

Mayor O'Brien opened the Council Meeting at 7:01 PM. followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this May 29, 2018 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, Grillo, Kilpatrick, Lembo, Melendez

Absent: Councilwoman Novak

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 Kilpatrick moved the following Council Minutes be approved, subject to correction if necessary:

- ☒ April 5, 2018 - Receipt of Bids
(Veteran's Field & Sayreville Recreation Complex Synthetic Turf Improvements)
- ☒ April 23, 2018 - Council Meeting & Agenda Session Meeting

Motion was seconded by Councilman Buchanan.

Roll Call – Councilpersons Kilpatrick, Buchanan, Grillo, Lembo, Melendez, all Ayes.

PROCLAMATION & PRESENTATIONS – None

- **EXECUTIVE SESSION - COAH Litigation**

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 15-20 minutes to discuss the following matters:

COAH Litigation

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/ Victoria Kilpatrick, Council President

APPROVED:

/s/ Kennedy O'Brien, Mayor

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

Roll Call, Voice Vote, all Ayes.

Time: 7:03 PM

Reconvene

Council President Kilpatrick made a **motion to reconvene**. Motion was seconded by Councilman Buchanan.

Roll Call: Voice Vote, all Ayes. - Time 9:21PM

At this time Mayor O'Brien **skipped ahead and went to the Consent Agenda Resolutions** and opened the meeting to the Consent Agenda Resolutions.

Those appearing were:

- Ken Olchaskey, 108 North Edward Street

Questioned 2018-165 Authorizing the Housing Authority to extend controls for a new period of thirty years for it's units if they become vacant.

He said that since the Housing Authority is an autonomous agency, the wording in the resolution is not quite correct. He suggested that it reads "the Housing Authority is requested to extend controls for a new period of thirty years".

Mr. DuPont said that this resolution could reflect his comment and change it to – that the Housing Authority extend controls for a period of thirty years. Mr. Surenian and Mr. Edwards agreed.

- Janice Benedetto

Asked for an explanation for Resolutions #2018-157, 2018-158, 2018-159.

Before a response was given the Mayor asked that they switch back to the agenda line up and called for the Public Hearings on Ordinances.

Mayor called for a Motion to close the public portion of the Consent Agenda and noted that it will be Opened once again.

- **OLD BUSINESS:**

- a) Public Hearing on the following Ordinances:

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

Mayor O'Brien opened the meeting to the public on **Ordinance #407-18**.

Council President Kilpatrick asked if the vehicles in this ordinance were four wheel drive and equipped with plows. The Business Administrator confirmed that they were.

There being no appearances from the public. Councilman Lembo moved the public hearing be closed and the ordinance adopted on second and final

reading and advertised according to law. Motion was seconded by Council President Kilpatrick.

Roll Call - Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez.

- Nays: None

ORDINANCE #407-18
AN ORDINANCE APPROPRIATING \$285,500.00
FOR THE ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT
IN THE WATER DEPARTMENT FOR AND BY THE BOROUGH OF
SAYREVILLE, COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the Mayor and Council, Borough of Sayreville, County of Middlesex as follows:

Section 1. Appropriation of \$285,500.00 is hereby authorized from the Capital Improvement Fund of the Water Capital Fund to purchase a Mason Dump Truck, a Pick-up Truck, Portable Radio Devices, a Billing System, Bin Block and a Utility Machine by and for the Water Utility of the Borough of Sayreville

Section 2. This ordinance shall take effect after first publication thereof and final adoption in accordance with law.

/s/ Mary Novak, Councilwoman
(Admin & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public on **Ordinance #408-18**.

There being no appearances from the public. Councilman Buchanan moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Council President Kilpatrick.

Roll Call - Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

- Nays: None

ORDINANCE #408-18
AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC
SECTION 7-3.3 "PARKING PROHIBITED AT ALL TIMES ON
CERTAIN STREETS" OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SAYREVILLE

BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville, in the County of Middlesex and State of New Jersey, as follows:

SECTION 1. Section 7-3.3, "Parking Prohibited at All Times on Certain Streets" No person shall park a vehicle at any time upon any of the streets or parts thereof described below amending to add the following street:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Wisniewski Road	North	From the intersection of Sayreville Blvd.

and Wisniewski Road to a point 159 feet north of the prolongation of the eastern curb line of Clark Street.

SECTION 2. Severability Clause.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public on **Ordinance #409-18**.

There being no appearances from the public. Councilman Lembo moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Council President Kilpatrick.

