

RESOLUTION #2023-191

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.

Victoria Kilpatrick, Mayor

Daniel Balka, Councilman

Christian Onuoha, Councilman

Vincent Conti, Councilman

Donna Roberts, Councilwoman

Mary J. Novak, Councilwoman

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	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-192

WHEREAS, property known as Lot(s) **38**, in Borough Block **524**, more commonly known as **18 Parker Court**, in **South Amboy, NJ** is owned by **Donald J. Porter, Jr.**;

AND, WHEREAS, Donald J. Porter, Jr., who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A 54; 4-3.30, causing his property to be exempt from taxation at the local level beginning with the third quarter of Calendar Year **2022** as verified by the Tax Assessor;

AND, WHEREAS, the Tax Bills for the four quarters of Calendar Year **2022** were generated from the **2021** Assessor's Tax List, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill for the calendar year of **2022**, while the property is correctly classified as being Tax Exempt commencing with third quarter of **2022**;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and he hereby is, authorized and directed to cancel **2022** and **2023** taxes billed in the amount of **\$13,646.15**, all subsequently billed taxes, and refund the amount paid for **2022 & 2023**, in the amount of **\$9,964.85** on the property known and designated as Lot(s) **38**, in Borough Block **524**.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-193

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the **Borough of Sayreville** wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the **Borough of Sayreville**, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-194

BE IT RESOLVED that the proper Borough officials are hereby authorized to award a contract to Herc Rental of Newark, NJ for Equipment and Space Rentals on an as-needed basis through NJ State Contract 19-GNSV2-00854.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-195

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING
THE BOROUGH OF SAYREVILLE TO SUBMIT THE
2023 ANNUAL ACTION PLAN TO HUD**

WHEREAS, the CDBG Committee proposes to use the 2023 allocation of \$233,280.00 from HUD for the following purposes:

- ADA Bathroom Improvements at Kennedy Park \$220,000.00
- Grant Administration \$13,280.00

; and

WHEREAS, the Governing Body of the Borough of Sayreville has reviewed the plan and has agreed that it is the best and highest use of the available funds; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville authorizes the CDBG Coordinator to submit the 2023 Annual Action Plan to HUD as soon as convenient.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-196

WHEREAS, the following applicant has applied for one trailer license to be used as a temporary construction trailer:

<u>APPLICANT</u>	<u>#OF TRAILERS</u>	<u>LOCATION</u>
K-Land 70, LLC	1 Construction Office Trailer	Block 366.01, Lot 1 Main Street

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the above-captioned application for permission to locate one trailer for construction office use on the above-captioned property.

Christian Onuoha, 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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-197

BE IT AND IT IS HEREBY RESOLVED that the Borough Planner is hereby authorized and directed to prepare Land Use Plan Elements in accordance with the Master Plan Reexamination Report at a fee not to exceed \$79,000.00.

Christian Onuoha, 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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-198

RESOLUTION OF THE BOROUGH OF SAYREVILLE REFERRING PROPOSED MODIFICATIONS TO EXISTING WATERFRONT REDEVELOPMENT PLAN REGARDING PROPERTY LOCATED ON PARCELS D THROUGH K, INCLUDING BLOCK 333.02, LOTS 1, 2 AND 3 IN PARCEL J, TO THE BOROUGH PLANNING BOARD FOR REVIEW PURSUANT TO N.J.S.A. § 40A:12A-7(e)

WHEREAS, the Borough of Sayreville (the "Borough") adopted a redevelopment plan, entitled "Waterfront Redevelopment Plan" (the "Plan"), which Plan includes certain property located at Main Street (CR-670) and Garden State Parkway, Sayreville, New Jersey 08872 and identified as Block 333.02, Lots 1, 2 & 3 in Parcel J of the Plan (the "Property"); and

WHEREAS, InSite Development Partners LLC, a New Jersey Limited Liability Company, located at 19191 S Vermont Ave, Ste 680, Torrance, CA 90502, has proposed to construct on a self-storage facility on said Property pursuant to a site plan, entitled "Preliminary and Final Major Site Plan for Insite Development Partners, LLC, Proposed Self-Storage Facility, Block 333.02, Lots 1, 2 & 3; Tax Map Sheet #99, Latest Rev. Dated 02-1991, Main Street (CR-670) & Garden State Parkway, Borough of Sayreville, Middlesex County, New Jersey", dated 09/29/2022 and prepared by Dynamic Engineering ("Concept Plan"), which Concept Plan is on file with the Sayreville Economic and Redevelopment Agency ("Agency"); and

WHEREAS, on February 23, 2023, the Agency found said Concept Plan to be consistent with the goals of the Borough of Sayreville and designated InSite Development Partners LLC as the Conditional Redeveloper (the "Redeveloper") of the Property; and

WHEREAS, the Redeveloper has proposed certain modifications to the Waterfront Redevelopment Plan, which modifications are shown in underline and strikeout and attached hereto as Exhibit A, regarding property located on Parcels D through K, including Block 333.02, Lots 1, 2 and 3 in Parcel J; and

WHEREAS, the Agency Engineer has reviewed said proposed amendments, attached hereto as Exhibit A, and has found the same to be consistent with the Redeveloper's presentation to the Agency; and

WHEREAS, on May 25, 2023, the Agency adopted a Resolution recommending that the Borough Council refer the proposed amendments, attached hereto as Exhibit A, to the Borough Planning Board for review in accordance with the provisions of N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Borough Council has reviewed the proposed amendments, attached hereto as Exhibit A, to said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

