

Mayor O'Brien opened the Council Meeting at 7:02 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this January 14, 2019 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: None

Others Present: Mayor Kennedy O'Brien
Daniel E. Frankel, Business Administrator
Denise Biancamano, C.F.O./Treasurer
Theresa A. Farbaniec, Municipal Clerk
Michael DuPont, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer

Others Absent: None

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

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

- ✕ November 13, 2018 - Grievance Hearing & Closed Session
- ✕ December 17, 2018 - Regular & Agenda & Closed Sessions
- ✕ January 5, 2019 - Agenda Session & Re-Organization Meetings

Seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Buchanan, Dalina - abstained from Nov. 13th and Dec. 17, 2018, Enriquez - abstained from Nov. 13th and Dec. 17, 2018, Kilpatrick, Lembo, Novak, all Ayes.

The Mayor then announced that we would be retreating into Executive Session.

- **EXECUTIVE SESSION –Contract Negotiations**

Borough Attorney Mr. DuPont read the following Executive Session Resolution into record.

RESOLUTION FOR CLOSED SESSION

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

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

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 10-15 minutes to discuss the following matters:

- Tax Litigation, Contract Negotiations, Personnel

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

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

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

/s/ Daniel Buchanan, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call: Voice Vote, all Ayes.

Time: 7:06 PM

Reconvene:

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

Roll Call: Voice Vote, all Ayes. - Time 7:37PM

Mayor called for the next order of business.

- **PROCLAMATION & PRESENTATIONS - None**

MAYOR KENNEDY O'BRIEN

Made the following appointments:

- **Recreation Advisory Board** - 1 Year Term - Ann Werb

Motion moved by Council President Buchanan. Seconded by Councilwoman Novak.

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

Council President Buchanan moved that Kevin Dalina be appointed to the Planning Board Class III, 1 Year Term. Seconded by Councilwoman Novak.

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

Council President Buchanan asked that the following Councilmembers be appointed as liaison of the following Boards and Commissions:

Board of Adjustment	-	Councilman Dalina
Board of Health	-	Councilman Buchanan
Environmental Commission-		Councilwoman Kilpatrick
Shade Tree Commission	-	Councilwoman Novak
Rent Leveling Board	-	Councilwoman Novak
Office/Commission on Aging-		Councilwoman Novak
Recycling Commission	-	Councilwoman Novak
Recreation Advisory Board	-	Councilman Enriquez
Library Board	-	Councilman Enriquez

Motion was seconded by Councilwoman Novak.
Roll Call: Voice Vote, all Ayes.

- **NEW BUSINESS:**

a) The Clerk read the Introduction of the following ordinances:

ORDINANCE #433-19

**ORDINANCE OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN
AMENDED AND RESTATED SUPPLEMENTAL FINANCIAL AGREEMENT WITH
RED OAK POWER URBAN RENEWAL COMPANY, LLC
(Admin. & Finance / Co. McGill – Public Hearing January 28, 2019)**

Councilman McGill moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on January 28, 2019. Motion was seconded by Council President Buchanan.

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

ORDINANCE #434-19

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER II OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 7-3.7 HANDICAPPED PARKING SPACES IN STREETS**

(Public Safety – Co. Buchanan, Public Hearing January 28, 2019)
{32 Heston Street}

Council President Buchanan moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on January 28, 2019. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE #435-19

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS,
OFFICERS AND EMPLOYEES OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX,
FOR THE YEARS 2017, 2018, 2019, 2020, 2021 & 2022**

{AFSCME }
(Admin. & Finance / Co. McGill – Public Hearing January 28, 2019)

Councilman McGill moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on January 28, 2019. Motion was seconded by Council President Buchanan.

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

ORDINANCE #436-19

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS,
OFFICERS AND EMPLOYEES OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX,
FOR THE YEARS 2017, 2018, 2019, 2020, 2021 & 2022**

{SAMS }
(Admin. & Finance / Co. McGill – Public Hearing January 28, 2019)

Councilman McGill moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on January 28, 2019. Motion was seconded by Councilwoman Kilpatrick.

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

ORDINANCE #437-19
**AN ORDINANCE FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS,
OFFICERS AND EMPLOYEES OF THE BOROUGH OF SAYREVILLE,
IN THE COUNTY OF MIDDLESEX,
FOR THE YEARS 2017, 2018, 2019, 2020, 2021 & 2022**

(Mgrs.)
(Admin. & Finance / Co. McGill – Public Hearing January 28, 2019)

Councilman McGill moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on January 28, 2019. Motion was seconded by Councilwoman Kilpatrick.

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

CONSENT AGENDA RESOLUTIONS

Mayor O'Brien asked the Council if they have any questions or comments on the Consent Agenda Resolutions.

Mayor opened the meeting for any questions or comments on Consent Agenda Resolutions.

Those appearing were:

- Jim Robinson, 11 Borelle Square

Questioned Resolution #2019-42 and what the purpose of this resolution was.

Response by the Borough Attorney to determine exactly what structures were on the Kolodziej properties.

There being no other questions or comments the Mayor called for a motion to close.

Council President Buchanan made a motion to close the Public Portion and adopt the Consent Agenda Resolutions. Seconded by Councilwoman Kilpatrick.