Roll Call - Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

- Nays: None

Ordinance # 409-18
BOND ORDINANCE PROVIDING FOR THE
ACQUISITION
OF VEHICLES AND EQUIPMENT IN, BY AND FOR THE
BOROUGH OF SAYREVILLE, NEW JERSEY,
APPROPRIATING \$1,320,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,254,000 BONDS
OR NOTES OF THE BOROUGH FOR FINANCING PART
OF SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough Council of the Borough of Sayreville, New Jersey (the "Borough") has ascertained and hereby determines that it is necessary and desirable to raise money to finance the cost of the improvements described in Section 3 of this bond ordinance,

which improvements are hereby authorized to be made or acquired by the Borough. For said improvements or purposes stated in said Section 3, there is hereby appropriated the sum of \$1,320,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$66,000 as the down payment for said improvements or purposes required by law and now available therefor by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,320,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,254,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the New Jersey Revised Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$1,254,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are the acquisition of the following equipment and vehicles: (i) police and fire SUV vehicles, (ii) police equipment, (iii) fire department apparatus, (iv) public safety pagers, (v) vehicles – public works and sewer, (vi) snow removal equipment, (vii) dump truck, (viii) rear loader sanitation truck, (ix) automated refuse containers, and (x) public works equipment.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$1,254,000.

(c) The estimated cost of said purposes is \$1,320,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$66,000 down payment for said purposes.

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

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially benefited thereby.

(b) The period of usefulness of said purposes within the limitations of the Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds or notes authorized by this bond ordinance, is 10.56 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in

the Department of Community Affairs in the State of New Jersey (the "Division"), and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,254,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost of said improvements.

Section 5. Any funds from time to time received by the Borough as contributions-in-aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including any grants, shall be used for financing said improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the cost of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct and unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the jurisdiction of the Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board of the Division showing all detail of the amended capital budget and capital program as approved by the Director of the Division, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes which will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,254,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

/s/ Mary J. Novak, Councilwoman
(Admin. & Finance Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public on **Ordinance #410-18**.

There being no appearances from the public. Councilman Lembo moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Council President Kilpatrick.

Roll Call - Ayes: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez.

- Nays: None

ORDINANCE # 410-18
AN ORDINANCE OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ADOPTING
THE HERCULES REDEVELOPMENT PLAN AND AMENDING THE ZONING MAP

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12-1 et. seq.* (the "Redevelopment Law") provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, Hercules owns property in the Borough of Sayreville located at 50 South Minnisink Avenue, Block 14, Lot 3; Block 25.01, Lot 1; Block 40, Lot 1; Block 43, Lots 1 and 1.01; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lots 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01; and Block 83.04, Lot 1 (the "Property"); and

WHEREAS, on September 11, 2017, the Borough of Sayreville Council adopted a resolution pursuant to the Redevelopment Law designating the property as a Non-Condemnation Area in Need of Redevelopment ("Hercules Redevelopment Area"); and

WHEREAS, by that same resolution, the Council appointed the Sayreville Economic and Redevelopment Agency ("SERA") as the redevelopment entity for the Hercules Redevelopment Area; and

WHEREAS, SERA engaged CME Associates to prepare a draft Redevelopment Plan for the Hercules Redevelopment Area; and

WHEREAS, CME presented the "Hercules Redevelopment Plan," dated December 13, 2017 ("Redevelopment Plan"), to SERA on January 25, 2018, which is annexed hereto as **Exhibit A**; and

WHEREAS, SERA adopted a resolution on February 22, 2018, recommending that the Council and Planning Board review the Redevelopment Plan; and

WHEREAS, at the invitation of the Mayor and Council, CME Associates presented the Redevelopment Plan at a special meeting on March 26, 2018; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7(f)*, the Council adopted a resolution on April 9, 2018, directing the Planning Board of the Borough of Sayreville ("Planning Board") to consider the Redevelopment Plan and, upon completion of its review, transmit the proposed plan to the Council for adoption; and

WHEREAS, on April 18, 2018, the Planning Board reviewed the Redevelopment Plan and voted to transmit the Redevelopment Plan to Council for the Council's consideration and adoption; and

WHEREAS, the Planning Board previously adopted a Master Plan providing for the appropriate use and development of lands in the Borough in a manner that will promote the

public health, safety, morals, and general welfare, and the Redevelopment Plan, for the reasons detailed therein, is consistent with that Master Plan; and

WHEREAS, the Redevelopment Plan meets all of the criteria set forth in *N.J.S.A. 40A:12A-7* and will facilitate the clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area in a manner that will promote the general welfare and advance the community's interests.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey directs as follows:

1. The Council does hereby adopt the Redevelopment Plan in accordance with *N.J.S.A. 40A:12A-7*, as the redevelopment plan for the Hercules Redevelopment Area.
2. In accordance with *N.J.S.A. 40A:12A-7(c)*, the Zoning Map, as included in the Land Development Ordinance of the Borough of Sayreville is hereby amended to designate the Hercules Redevelopment Area as the "HR – Hercules Redevelopment Area."
3. In accordance with *N.J.S.A. 40:55D-16*, the Clerk is hereby authorized and directed to file a copy of this ordinance, the Redevelopment Plan, and the updated Zoning Map with the Middlesex County Planning Board.
4. The Sayreville Economic and Redevelopment Agency remains designated as the Redevelopment Entity under the Redevelopment Plan and may proceed with clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area to effectuate the purposes of the Redevelopment Law.
5. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.
6. If any section, subsection or part, clause or phrase of this ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.
7. This Ordinance shall take effect immediately after final passage and publication as required by law.