WHEREAS, pursuant to N.J.S.A. § 40A:12A-7(e), prior to the adoption of the aforementioned modifications to a redevelopment plan, the Planning Board shall transmit

to the Governing Body, within 45 days after referral, a report containing its recommendation concerning the same; and

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

1. The foregoing recitals are incorporated herein as if set forth in full; and
2. The proposed modifications to the Plan, attached hereto as Exhibit A, regarding the Property is hereby referred to the Borough Planning Board for their review, in accordance with the provisions of N.J.S.A. § 40A:12A-7(e); and the Planning Board is authorized and directed to prepare a report of its recommendations to the proposed Redevelopment Plan in accordance with the requirements set forth in the Redevelopment Law.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough Planning Board and Planning Board Secretary; and
4. This Resolution shall take effect immediately.

Christian Onuoha, 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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

Parcels D through K:

Redevelopment Objective: To create an area for employment generating uses to provide for a comprehensive mix of uses in the most appropriate location. These parcels are planned to accommodate uses which can capitalize on the existing transportation systems in the Borough but that can do so in a scale that is appropriate for circulation limitations for large vehicles. These parcels are envisioned to contain light industrial and moderate scale warehousing uses in modern facilities in an industrial park-like setting. The facilities are required to provide on-site circulation that is adequate to serve the operation. The facilities must also consider off-site circulation and the impacts of the proposed facilities on circulation and their design. In order to least impact the area's circulation, points of ingress and egress on public roadways will be limited and interior service roads will be encouraged. Building design should be flexible enough to accommodate present and potential future users. Unfinished, plain boxlike structures are discouraged. Creative use of architectural details and facade treatments is encouraged.

Permitted Principal Uses:

- Office
- Warehousing and distribution
- Light industrial and manufacturing use subject to compliance with performance standards
- Public Use
- Park and Ride Facility
- Self-Storage Facility

Accessory Uses:

Parking and loading, signs.

Standards:

1. Minimum lot size: 5 acres / 3.4 acres on Block 333.02, Lots 1, 2 and 3 in Parcel J
2. Maximum lot coverage by site elements: 80 percent
3. Minimum setbacks: 50 foot perimeter setback
4. Residential buffer: Where a lot abuts a residential zone or use, a 100 foot wide buffer shall be provided. The buffer shall not include buildings and parking and shall be landscaped. This requirement shall not apply to self-storage uses. However the buffer shall be a minimum of 35 feet to residential uses in the redevelopment zone for this parcel.
5. Storage, service and loading areas shall not be located between the building line and the street line.
6. Performance standards: Uses shall meet the performance standards for noise, glare, dust, vibration and disposal or handling of hazardous materials as required by the New Jersey Administrative Code as amended from time to time. On-site odors shall not be discernible at any property line.
- 6-7. Maximum building height on Block 333.02, Lots 1, 2 and 3 in Parcel J shall be five (5) stories, plus a cellar level

Existing Uses:

Existing warehousing and distribution uses along the Main Street Extension and Kennedy Drive shall be permitted to remain in the Redevelopment Area, and the legitimate and limited expansion of said uses shall be allowed. Any development applications on said existing sites shall comply with the design standards for Parcels D through K.

Existing governmental uses including the MCUA property, the Fire Training Academy and the Borough Police Station are permitted, shall have a minimum perimeter setback of 50 feet and shall comply with the General Design Standards of the Plan, where appropriate.

GENERAL DESIGN STANDARDS

This section details the overall design standards for the Area in terms of streetscape design, open space and landscaping design, building design, off-street parking and circulation and outdoor dining. These standards are to be used in conjunction with the Parcel Standards. Any deviation from these standards should be considered by the Planning Board and may be granted as a variance.

Streetscape Requirements

The streetscape is the primary image-setting area and includes all public and private streets. There are three distinct streetscape areas in the Redevelopment Area which require different standards in order to maximize the attractiveness of the Area. In the three different streetscape areas, the first ten (10) feet inward from the edge of pavement, or curb, is designated streetscape landscape area and is subject to the following standards:

Along Main Street Extension and Kennedy Drive

The visual appearance of these roadways is important because they will serve as the main entrance-ways into the commercial and office center of the Area during the initial phases of development. These roadways are currently sparsely landscaped and permit viewsheds into the interiors of industrial, distribution and warehousing sites. These uses should be thoroughly screened, and this area should appear as more of a gateway into the main commercial area than it currently is. The following standards should be considered in streetscape design of this area:

- The median shall be planted with deciduous shade trees, over 12 feet in height with a minimum 3-inch caliper (dbh), at least 100 feet on-center.
- A staggered double-row of deciduous street trees, of the same specifications, shall be planted along the entire frontage of all properties.
- On-street parking shall not be permitted in this area.

Along Chevalier Avenue and Extensions of Chevalier Avenue

This roadway will serve as the gateway into the central commercial/office portion of the Redevelopment Area. The aesthetics of this area, therefore, are extremely important. The following standards should be considered in streetscape design of this area:

- The median shall be planted with deciduous shade trees, over 12 feet in height with a minimum 3-inch caliper (dbh), at least 50 feet on-center.
- Ground-cover within the median should be either maintained grass or maintained low-growing material such as ivy.
- A staggered double-row of deciduous street trees, of the same specifications, shall be planted along the entire frontage of all properties.
- A four (4) foot wide sidewalk shall front along this roadway and shall connect uses within and on abutting properties in a comprehensive, logical manner. Street trees shall be planted on the property-side of sidewalks.
- Street trees shall be planted in continuous trenches and covered with tree grates.
- On-street parking shall not be permitted in this area.

