski  
Zebrowski

**SUMMARY OF REVENUES**

GENERAL REVENUES	
Surplus Anticipated	\$ 7,367,864.00
Miscellaneous Revenues Anticipated	\$ 25,731,072.86
Receipts from Delinquent Taxes	\$ 1,338,800.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	\$ 37,321,949.99
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	\$ 2,181,709.00
TOTAL REVENUES	<u>\$ 73,941,395.85</u>

**SUMMARY OF APPROPRIATIONS**

GENERAL APPROPRIATIONS WITHIN "CAPS"	
(a & b) Operations Including Contingent	\$ 49,564,838.00

(e) Deferred Charges and Statutory Expenditures – Municipal \$ 6,977,219.00

EXCLUDED FROM "CAPS"

(a) Operations – Total Operations Excluded From "CAPS" \$ 6,897,244.85  
 (c) Capital Improvements \$ 424,000.00  
 (d) Municipal Debt Service \$ 7,570,200.00  
 (e) Deferred Charges – Municipal \$  
 (m) Reserve for Uncollected Taxes \$ 2,507,894.00

SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)

TOTAL APPROPRIATIONS \$ 73,941,395.85

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the governing body on this 13<sup>th</sup> day of May, 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

\_\_\_\_\_  
 (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.

\_\_\_\_\_  
 Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
 Jessica Morelos, RMC  
 Municipal Clerk

\_\_\_\_\_  
 Kennedy O'Brien  
 Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-117**

**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.

\_\_\_\_\_  
Kennedy O'Brien, Mayor

\_\_\_\_\_  
Daniel Balka, Councilman

\_\_\_\_\_  
Donna Roberts, Councilwoman

\_\_\_\_\_  
Michael Colaci, Councilman

\_\_\_\_\_  
Stanley Synarski, Councilman

\_\_\_\_\_  
Christian Onuoha, Councilman

\_\_\_\_\_  
John Zebrowski, Councilman

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.

\_\_\_\_\_  
Borough Attorney

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-118**

**BE IT RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement with the East Brunswick Police Department for use of the range as a weapons qualification, training and practice facility for police officers of the East Brunswick Police Department.

\_\_\_\_\_  
Christian Onuoha, 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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	<b>Balka</b>	<b>Colaci</b>	<b>Onuoha</b>	<b>Roberts</b>	<b>Synarski</b>	<b>Zebrowski</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2024-119**

**WHEREAS**, Qualified Purchasing Agent Danielle Maiorana 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. 3:

- Project: Ceiling Replacement and HVAC Upgrades at the Public Safety Complex
- Contractor: Preferred Mechanical, Inc.  
18 Madison Street  
Keyport, NJ 07735
- Net Increase: \$2,951.00
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Qualified Purchasing Agent 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.

\_\_\_\_\_  
Michael Colaci, Councilman  
(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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-120**  
**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: Ceiling Replacement and HVAC Upgrades at the Public Safety Complex
- Contractor: Preferred Mechanical, Inc.  
18 Madison Street  
Keyport, NJ 07735
- Balance Due \$84,979.45

**WHEREAS**, the Qualified Purchasing Agent 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 Maintenance Bond in the amount of \$1,696,638.00 and the approval of same as to form and sufficiency by the Borough Attorney.

\_\_\_\_\_  
Michael Colaci, Councilman  
(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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2024-121**

**WHEREAS**, on April 20, 2023 the Mayor and Council of the Borough of Sayreville, have received bids for Groundskeeping Services of Various Borough Properties; and

**WHEREAS**, the Borough of Sayreville is desirous of exercising its right to renew the contract; and

**WHEREAS**, Krzyz Lawn Care LLC and Custom Care Services, Inc. had indicated their interest in extending their terms of the aforesaid contract; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with Krzyz Lawn Care LLC be increased to \$100,397.00 in accordance with NJSA 40A:11-15 and Custom Care Services, Inc. in an amount not to exceed \$97,425.00.

\_\_\_\_\_  
Michael Colaci, Councilman  
(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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						



**RESOLUTION #2024-122**

**BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to award a contract for the purchase of OEM Ford Parts to Tom's Ford of Keyport, NJ 07735 through NJPA/Sourcewell Contract #101520-FMC in an estimated amount of \$100,000.00.

\_\_\_\_\_  
Michael Colaci, Councilman  
(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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O'Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-123**

**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 Change Order No. 1:

- Project: French Street/Albert Street Roadway and Drainage Improvements Project
- Contractor: Z Brothers Concrete Contractors, Inc.  
304 Jernee Mill Road  
Sayreville, NJ 08872
- Amount: No Increase in original contract amount.
- 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.

\_\_\_\_\_  
Michael Colaci, Councilman  
(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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-124**  
**CALLING FOR THE MODERNIZATION OF THE OPEN PUBLIC  
RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930/A-4045**

**WHEREAS**, in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

**WHEREAS**, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

**WHEREAS**, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

**WHEREAS**, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS**, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney’s fees, which impacts the taxpayers and municipalities who must pay these fees; and

**WHEREAS**, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

**WHEREAS**, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

**WHEREAS**, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don’t want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

**WHEREAS**, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

**WHEREAS**, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

**NOW, THEREFORE, BE IT RESOLVED**, the governing body of the Borough of Sayreville in the County of Middlesex respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

**BE IT FURTHER RESOLVED**, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator Joseph Vitale, Assemblywoman Yvonne Lopez, Governor Murphy, and the New Jersey League of Municipalities.

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Daniel Balka, 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.

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Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Kennedy O'Brien  
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2024-125**

**BE IT RESOLVED**, that the Mayor is hereby authorized and directed to execute an agreement with Keefe Law Firm to investigate PFAS contamination.

\_\_\_\_\_  
Donna Roberts, 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.

\_\_\_\_\_  
Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Kennedy O’Brien  
Mayor

	<b>Balka</b>	<b>Colaci</b>	<b>Onuoha</b>	<b>Roberts</b>	<b>Synarski</b>	<b>Zebrowski</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						