/s/Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public on **Ordinance #411-18**.

There being no appearances from the public. Councilman Buchanan moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Council President Kilpatrick.

Roll Call - Ayes: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Melendez.

- Nays: None

ORDINANCE #411-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII OF THE BOROUGH CODE OF THE BOROUGH OF SAYREVILLE, ENTITLED "TRAFFIC"

BE IT ORDAINED, by the governing body of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

SECTION 1. The Borough Code of the Borough of Sayreville is hereby amended and supplemented so as to supplement Chapter 7, entitled "Traffic" so as to supplement with "Traffic Signals", which shall read in its entirety as follows:

Traffic Signals

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as Traffic Signal Intersections. Traffic signals shall be installed as provided herein:

Intersection	Traffic Signal(s) on
Washington Road and Pulaski Avenue	All

SECTION 2. The intersection of Washington Road and Pulaski Avenue shall be controlled by a Traffic Control Signal in accordance with the As-Built Traffic Signal Plan and Timing Directive bearing the date of October 31, 2017, inspected October 26, 2017.

SECTION 3. That the Traffic Control Signal shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes AND the New Jersey Administrative Code, and shall be operated in conformance with the designated plans.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

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

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Mayor O'Brien opened the meeting to the public on **Ordinance #412-18.**

Those appearing were:

- Ken Olchaskey, 108 North Edward Street
Asked for someone to explain the increases for residential customers.
The figures were explained by Mr. Frankel, Business Admin. and
Councilman Grillo.
Mr. Olchaskey asked that this ordinance be tabled.

There being no further appearances from the public. Councilman Grillo moved the public hearing be closed and the ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilman Lembo.

Roll Call - Ayes: Councilpersons Grillo, Buchanan, Kilpatrick, Lembo, Melendez.

- Nays: None

ORDINANCE # 412-18
AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER XIV,
“WATER & SEWER”, SECTION 49, SCHEDULE A, SEWER USER CHARGES
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
SAYREVILLE, 1986, AS SUPPLEMENTED AND AMENDED

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville that chapter XIV “Water & Sewer”, Section 49, Schedule A “Sewer User Charges” is hereby supplemented and amended by deleting and inserting in lieu thereof, the following amended Schedule A:

SCHEDULE A
SEWER USER CHARGES 2018

Effective July 1, 2018 through June 30, 2019 the Sewer User Charges are as follows:

Class A Users Discharging Normal Domestic Sewage. All Class A users of the Borough of Sayreville sanitary sewer system discharging normal domestic sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of twenty-seven dollars and fifty cents (\$27.50) per thousand cubic feet of water consumed.

Class B Users Discharging Non-Domestic Industrial Wastes. All users of the Borough of Sayreville sanitary sewer system discharging other than normal sewage shall be billed quarterly as follows:

a. For Middlesex County Utilities Authority (MCUA) charges based on the ratio of the actual flow and actual flow parameters of each Class B user to the total actual flow and total actual flow parameters from the Borough to MCUA using the billing rates prescribed by the MCUA at the beginning of the year.

b. For Borough of Sayreville charges based upon the actual flow of each Class B user at a rate of two dollars and fifty-five cents (\$2.55) per thousand gallons.

Actual flow shall be established based on sewage flow where metered or water consumption where un-metered.

Billing procedures for Class B users shall be more specifically described in Schedule B of Article IV Industrial Wastes of the Borough of Sayreville Code.

Class C Users Discharging Non-Domestic Sewage. All Class C users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of seventy-two dollars and forty-five cents (\$72.45) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class D Users Discharging Non-Domestic Sewage. All Class D users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of sixty dollars and forty-five cents (\$60.45) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class E Users Discharging Non-Domestic Sewage. All Class E users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of eighty-one dollars and ninety cents (\$81.90) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class F Users Discharging Non-Domestic Sewage. All Class F users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of one hundred seventeen dollars and eighty cents (\$117.80) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class G Users Discharging Non-Domestic Sewage. All Class G users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of forty-two dollars and twenty cents (\$42.20) per thousand cubic feet of actual sewage flow where metered or actual water consumption where unmetered.