Along Main Street

This roadway should be planted according to specifications that are already in place in the Borough.

- Deciduous street trees should be planted 50-foot on-center. Trees shall be over 12 feet in height; a minimum 3-inch caliper (dbh) and shall be planted on the property-side of any sidewalk.
- On-street parking shall not be permitted in this area.

Along Routes 9 and 35

The existing streetscape in this area is one of existing, overgrown vegetation, mainly *Phragmites*. Where topography and elevation permit, a traditional streetscape design should be implemented in this area.

- Existing overgrown vegetation should be removed to allow viewsheds into the sites, where permitted by NJDEP regulation.
- A staggered double-row of deciduous street trees over 12 feet in height with a minimum 3-inch caliper (dbh) shall be planted along the property's frontage along Routes 9 and 35, 50 feet on-center, where possible.

Open Space Design and Landscaping

The goal of the open space design standards is to improve the visual environment of the area through landscaping and other amenities in order to attract people to the Area. People are naturally attracted to areas that appear inviting, comfortable and safe. The following standards have been created to achieve this goal.

1. All areas not covered by building, pavement or other impervious surface shall be landscaped by a mix of evergreen and deciduous trees, shrubbery and herbaceous plants, including grass.
2. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space throughout the Area.
3. All unimproved open space left in its natural state for purposes of preservation of natural systems such as wetlands, flood plain or-significant wildlife habitat shall be maintained and planted with supplemental plantings where appropriate, and where permitted by NJDEP regulations.
4. All improved open space shall incorporate elements such as shrubbery, attractive paving materials, street furniture, lighting, low walls, fountains, and other architectural and artistic amenities so as to produce and provide a pleasant environment at all levels.
5. All plantings shall be with species proven to resist the urban environment in this area. Evergreen screen planting shall be a minimum of four (4) feet in height. Deciduous planting shall be a minimum of three (3) feet in height. Material shall be planted, balled, and bur lapped and be of specimen quality as established by the American Association of Nurserymen. At initial planting said material shall provide a screen from the top of the planting to within six (6) inches of grade. Other plant materials shall be dense and of specimen quality as determined above. All deciduous trees shall be a minimum of three (3) inches in caliper.
6. Indoor and/or outdoor plazas shall be encouraged. Adequate landscaping and street furniture of a style complementary to the surrounding facades shall be used.
7. Adequate, appropriate lighting shall be provided to promote a sense of security in the open space.

8. Design emphasis on gateways and major access points shall be encouraged. Gateways shall be marked by walls, signage, graphics, landscaping, buffering, distinctive street lighting, monuments, street furniture, paving accents, flags, and/or banners.
9. Seasonal banners shall be encouraged, as well as other signage which can develop the character and theme of the Area.
10. All trash receptacles shall be adequately secured, enclosed, and screened on all sides by landscaping or other type of attractive materials.
11. All fences and walls shall be designed as integrated parts of the overall architectural and site design. All materials shall be durable and finished in textures and colors complementary to the overall architectural design.
12. Conspicuous chain link fencing without screening and/or landscaping shall not be permitted.
13. Sidewalk areas shall be landscaped and durably paved and shall be properly illuminated with safe and adequate lighting.
14. Maintenance of landscaping on public property or rights-of-way shall be the subject of a Developer's Agreement.
15. All utilities shall be located underground.

Building Design

When buildings in an area are of similar and/or compatible scale, materials and massing, the area becomes more harmonious thereby providing a more comfortable human experience. The Building Design standards section seeks to achieve a continuity of design that allows for individuality of design while still providing a distinct identity for the Area. The following standards have been created to achieve such goals:

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air, and usable open spaces, access, to public rights-of-way and off-street parking, height, and bulk.
2. Groups of related buildings shall be designed to present a harmonious appearance in terms of building silhouette, architectural style and scale; massing of building form; surface material, finish, and texture; decorative features; window and doorway proportions, entry way placement and location, signage, and landscaping.
3. Buildings shall be designed so as to have attractive, finished appearances from all public spaces, including the waterfront walkway.
4. Roofs shall be pitched, when feasible, for architectural interest.
5. All pedestrian entryways and/or lobbies shall be prominent, well-lit and separate from service entrances. Building entrances shall be clearly defined.
6. All structures within the Redevelopment Area shall be designed and maintained so as to improve the visual appearance of the Sayreville waterfront as viewed from within and beyond the Borough's borders.

Off-Street Parking and Circulation

Off-street parking is an integral component of the Plan. The importance of such parking, however, is not intended to dictate project design. Off-street parking is encouraged to be as inconspicuous as possible and to incorporate landscaping and screening to the greatest extent possible to minimize its physical and visual impact.