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

RESOLUTION #2019-35

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

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

/s/ Kennedy O'Brien, Mayor

/s/ Daniel Buchanan
Councilman

/s/ Victoria Kilpatrick
Councilwoman

/s/ Kevin Dalina
Councilman

/s/ Dave McGill
Councilman

/s/ Damon Enriquez
Councilman

/s/ Mary J. Novak
Councilwoman

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

/s/ Michael DuPont
Borough Attorney

**Bill list of January 14, 2019 in the amount of \$4,359,659.30
in a separate Bill List File for 2019 (See Appendix Bill List 2018-A for this date).**

RESOLUTION #2019-36

BE IT RESOLVED that the proper Borough officials are hereby authorized to award contract to All State Office Interiors of Hamilton, NJ 08619 through State Contract #G2005/A81754/A81751 for carpet at the Sayreville Public Library shall not exceed \$53,559.36.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION #2019-37

WHEREAS, on November 28, 2018 the Mayor and Council of the Borough of Sayreville, received bids for the "Landscape Maintenance for Various Borough Properties"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 14th day of January, 2018 that:

1. Contract for the "Landscape Maintenance for Various Borough Properties" be awarded Greenleaf Landscape, Eatontown, NJ on their bid price of \$159,262.00 as appears on copy of bid document attached hereto and made a part hereof.

2. This resolution shall take effect immediately, upon execution of the proper documents.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION #2019-38

WHEREAS, the Borough Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear by Contract Change Order No. 1:

- Project: Snow Plowing
- Contractor: B & W Construction
PO Box 574
South River, NJ 08882
- Net Increase: \$50.00 per hour for Snow Removal at Crosswalks and Bus Shelters
- Reason: Adjustment of original contract to reflect actual work performed due to the vendor termination and no bids were received and requests for quotes were non-responsive.

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

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

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont

RESOLUTION #2019-39

BE IT AND IT IS HEREBY RESOLVED that the following transfers between

2018 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Legal (1155-0130-2)		60,000.00
Sewerage Process/Disposal (2455-0520-2)		10,000.00
Employee Group Insurance (1220-0205-2)	70,000.00	
	<u>\$ 70,000.00</u>	<u>\$70,000.00</u>

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael DuPont, Esq.
Borough Attorney

RESOLUTION #2019-40

**A RESOLUTION ACCEPTING THE SAFE AND SECURE COMMUNITIES
GRANT #19-1219 WITH THE STATE OF NEW JERSEY FEDERAL GRANT
PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL
JUSTICE DEPARTMENT OF LAW AND PUBLIC SAFETY
FOR THE PERIOD OF JUNE 1, 2018 TO MAY 31, 2019**

WHEREAS, the Mayor and Council of the Borough of Sayreville does hereby approve the acceptance of funding in the amount of \$60,000.00 with a match equal to the officers fringe benefits for a project under the State of New Jersey known as Safe and Secure Communities Grant Program #19-1219 for the period of June 1, 2018 – May 31, 2019; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Sayreville for the purposes described in the application;

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

1. As a matter of public policy the Borough of Sayreville wishes to participate to the fullest extent possible with the Department of Law & Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

/s/ Daniel Buchanan
Councilman
(Public Safety Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2019-41

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to prepare an Asset Management Plan as required by the NJDEP for the Borough Water Department for a fee not to exceed \$60,000.00.

/s/ Victoria Kilpatrick
Councilwoman
(Water & Sewer Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION #2019-42

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to prepare an updated survey for Block 32.03, Lot 83 for a fee not to exceed \$4,000.00 (Kolodziej property).

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION #2019-43

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to prepare a structural evaluation of the Borough Hall Annex for a fee not to exceed \$9,800.00.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

BOROUGH OF SAYREVILLE:

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION #2019-44

BE IT AND IT IS HEREBY RESOLVED that the Proper Borough Officials are hereby authorized and directed to release the balance in engineering inspection escrow to Burlew Mechanical in the amount of \$2,325.00 covering 2069 Highway 35.

/s/ Dave McGill
Councilman
(Admin. & Finance Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

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

/s/ Michael R. DuPont
Borough Attorney

RESOLUTION READ IN FULL

RESOLUTION 2019-45

BE IT RESOLVED that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

NAME OF APPOINTEE:	Matthew Salvatore Christopher Raub
POSITION:	Police Officers
DEPARTMENT:	Police Department
EFFECTIVE:	January 14, 2019

BE IT FURTHER RESOLVED that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

/s/ Daniel Buchanan, Councilman
(Public Safety Committee)

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

At this time Mayor O'Brien opened the meeting up to the public for questions or comments on this resolution.

There being no appearances, the Mayor called for a motion.

Council President Buchanan moved the public portion be closed and the Resolution be adopted on Roll Call vote. Seconded by Councilwoman Kilpatrick.

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

- **CFO - Denise Biancamano** - None
- **BOROUGH ENGINEER -Jay Cornell** - None
- **BOROUGH ATTORNEY - Michael DuPont** - None
- **PUBLIC PORTION**

At this time Mayor O'Brien opened the meeting to the public for questions or comments on any and all matters.

There were no appearances.

Mayor O'Brien called for a Motion. **Councilwoman Novak made a motion to close the Public Portion. Seconded by Council President Buchanan.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business Councilwoman Novak moved to adjourn. Seconded by Council President Buchanan.

Roll Call: Voice Vote, all Ayes.

Time 7:48 P.M.

Respectfully submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved: _____