Class H Users Discharging Non-Domestic Sewage. All Class H Users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty dollars and forty cents (\$30.40) per thousand cubic feet of actual sewage flow where metered or actual water consumption where unmetered.

Where any building or structure is used for purposes comprised of more than one classification, the service fee in such case shall be the total of the fees for each such classification.

Minimum Charge. Notwithstanding any of the schedules contained herein to the contrary, the minimum annual charge for any property connected to the Borough sanitary sewer system shall be one hundred forty dollars (\$140.00).

SCHEDULE A SEWER USER CHARGES - 2019

Effective July 1, 2019 through June 30, 2020 the Sewer User Charges are as follows:

Class A Users Discharging Normal Domestic Sewage. All Class A users of the Borough of Sayreville sanitary sewer system discharging normal domestic sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty dollars (\$30.00) per thousand cubic feet of water consumed.

Class B Users Discharging Non-Domestic Industrial Wastes. All users of the Borough of Sayreville sanitary sewer system discharging other than normal sewage shall be billed quarterly as follows:

a. For Middlesex County Utilities Authority (MCUA) charges based on the ratio of the actual flow and actual flow parameters of each Class B user to the total actual flow and total actual flow parameters from the Borough to MCUA using the billing rates prescribed by the MCUA at the beginning of the year.

b. For Borough of Sayreville charges based upon the actual flow of each Class B user at a rate of two dollars and eighty cents (\$2.80) per thousand gallons.

Actual flow shall be established based on sewage flow where metered or water consumption where un-metered.

Billing procedures for Class B users shall be more specifically described in Schedule B of Article IV Industrial Wastes of the Borough of Sayreville Code.

Class C Users Discharging Non-Domestic Sewage. All Class C users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of seventy-nine dollars (\$79.00) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class D Users Discharging Non-Domestic Sewage. All Class D users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of sixty-five dollars and ninety cents (\$65.90) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class E Users Discharging Non-Domestic Sewage. All Class E users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of eighty-nine dollars and thirty cents (\$89.30) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class F Users Discharging Non-Domestic Sewage. All Class F users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of one hundred twenty-eight dollars and forty cents (\$128.40) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class G Users Discharging Non-Domestic Sewage. All Class G users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of forty-six dollars (\$46.00) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class H Users Discharging Non-Domestic Sewage. All Class H Users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty-three dollars and fifteen cents (\$33.15) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Where any building or structure is used for purposes comprised of more than one classification, the service fee in such case shall be the total of the fees for each such classification.

Minimum Charge. Notwithstanding any of the schedules contained herein to the contrary, the minimum annual charge for any property connected to the Borough sanitary sewer system shall be one hundred fifty-two dollars (\$152.00).

SCHEDULE A SEWER USER CHARGES – 2020

Effective July 1, 2020 through June 30, 2021 the Sewer User Charges are as follows:

Class A Users Discharging Normal Domestic Sewage. All Class A users of the Borough of Sayreville sanitary sewer system discharging normal domestic sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty-two dollars and seventy cents (\$32.70) per thousand cubic feet of water consumed.

Class B Users Discharging Non-Domestic Industrial Wastes. All users of the Borough of Sayreville sanitary sewer system discharging other than normal sewage shall be billed quarterly as follows:

a. For Middlesex County Utilities Authority (MCUA) charges based on the ratio of the actual flow and actual flow parameters of each Class B user to the total actual flow and total actual flow parameters from the Borough to MCUA using the billing rates prescribed by the MCUA at the beginning of the year.

b. For Borough of Sayreville charges based upon the actual flow of each Class B user at a rate of three dollars and five cents (\$3.05) per thousand gallons.

Actual flow shall be established based on sewage flow where metered or water consumption where un-metered.

Billing procedures for Class B users shall be more specifically described in Schedule B of Article IV Industrial Wastes of the Borough of Sayreville Code.

Class C Users Discharging Non-Domestic Sewage. All Class C users of the Borough of Sayreville sanitary sewer system discharging sewage with flow

parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of eighty-six dollars and fifteen cents (\$86.15) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class D Users Discharging Non-Domestic Sewage. All Class D users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of seventy-one dollars and eighty-five cents (\$71.85) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class E Users Discharging Non-Domestic Sewage. All Class E users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of ninety-seven dollars and thirty-five cents (\$97.35) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class F Users Discharging Non-Domestic Sewage. All Class F users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of one hundred forty dollars (\$140.00) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class G Users Discharging Non-Domestic Sewage. All Class G users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of fifty dollars and fifteen cents (\$50.15) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Class H Users Discharging Non-Domestic Sewage. All Class H Users of the Borough of Sayreville sanitary sewer system discharging sewage with flow parameters in excess of normal sewage, as herein described in the Sanitary Use Regulations, shall be charged at a rate of thirty-six dollars and fifteen cents (\$36.15) per thousand cubic feet of actual sewage flow where metered or actual water consumption where un-metered.