1. **Minimum Off-Street Parking Standards** - Each parcel and use is required to provide minimum off-street parking in accordance with the following schedule:
 - Distribution/warehousing: 1 space per 5,000 square feet of building area.
 - Golf course: 4 spaces per hole plus 1 space per 1,000 square feet of retail space and/or 1 space per 3 seats for accessory restaurant.
 - Hotel: 1 space per each room plus 1 space per 1,000 square feet of conference or similar space.
 - Light industrial and manufacturing: 1 space per 1,000 square feet of building area.
 - Marina: 1/2 space per boat slip plus one space per 1,000 square foot of retail or similar space.
 - Office: 3 spaces per 1,000 square feet of building area
 - Restaurants: 1 space per 3 seats
 - Retail/commercial recreation/entertainment: 4 spaces per 1,000 square feet of building area
 - Self-storage facility (including ancillary office): 1 space per 8,000 square feet of building area
2. Off-street parking and loading areas shall be coordinated with the public street system serving the Area in order to avoid conflicts with through-traffic, obstruction to pedestrian walks, and vehicular thoroughfares. Shared parking among mixed uses shall be encouraged and may be factored in for purposes of calculations.
3. A minimum of ten (10) percent of any surface parking facility shall be landscaped and shall include one (1) shade tree for every twenty (20) parking spaces. The perimeter of the parking area shall be landscaped. Large concentrations of surface parking shall be avoided whenever possible.
4. All parking and loading areas shall be landscaped about their periphery with shrubs, trees, and/or ground cover.
5. All ninety (90) degree parking spaces that are long-term in usage shall be a minimum of nine (9) feet in width by eighteen (18) feet in depth. Aisles shall be a minimum of twenty-four (24) feet in width.
6. All parking garages shall be designed using compatible or complementary materials as the principal buildings so that they blend in architecturally. All voids in structures shall be screened, so that lights and vehicles are not individually visible.
7. **Circulation:**
 - The relationship between truck delivery, vehicular traffic, and pedestrian circulation shall be considered when designing service entries, roadways, walkways, and pedestrian entrances.
 - Service entrances and loading areas between adjacent buildings shall be consolidated and separated from walkways and pedestrian entrances to the extent possible.
 - Trash receptacles and dumpsters shall be effectively screened by landscaping and/or low walls.
 - Sidewalks shall be designed to be part of a comprehensive system to access all facilities within the Area.
 - Sidewalks shall be a minimum of four (4) feet in width, exclusive of car overhang areas, and shall be set back a minimum of five (5) feet from all buildings, unless located adjacent to building entrances
 - Street and directional signage and street lighting should be aesthetically unified or complementary.

- Street names should be chosen from the list of Veterans maintained by the Borough.

Storage, Service, and Loading Areas

Storage, service, maintenance, and loading areas shall be constructed, maintained, and used in accordance with the following conditions:

1. A minimum of one (1) loading space for each ten thousand (10,000) square feet of gross floor area is required, except for self-storage facility uses, which shall not require any loading spaces.
2. Loading areas are permitted in rear yards, centralized courtyards, or side yard areas, provided that they are screened from public view.
3. No loading, storage or service area shall be located between the building line and the street line.
4. No materials, supplies, or equipment, including trucks or other motor vehicles, shall be stored upon a site except inside a closed building or behind a durable material wall not less than six (6) feet in height screening such materials, supplies, or vehicles from adjacent sites so as not to be visible from neighboring properties and streets. Any outdoor storage areas shall be located within the rear portions of a site. No storage areas may extend into a setback area.
5. Provisions shall be made on each site for any necessary vehicle loading, and no on-street vehicle loading or idling shall be permitted.

Refuse and Recycling Collection Areas

1. All outdoor refuse and recycling containers shall be visually screened within a durable enclosure, six (6) feet or higher, so as not to be visible from adjacent lots or sites, neighboring properties or streets. No refuse and recycling collection areas shall be permitted between a street and the front of a building.
2. Refuse and recycling collection enclosures should be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
3. Refuse and recycling collection areas should be so located upon the lot as to provide clear and convenient access to refuse collection vehicles.
4. Refuse collection areas should be designed and located upon the lot as to be convenient for the deposition of refuse generated on site.
5. Refuse and recycling collection areas should be effectively designed to contain all refuse generated on site and deposited between collections. Deposited refuse should not be visible from outside the refuse enclosure.

Screening of Exterior Mechanical Equipment

1. In areas where rooftops can be viewed from adjacent roadways, **rooftop equipment** shall be screened to the greatest extent possible, and/or shall be painted to match the roof. If such rooftop equipment is visible from the public road, it shall be finished to match the facade of the building.
2. Conventional mechanical and electrical equipment which is part of the building space, heating, ventilating and air conditioning system and lighting and general power, where ground mounted shall be screened from view with evergreen landscaping.
3. Electrical equipment shall be mounted on the interior of a building wherever possible. When interior mounting is not practical, electrical equipment shall be mounted in a location where it is substantially screened from public view. In no case shall exterior electrical equipment be mounted on the street side or primary exposure side of any building.

4. Process equipment such as stacks, hoppers, bins, storage vessels, blowers, compressors, piping, ducting, conveyors and the like, which are ground mounted, shall be enclosed with screen walls to match the principal building. Rooftop process equipment shall be painted to match the roof. Where such equipment is visible from the public road, it shall be screened with screening devices or walls to match the walls and facade of the building.
5. Transformers that may be visible shall be screened with either plantings or a durable noncombustible enclosure. Transformer enclosures should be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.