Where any building or structure is used for purposes comprised of more than one classification, the service fee in such case shall be the total of the fees for each such classification.

Minimum Charge. Notwithstanding any of the schedules contained herein to the contrary, the minimum annual charge for any property connected to the Borough sanitary sewer system shall be one hundred sixty-six dollars (\$166.00).

/s/ Steven Grillo, Councilman
(Water & Sewer Committee)

ATTEST:

Theresa A. Farbaniec, RMC
Municipal Clerk

APPROVED:

Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/ Michael DuPont, Esq.
Borough Attorney

Councilman Melendez said that we should have slight increases in every year instead of falling into such a gap.

- **NEW BUSINESS:**

a) Clerk read the following Ordinances into record for introduction:

ORDINANCE #413-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE AMENDING AND SUPPLEMENTING ARTICLE III, OF CHAPTER XXVI LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF SAYREVILLE TO ESTABLISH NEW AFFORDABLE HOUSING DISTRICTS (AH-1, AH-2) AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

(K-Land/ Camelot I & II – Public Hearing June 25, 2018)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 25, 2018. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez, all Ayes. Carried.

ORDINANCE #414-18

AN ORDINANCE OF THE BOROUGH OF SAYREVILLE AMENDING AND SUPPLEMENTING ARTICLE III, OF CHAPTER XXVI LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF SAYREVILLE TO ESTABLISH NEW AFFORDABLE HOUSING DISTRICTS (AH-3) AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

(National Lead/Cross Avenue – Public Hearing June 25, 2018)

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 25, 2018. Motion was seconded by Councilwoman Kilpatrick.

Roll Call: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez, all Ayes. Carried.

ORDINANCE 415-18

AN ORDINANCE ADOPTING THE RIVER ROAD REDEVELOPMENT PLAN AMENDMENT

Councilman Lembo moved the ordinance be approved on first reading, advertised according to law and a public hearing be held on June 25, 2018. Motion was seconded by Council President Kilpatrick.

Roll Call: Councilpersons Lembo, Buchanan, Grillo, Kilpatrick, Melendez, all Ayes. Carried.

- **CONSENT AGENDA/RESOLUTIONS**

At this time the Mayor opened the meeting for questions or comments on Consent Agenda Resolutions. Those appearing were:

- Janice Benedetto, Thomas Avenue, Melrose
Asked for an explanation on Resolutions 2018-157, 2018-158, 2018-159.

Response was given by Jeff Surenian, COAH Attorney
He explained the need and why these resolutions are before the council tonight.

He explained how they were able to get the densities down on the K-Land and NL Sites and the package that is before the council tonight brought down the total number of units that could be constructed on those sites by 186 units. It also creates an avenue to acquire the PRIME site so there would be more open space in the community. He explained the various issues on crediting and creating the argument with the court about the document that was signed in Aug. 2016 was invalid and make our case.

He explained that there are three agreements; one with Fair Share Housing, the other with K-Land for Camelot I and II and one covering the NL Site. He summarized the Settlement Agreements and how many units each contained and the numbers that were brought down. The Fair Share Agreement also breaks down what our obligations are and what the different components are. These agreements are based upon the Borough adopting the ordinances. It is also subject to court approval of the agreement and the court finding that it is fair and reasonable for low and moderate income housing. Next is the K-Land Agreement. Spoke about the ways the Borough could purchase the PRIME site. He then spoke about the agreement for the NL Site. He explained that the density could not be brought down as much as the K-Land site because the site was already zoned residential. The main issue with the NL Agreement involved the Cross Avenue Right of Way. He said that this was very complicated that kept changing right up until to tonight. He said that the bottom line with regard to this agreement is that they agreed to improve the municipal standard, a 700' section of their property. This means it is going to be wider than it currently is and it is going to be improved. He then spoke about the access to the property.

Ms. Benedetto then commented on purchasing the parcel for Open Space. Mr. Surenian said that at one point they wanted to do exactly that. He said that the owner of the property had a contract purchaser (PRC) and they would not step aside, so we had to negotiate our best deal under those circumstances. He spoke about further give and take issues during the negotiation process.

Mr. Edwards addressed the access roadway.

Ms. Benedetto questioned what type of homes would be going on the NL property.

Mr. Edwards addressed it by saying that now the agreement reads that they, (the developer), will dedicate that now as a permanent right of way, for permanent access to Melrose.

The Planner, Susan Gruel addressed what type of units would be placed in that property and the type and size of the setbacks.