Signage

The following standards apply to signs on all parcels:

1. Signage shall create a sense of aesthetics, originality and order and shall be harmonious in appearance with surrounding structures. It shall be legible and dimensionally proportional.
2. Signs shall be restricted to tenant identification and directional signs, either wall-mounted or freestanding.
3. No rooftop signs shall be permitted.
4. Signage shall be oriented toward the roadway that directly accesses the property.
5. Signs visible from the exterior of any building, if illuminated, shall be internally illuminated without a halo, but no signs or any other contrivances shall be devised or constructed so as to rotate, gyrate, blink, move or appear to move in any fashion.
6. The following permanent signs shall be prohibited: Searchlights, or any derivative thereof , inflatable signs or devices, fixed or airborne; and mobile signs, both lighted and static, self-propelled, towed or parked.
7. Public service devices such as clocks and temperature indicators shall be devoid of advertising and shall conform to the standards in this section.
8. Directional signage shall be sized as per industry standard and shall be consistent with the standards in this section.

Outdoor Dining

Where permitted, seasonal outdoor dining as an accessory use to a restaurant shall be permitted under the following provisions:

1. Restaurants shall not place any table, sign, umbrella, or other item in such a manner as to block any walkways or building entrance/egress, municipal signs, receptacles for garbage, public benches, or other public amenity including fire hydrants.
2. Restaurants must provide for the disposal of recyclable cans/bottles and garbage. Public receptacles for garbage shall not be used for commercial refuse. Sidewalk areas shall be kept clean during hours of operation.
3. Drive-in or drive-through service shall be prohibited.
4. No portion of any sidewalk dining equipment, including chairs, tables, and opened umbrellas shall encroach upon the sidewalk or in a manner to block, impede or cover adjacent store fronts, doors, or windows in front of other business establishments.

RESOLUTION #2023-199

WHEREAS, the following vehicles and equipment have been taken out of service as they are no longer usable;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the vehicles listed below are no longer needed for public use and are hereby authorized to be scrapped:

- 2007 Dodge Charger – VIN #2B3KA43G57H771549
- 2011 Crown Victoria – VIN #2FABP7BV4BX181023
- 2011 Crown Victoria – VIN #2FABP7BV8BX181025
- 2011 Crown Victoria – VIN #2FABP7BV8BX181029
- 2011 Crown Victoria – VIN #2FABP7BV8BX181024
- 2011 Crown Victoria – VIN #2FABP7BV8BX181026

Donna Roberts, Councilwoman
(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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-200

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby memorializing an emergency purchase order for NJPDES Compliant 5500/gal bulk liquid storage tanks to Reed Systems LTD, 17 Edwards Place, P.O. Box 209, Ellenville, NY 12428, at a total cost not to exceed \$72,162.00.

Vincent Conti, 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-201

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized to award a contract for Infield Renovations at Jerry Ust and War Memorial Fields through the Educational Services Commission of NJ Contract #19/20-10, to Natural Green Lawn Care, 795 E. Main Street, Bridgewater, NJ 08807, at a total cost not to exceed \$22,400.00.

Vincent Conti, 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-202

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized to award a contract for Crack Filling at Fritz Drive and Whitehead Avenue through the Educational Services Commission of NJ Contract #18/19-66, to Garden State Sealing, Inc., 300 Commerce Drive, Tinton Falls, NJ 07753, at a total cost not to exceed \$23,402.50.

Vincent Conti, 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-203

BE IT AND IT IS HEREBY RESOLVED that the proper Borough Officials are hereby authorized and directed to execute the NJDEP Treatment Works Approval (TWA) Statement of Consent (Form WQM-003) in connection with CMC Steel New Jersey.

John Zebrowski, Councilman
(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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-204

A RESOLUTION OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF ONE (1) 2023 FORD RANGER FROM TOM'S FORD IN AN AMOUNT NOT TO EXCEED \$41,281.00

WHEREAS, on October 5, 2022, and October 28, 2022 the Borough of Sayreville advertised for bids for the purchase of one (1) Ford Ranger pickup truck; and,

WHEREAS, the Borough of Sayreville did not receive any bids for the one (1) Ford Ranger pickup truck; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), the Borough of Sayreville exercised its right to negotiate and award a contract upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; and,

WHEREAS, the Borough unanimously passed Resolution #2023-48 authorizing the Borough to purchase one (1) 2022 Chevrolet Colorado pickup truck; and,

WHEREAS, the Borough was informed that due to ongoing supply chain issues, the Chevrolet Colorado pickup truck is no longer available and, as a result, the Borough desires to rescind Resolution #2023-48; and,

WHEREAS, in exercising its rights under N.J.S.A. 40A:11-5(3), the Borough negotiated and desires to purchase one (1) 2023 Ford Ranger from Tom's Ford in an amount not to exceed \$41,281.00 (forty-one thousand two hundred eighty-one dollars and zero cents).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey, that Resolution #2023-48 is hereby rescinded and the Borough of Sayreville is hereby authorized to purchase one (1) 2023 Ford Ranger from Tom's Ford in an amount not to exceed \$41,281.00 (forty-one thousand two hundred eighty-one dollars and zero cents).