Ms. Benedetto asked if there was any other information he could share with regard to these three resolutions.

Mr. Edwards said that this was very fluid that when you get into some of these other issues things keep changing. That he got a change to the proposed settlement agreement and ordinance at 5:15pm this evening. He said that tomorrow morning you will have on file with the Municipal Clerk all of the documents in their final form.

- Steve Melaneski, 28 Scarlett Drive, Parlin

He said that our commitment right now is 785 units for Round 3. He asked what the total due by 2025.

Mr. Surenian explained the breakdown in the Settlement Agreement and the process thereto to Mr. Melaneski.

Mr. Melaneski asked what would happen if the Planning Board did not do their due diligence and sign off on it. Mr. Surenian said that would put the town in a very bad place.

- Jim Robinson, 11 Borelle Sq.

Thanked everyone for the information and all their work.

He asked if Fair Share signed off on these agreements. Mr. Surenian responded that they did sign off.

He spoke about the possible contamination of the 4.5 acres of PRIME property and about the numbers that went from 785 to 618. Mr. Surenian said that the number in the previous settlement agreement that was invalid was 785. He also spoke about a decision that Judge Jacobsen made on March 8th in the Mercer Cty. case where she said there is the formula by which she used to determine the obligations of West Windsor and Princeton, and how we were able to use it to help benefit us and bring our numbers down. Mr. Robinson spoke about the residents' concerns about the number of market rate units and questioned what the number

was on the market rate units. Mr. Surenian said K-Land would have 473 units if we had to live under the court ordered re-zoning. Under this settlement there is going to be 318 units + 2 existing units in LaMer which will be affordable. On the NL Site under the court ordered rezoning there was going to be 163 units. Under the settlement there is going to be 32. So this has been reduced by 186 units.

Mr. Robinson then asked about the River Road Project.

Mr. Surenian gave the River Road History and that they ended up with 100% Set aside. Mr. Robinson again asked about the K-Land Property and the PRIME piece having been contaminated. Mr. Surenian said that when we began we had no knowledge of the property being contaminated. He then turned it over to Mr. Edwards who read from the agreement, as the governing body has agreed to here tonight. Section 3.12, page 7 of the K-Land agreement.

Mr. Robinson went on to talk about the professionals that come on board and put together this settlement. Followed by comments about the one project in Town Lake that was not mandated by the Planning Board to have affordable housing and asked Mr. Edwards how that was addressed before the Judge. Mr. Edwards basically said that the ship had sailed on being able to gain units on the project from a legal prospective. He then commented that the public should have known about this whole COAH issue from the get go and that this may have been resolved a long time ago saving the town a lot of money.

- Ken Olchaskey, 108 North Edward Street

Commented about the "seasoned" developers here in this town and felt that the taxpayers of this town got it jammed up to them.

He questioned the settlement numbers.

Mr. Surenian said that K-Land was at 473 in Litigation and now they are at 318 in Settlement. NL was at 163 in litigation and are now at 132 in Settlement, so it is down by 20%. Mr. Surenian explained how they were able to get to this number. Mr. Edwards explained how other credits were used throughout the town to arrive at this number of affordable units and relieve some of the density and attorney fees.

- Janice Benedetto, 1 Thomas Ave., Melrose.

Questioned Cross Ave. concept plan and the entrance to the development.

Responds by Mr. Edwards. He said that we wanted to make sure we got a permanent right-of-way and that there were no games at subsequent proceedings that would preclude us from having access. She then questioned what the outcome was of the NL property encroaching upon Costa Verde parking lot. Mr. Edwards said that he is aware of that issue but that did not enter into negotiations. He did indicate though that there would be other discussions as to access. Ms. Benedetto went on to comment how the residents played a part into getting the current professionals involved in this process.

- Steve Melaneski, 12 Scarlet Dr.

He echoed the previous residents in their comments and felt that this has been the most informative meeting. He thanked the council for bringing on these professionals to provide details to the residents of the town.

Mr. Surenian commented on how hard Mr. Edwards worked on all three of these agreements. And how extremely difficult it was to work through this whole process and bringing it to the point where we are at today.

- Ruth Ann Mahoney, 2 Gerard Place, Parlin.

Thanked the council and professionals for making a bad situation so much better.

Mayor asked if there were any other questions on the Consent Agenda Items. There being no further questions he called for a motion.

Council President Kilpatrick **moved the public hearing be closed and the Consent Agenda Resolutions be approved on Roll Call Vote.** Seconded by Councilman Buchanan.

Roll Call on Consent Agenda Resolutions:

Ayes: Councilpersons Kilpatrick, Buchanan, Grillo, Lembo, Melendez.

Nays: None.