John Zebrowski, Councilman
(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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-205

**BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY
TO SUPPORT PACKAGING REDUCTION ACT**

WHEREAS, packaging constitutes one-third of the municipal waste stream in New Jersey, and

WHEREAS, managing packaging waste costs New Jersey taxpayers hundreds of millions of dollars annually, and

WHEREAS, some packaging is not recyclable, and

WHEREAS, plastic causes serious pollution throughout its entire lifecycle - from extraction of the fossil fuels used to make it, to its manufacture, its petrochemical additives, its use, and its disposal, and

WHEREAS, those who produce these materials should help bear the costs of managing them, and

WHEREAS, enacting the Packaging Product Stewardship Act, as drafted in the NJ Senate and Assembly (S426/A1444) would reduce waste, increase recycling rates, create green sector jobs, reduce toxicity in products, provide millions of dollars in savings for local governments and taxpayers, and lowers greenhouse gas emissions, and

BE IT RESOLVED, that the Borough of Sayreville urges the New Jersey State Legislature to pass to sign into law a strong and effective Packaging Product Stewardship Act,

RESOLVED, further, That the Borough of Sayreville shall forward copies of this resolution to:

1. Senator Bob Smith [Senbsmith@njleg.org]
2. Assembly Rep James Kennedy [Asmkennedy@njleg.org]
3. Association of NJ Environmental Commissions [Info@anjec.org]

John Zebrowski, Councilman
(Water & Sewer/Environmental 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-206

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING A NON-BINDING REFERENDUM ON THE BALLOT AT THE GENERAL ELECTION ON NOVEMBER 7, 2023 REGARDING OPEN SPACE ACQUISITION

WHEREAS, pursuant to N.J.S.A. 40:12-15.1 et. seq., the State of New Jersey allows municipalities to establish Municipal Open Space, Recreation, Farmland and Historic Trust Funds for the following purposes:

- a. acquisition of lands for recreation and conservation purposes;
- b. development of lands acquired for recreation and conservation purposes;
- c. maintenance of lands acquired for recreation and conservation purposes;
- d. acquisition of farmland preservation purposes;
- e. preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservations purposes; and/or
- f. payment of debt service on indebtedness issued or incurred by the municipality for any of the purposes set forth in subparagraphs (a), (b), (c), (d), (e) or (g) of this paragraph; or
- g. Blue Acres projects.

WHEREAS, N.J.S.A. 19-37-1 et. seq. authorizes the governing body to ascertain the sentiment of the legal voters of the municipality upon any questions or policy pertaining to the government or internal affairs thereof by the adoption of an ordinance requesting the County Clerk to print upon the official ballots to be used at the next ensuing general election a certain proposition as formulated and expressed in the resolution; and

WHEREAS, the Governing Body seeks to submit a question as to the expansion of the Borough's "Municipal Open Space, Recreation, and Farmland and Historic Preservations Trust Fund: to the voters of the Borough of Sayreville at the next general election, to be held on November 7, 2023; and

WHEREAS, N.J.S.A. 40:12-15.7d contemplates adjustments in a previously approved open space levy to reflect changing circumstances, provided those adjustments are approved by a referendum; and

WHEREAS, any referendum at the next general election on November 7, 2023 must be preceded by the approval of a resolution and the presentation of a ballot question to the County Clerk not later than 81 days prior to the election or August 16, 2023; and

WHEREAS, Blue Acres projects are defined as any project to acquire, for recreation and conservation purposes, lands that have been damaged by, or may be prone to incurring damage caused by, storms or storm related flooding, or that may buffer or protect other lands from such damage, and includes the demolition of structures on, the removal of debris from, and the restoration of those lands to a natural state or to a state useful for recreation and conservation purposes; and

WHEREAS, each year the Borough of Sayreville taxes Sayreville residents in excess of \$450,000.00 to set aside for the purchase of Open Space. The Borough started taxing for this purpose in 2001 and has since collected over \$5,000,000.00. In addition to the purposes previously approved of by Sayreville voters, should these funds be used for Blue Acres projects?

THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Governing Body of the Borough of Sayreville that the Borough Clerk is hereby authorized to submit the following ballot question and interpretative statement to the Middlesex County Clerk for placement on the official ballot for the November 2023 general election:

MUNICIPAL QUESTION NO. 1
OPEN SPACE REFERENDUM

The Borough of Sayreville collects \$450,000.00 every year from taxpayers for the Borough's Open Space Trust Fund. Should the Borough's Open Space funds also be utilized for Blue Acres projects.

INTERPRETATIVE STATEMENT

A "no" vote will request that the Borough's Municipal Open Space Tax not be expanded to fund Blue Acres projects.

A "yes" vote would indicate that you want the Borough's Open Space Tax to be used for Blue Acres projects in addition to the purposes currently authorized.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-207

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to compile required data and develop a GIS Mapping System of and for the Borough at a fee not to exceed \$250,000.00.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-208

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Coronavirus State & Fiscal Recovery Grant - \$450,000.00

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-209

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Stormwater Assistance Grant - \$15,000.00

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-210

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Stormwater Assistance Grant - \$15,000.00 and local match \$2,000.00

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-211

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Clean Communities Grant - \$91,535.25

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-212

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Local Recreation Improvement Grant - \$76,000.00

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-213

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 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

SECTION 2.

- Safe and Secure Grant - \$45,930.00

SECTION 3.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-214

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: 2020 Roadway Paving & Reconstruction – Phase II project
- Contractor: MECO, Inc.
P.O. Box 536
Clarksburg, NJ 08510
- Amount: No Increase in original contract amount of \$1,253,178.50
- 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.