RESOLUTION #2018-156

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/Pasquale Lembo, Councilman

/s/Steven Grillo, Councilman

/s/Ricci Melendez, Councilman

/s/Victoria Kilpatrick, Councilwoman

Absent
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 May 29, 2018 in the amount of \$2,673,557.26 in a separate Bill List File for 2018 (See Appendix Bill List 2018-A for this date).

RESOLUTION 2018-157

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING MAYOR TO EXECUTE SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER

WHEREAS, the Borough and Fair Share Housing Center wish to settle their litigation; and

WHEREAS, the parties have negotiated an agreement in the form attached hereto and wish to enter this Agreement; and

WHEREAS, Agreement must be signed by multiple parties; and

WHEREAS, the Agreement is subject to the Borough adopting certain ordinances and to approval of the agreement after a duly noticed "fairness hearing": and

WHEREAS, the Borough wishes its Affordable Housing counsel to seek approval of the Agreement at duly noticed fairness hearing

THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. The Borough Council authorizes and directs Mayor Kennedy O'Brien to execute the Settlement Agreement in the form attached hereto; and
2. The Borough Council directs its Affordable Housing counsel to seek execution of the Agreement by all the parties thereto and to seek approval of the agreement from the trial court after a duly noticed "fairness hearing".

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

(Mayor returned unsigned 5/29/18)

Theresa A. Farbaniec, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

RESOLUTION #2018 - 158

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AUTHORIZING MAYOR TO EXECUTE SETTLEMENT AGREEMENT
BETWEEN BOROUGH AND NL INDUSTRIES, INC.**

WHEREAS, the Borough and NL INDUSTRIES, INC ("NL") wish to settle their litigation; and

WHEREAS, the representatives of the parties have negotiated an agreement in the form attached hereto and the parties wish to enter this Agreement; and

WHEREAS, the Agreement is subject to approval after a duly noticed "fairness hearing": and

WHEREAS, the Borough wishes its Affordable Housing counsel to seek approval of the Agreement at a duly noticed fairness hearing

THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. The Borough Council authorizes and directs Mayor Kennedy O'Brien to execute the Settlement Agreement in the form attached hereto; and
2. The Borough directs its Affordable Housing counsel to seek approval of the agreement from the trial court after a duly noticed "fairness hearing".

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

(Mayor returned unsigned 5/29/18)

Theresa A. Farbaniec, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

RESOLUTION #2018 -159

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
AUTHORIZING MAYOR TO EXECUTE SETTLEMENT AGREEMENT
BETWEEN THE BOROUGH AND K-LAND CORP.**

WHEREAS, the Borough and K-LAND CORP. (“K-Land”) wish to settle their litigation; and

WHEREAS, the representatives of the parties have negotiated an agreement in the form attached hereto and parties wish to enter this Agreement; and

WHEREAS, the Agreement is subject to approval after a duly noticed “fairness hearing”: and

WHEREAS, the Borough wishes its Affordable Housing counsel to seek approval of the Agreement at a duly noticed fairness hearing

THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. The Borough Council authorizes and directs Mayor Kennedy O’Brien to execute the Settlement Agreement in the form attached hereto; and
2. The Borough directs its Affordable Housing counsel to seek approval of the agreement from the trial court after a duly noticed “fairness hearing”.

/s/ Pasquale Lembo, Councilman
Planning & Zoning Committee

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

(Mayor returned unsigned 5/29/18)

Theresa A. Farbaniec, RMC
Municipal Clerk

Kennedy O’Brien
Mayor

RESOLUTION #2018-160

WHEREAS, property known as Lot(s) 50-52, in Borough Block 362 more commonly known as 6 Jefferson Avenue, in Parlin, NJ is owned by Judith Stanislawczyk; and

WHEREAS, Judith Stanislawczyk, surviving spouse, whose husband 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 1st Quarter Calendar Year 2016 as verified by the Tax Assessor;

AND, WHEREAS, the Tax Bills for the four quarters of Calendar Years 2016, 2017, and 2018 were generated from the 2015, 2016, and 2017 Assessor's Tax Lists, 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 years 2016, 2017, and 2018, while the property is correctly classified as being Tax Exempt commencing with 1st quarter of 2016;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and he hereby is, authorized and directed to cancel the four quarters of 2016, the four quarters of 2017, and the first two quarters of 2018, in the amount of \$21,972.92 as well as the last two quarters of 2018 and the first two quarters of 2019, which have yet to be billed and refund the amount paid for 2016, 2017, and the first half of 2018 in the amount of \$19,750.92 on the property known and designated as Lot(s) 50-52, in Borough Block 362.

/s/Pasquale Lembo
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.