Vincent Conti, 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-215

WHEREAS, Ikon at Route 35 Corporation is the holder of Plenary Retail Consumption License #1219-33-001-013 in the Borough of Sayreville; and

WHEREAS, the licensee did file a verified petition requesting authorization for the Borough of Sayreville to consider its renewal application for the 2023-2024 license term; and

WHEREAS, on May 23, 2023, James B. Graziano, Director of the State Division of Alcoholic Beverage Control, did make a Special Ruling to permit the filing of a renewal application of an inactive license, pursuant to N.J.S.A. 33:1-12.39, Agency Docket No. 05-23-141 for a *two-year period*, covering the **2023-2024 and 2024-2025 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 2023-2024 license term and to grant or deny said application in the reasonable exercise of its discretion;

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

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Mayor and Borough Council do hereby grant the renewal of Plenary Retail Consumption License No. 1219-33-001-013 to the licensee for the 2023-2024 license term, pursuant to special conditions as contained in the Special Ruling issued by the Director of the State Division of Alcoholic Beverage Control issued on May 23, 2023 and is also subject to the following conditions that remain as part of the license:

1. Licensee shall continue to implement and provide valet parking for its patrons on all nights of operation. The Chief of Police may grant a waiver, on occasion, of the requirement that valet parking be provided if the Licensee demonstrates, to the reasonable satisfaction of the Chief of Police, that Licensee's level of occupancy on such specific occasion is anticipated to be significantly less than the legal occupancy so as to satisfy the Chief that valet parking will not be necessary on such specific occasion. The granting of any such waiver on one occasion shall not entitle Licensee to such a waiver on any other occasion.
2. The above-described valet parking requirement shall remain in effect unless and until a recommendation for other appropriate traffic control procedures, developed by a licensed traffic or civil engineer or consultant at Licensee's expense, is received and approved by the Mayor and Council as a substitute measure.
3. 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 insure 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.

4. Licensee shall strictly enforce a policy that patrons who have been admitted to enter the Licensed Premises who subsequently exit the Licensed Premises will not be permitted to re-enter the Licensed Premises on the same day/evening. This measure is intended to address the Mayor and Council's previous finding that drug activity was noted on the Licensed Premises and in recognition of the fact that a practice of allowing patrons to exit and then re-enter the Licensed Premises facilitates drug activities by providing an opportunity for such persons to retrieve contraband from their vehicles for use and/or distribution inside and adjacent to the Licensed Premises. Additionally, this measure is intended to alleviate the problem of patrons loitering in and around the parking lot during Licensee's operating hours and engaging in illegal, disorderly or nuisance causing behaviors.

5. Licensee's security staff shall be required to obtain photo identification cards, prepared by the Sayreville Police Department, that must be kept on their persons at all times while employed at or located on Licensee's property. This measure is intended 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 is also designed in response to the findings of a previous ABC investigation in which it was discovered that some of the employees found on-site during the investigation were not properly entered in Licensee's employee records.

6. Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee's parking lots and outside premises, as well as all residential areas within a five hundred (500) foot radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o'clock in the morning (10:00 a.m.) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all such litter, trash and other discarded items as may be generated by and/or associated with Licensee's operation. To the extent that residents within such five hundred (500) foot radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee's sole cost. This measure is designed to alleviate any problem associated with the accumulation of empty beverage containers, cans, bottles and other debris that results from the operation of the Licensed Premises.

7. Licensee shall install "zero tolerance" signs inside the Licensed Premises, at or adjacent to the entry to the premises, containing language indicating that 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.

8. Licensee shall install soundproofing equipment and/or take any other necessary steps to limit the escape 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 by members of the Council pertaining to the Licensed Premises.

9. Licensee shall cease all sales of alcohol at 1:30 a.m. and shall cease the playing of all 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.

10. Licensee shall institute a policy that on nights where patrons aged eighteen (18) through twenty (20) may be admitted to the 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). All such wristbands shall be incapable of being re-attached once removed, in order to prevent violations of laws prohibiting sales of alcohol to persons under twenty-one (21). This measure is designed to prevent violations of drinking age laws, as noted by the Council in previous findings of fact related to a prior disciplinary action.

11. 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.

12. 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 shall 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 to further assist police in identifying security personnel when patrolling or responding to complaints or calls.

13. Licensee shall institute a policy of providing 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. Parking attendants and valet parking staff shall not count as "security staff" in calculating the proper ratio of security staff to patrons. The ratio of one (1) security employee for every fifty (50) patrons is only for those security personnel who are being identified and/or are in uniform. Any undercover personnel that Licensee wishes to employ are in addition to the one per fifty patron security ratio. This measure is designed to ensure that the security staff employed by Licensee is sufficient to handle the

numbers 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.

14. On promotional evenings, when a large crowd is expected, Licensee will coordinate with the police.

15. Licensee shall strictly enforce a policy to bar admittance to any patron who is not wearing a non-removable wristband, that has been provided to such patron by Licensee's valet parking attendant or parking supervisor, as evidence that the vehicle in which such patron arrived at the Licensed Premises has been parked in Licensee's parking lot. The only exception to this policy shall be for those patrons who demonstrate to Licensee before admittance that they hold a valid New Jersey motor vehicle license indicating that they reside within five hundred (500) feet of the Licensed Premises and have not arrived at the Licensed Premises in a motor vehicle. This condition is intended to restrict admittance to the Licensed Premises to only those patrons whose vehicles, as a driver or occupant thereof, are lawfully parked in Licensee's parking lot, in order to address issues raised by an Objector and her witnesses regarding illegal parking, property trespass, loitering and related nuisances.

16. Licensee shall institute a policy requiring its security staff to immediately report to the Sayreville Police Department any violations of Title 39 observed by such staff in and around the Licensed Premises, and to provide the Borough clerk, on a monthly basis, with a list of all such reports made by Licensee's security staff to police within the prior month.

17. 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.

18. Licensee shall provide a list of entertainers who are booked prior to the scheduled date. The information shall be delivered to the Sayreville Police Department at the time a contract is executed and signed and the information shall be delivered to the Sayreville Police Department as to the name of the outside entertainer employees.

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

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-216

WHEREAS, Kushal Corporation is the holder of Plenary Retail Distribution License # 1219-44-042-006 issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 499 Ernston Road, Parlin, NJ; and

WHEREAS, an application has been made for the 2023-2024 renewal term of Plenary Retail Distribution License No., **1219-44-042-006**, held by **Kushal Corporation, t/a Express Liquors**; and

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

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

1. That Plenary Retail Distribution License No. **1219-44-042-006 Kushal Corporation, t/a Express Liquors**, located at 499 Ernston Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2023-2024 license term.**

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-217

WHEREAS, Winecraft NJ, LLC, t/a House of Liquors, is the holder of Plenary Retail Distribution License #**1219-44-061-006** issued by the Governing Body of the Borough of Sayreville as the Issuing Authority for premises located at 2909 Washington Road, Parlin, NJ 08859; and

WHEREAS, an application has been made for the **2023-2024 renewal** term of Plenary Retail Distribution License No. **1219-44-061-006, Winecraft NJ, LLC, t/a House of Liquors**; and

WHEREAS, the applicant has complied with all the necessary requirements including the payment of fees in accordance with the State Statute.

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

1. That Plenary Retail Distribution License **1219-44-061-006 Winecraft NJ, LLC, t/a House of Liquors**, located at 2909 Washington Road, Parlin, NJ in the Borough of Sayreville be and the same is hereby **renewed for the 2023-2024 license term**.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-218

WHEREAS, Peg & Pub, LLC, is the holder of plenary retail consumption license number 1219-33-010-006, issued by the Mayor and Council of the Borough of Sayreville as the Issuing Authority for a “pocket license” in the Borough of Sayreville, New Jersey; and

WHEREAS, application for renewal has been made to the Mayor and Borough Council of the Borough of Sayreville for the 2023-2024 licensing term; and

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

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

- 1) **THAT** plenary retail consumption license number 1219-33-010-006, Peg & Pub, LLC is hereby renewed for the 2023-2024 license year, subject to the following conditions as contained in the Settlement Agreement approved by Resolution #2010-138, adopted on June 28, 2010 (conditions c & d) and Resolution #2009-162 adopted on July 6, 2009 (conditions a & b) and remaining on the license:
 - (a) The licensee shall be required to employ at least one individual who is solely responsible for security of the licensed premises on Fridays and Saturdays between the hours of 7:00 p.m. and 2:00 a.m. or until closing. The licensee shall require all security staff (except for undercover security staff employed by the licensee) to wear clothing or uniforms which are highly visible and well marked on the front and rear. This shall include orange shirts with black block lettering 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, to further assist police in identifying security personnel when patrolling or responding to complaints or calls.
 - (b) The licensee shall be responsible for ensuring that there will be no parking of motorcycles on the sidewalks adjacent to the licensed premises.”
 - (c) Licensee shall provide proper trash receptacles in the parking lot and shall cause Licensee’s parking lots and outside premises, as well as all residential areas within a five hundred (500’) feet radius of the Licensed Premises, to be cleaned of all litter, trash and other discarded items. Such cleaning shall be accomplished by ten o’clock in the morning (10 AM) each day following the hours of operation of the Licensed Premises such that the above-described areas shall be free from all litter, trash and other discarded items as may be generated by and/or associated with the Licensee’s operation. To the extent that residents within such five hundred (500’) feet radius consent to permit access to private property for the purposes of such cleaning on private property, Licensee shall cause such private property to be cleaned of all litter, trash and other discarded items, at Licensee’s sole cost.

This measure is designed to alleviate any problems associated with the accumulation of empty beverage containers, cans, bottles and other debris that result from the operation of the Licensed Premises.

(d) Licensee shall cease all sales of alcohol at 1:30AM and shall cease the playing of all music at 1:45AM. 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 in and 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;

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.

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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2023-219

WHEREAS, on June 13, 2023 the Mayor and Council of the Borough of Sayreville, have received bids for various Water Department Chemicals, and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 19th day of June, 2023, that:

1. Contract for "Water Department Chemicals" be awarded to the following:

- Kemira Water Solutions – Ferric Chloride

John Zebrowski, Councilman
(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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

TO BE READ IN FULL

RESOLUTION #2023-220

BE IT RESOLVED that the proper Borough Officials are hereby authorized to award a non-fair and open contract to New Jersey Tree Foundation of Jackson, NJ for the installation of Seventy-six (76) Trees on MacArthur Avenue in an amount not to exceed \$26,001.00.

Vincent Conti, 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

Victoria Kilpatrick
Mayor

	Balka	Conti	Novak	Onuoha	Roberts	Zebrowski
Ayes						
Nays						
Abstain						
Absent						