/s/Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/Theresa A. Farbaniec, RMC

/s/Kennedy O'Brien, Mayor

RESOLUTION #2018-161

WHEREAS, property known as Lot(s) 2, in Borough Block 200.02 more commonly known as 19 Snyder Avenue, in Sayreville, NJ is owned by Richard Yuhas; and

WHEREAS, Richard Yuhas, 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 1st Quarter Calendar Year 2018 as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2018 were generated from the 2017 Assessor's Tax Lists, 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 2018, while the property is correctly classified as being Tax Exempt commencing with 1st quarter of 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and he hereby is, authorized and directed to cancel the first two quarters of 2018, in the amount of \$2,956.00 as well as the last two quarters of 2018 and the first two quarters of 2019, which have yet to be billed and refund the amount paid for the first half of 2018 in the amount of \$1,676.90 on the property known and designated as Lot(s) 2, in Borough Block 200.02

/s/Pasquale Lembo
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.

/s/Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/Theresa A. Farbaniec, RMC

/s/Kennedy O'Brien, Mayor

RESOLUTION #2018-162

WHEREAS, property known as Lot(s) 9, in Borough Block 61, Qualifier C1304, more commonly known as 38 Tuthill Court, in Sayreville, NJ is owned by Michael Ostrander; and

WHEREAS, Michael Ostrander, 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 2nd Quarter Calendar Year 2018 as verified by the Tax Assessor;

AND, WHEREAS, the Tax Bills for the four quarters of Calendar Year 2018 were generated from the 2017 Assessor's Tax Lists, 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 2018, while the property is correctly classified as being Tax Exempt commencing with 2nd quarter of 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and he hereby is, authorized and directed to cancel the first two quarters of 2018, in the amount of \$3,516.00 as well as the last two quarters of 2018 and the first two quarters of 2019, which have yet to be billed on the property known and designated as Lot(s) 9, in Borough Block 61, Qualifier C1304.

/s/ Pasquale Lembo
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.

/s/Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC

/s/Kennedy O'Brien, Mayor

RESOLUTION #2018-163

BE IT RESOLVED that the proper Borough officials are hereby authorized to award a contract for document imaging services, through the ESCNJ Cooperative Contract #16/17-48 to Accu Scan of Edgewater Park, NJ in an amount not to exceed \$31,531.65.

/s/Pasquale Lembo, Councilman
(Planning & Zoning Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2018-164

A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, ACCEPTING THE REPORT OF CME ASSOCIATES TO DESIGNATE CROSSMAN /MOCCO PROPERTY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND FORWARDING THE REPORT TO THE SAYREVILLE PLANNING BOARD FOR A FORMAL DETERMINATION

WHEREAS, the Sayreville Economic and Redevelopment Agency (SERA) requested CME Associates to prepare a report to ascertain whether the Crossman/Mocco property commonly known as Block 249, Lot 1; Block 250, Lot 1 and Block 251 Lot 1 meets the criteria to be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on May 3, 2018 SERA forwarded to the Mayor and Council of the Borough of Sayreville a report from CME Associates dated January 24, 2018 which recommended that the Crossman/Mocco property commonly known as Block 249, Lot 1; Block 250, Lot 1 and Block 251 Lot 1 be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Mayor and Council of the Borough of Sayreville have reviewed the CME Associates report dated January 24, 2018 and agree with its recommendations; and

WHEREAS, the Mayor and Council of the Borough of Sayreville wish to have the CME Associates report dated January 24, 2018 reviewed by the Planning Board for its formal determination; and

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Sayreville has approved and accepted the CME Associates report of January 24, 2018 and hereby request the report be forwarded to the Borough of Sayreville Planning Board by the Borough Clerk for its review and formal determination.

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2018-165

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
SUPPORTING EXTENSIONS OF CONTROLS AND THE REMOVAL
OF THE RESIDENCY PREFERENCE AT GILLETTE MANOR**

WHEREAS, on July 2, 2018, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Borough filed a Declaratory Judgment Action seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

WHEREAS, the Borough of Sayreville anticipates entering into a global settlement with FSHC to resolve that Declaratory Judgment Action and will revise its HEFSP to comply with the terms of that resolution; and

WHEREAS, in order to facilitate the Borough's efforts to comply voluntarily with its Mount Laurel obligations, irrespective of settlement, it is critical that the Borough receive credits for all affordable housing within the Borough; and

WHEREAS, Gillette Manor serves a fundamental need within the Borough to provide affordable housing to seniors, containing 100 units of deed-restricted affordable senior housing; and

WHEREAS, Gillette Manor, at the Borough's request, adopted Sayreville Housing For Seniors Resolution 2018-01, which removed Gillette Manor's "residency preference" in order for the Borough to seek credits for those units, and which resolution also extended affordability controls until the year 2025; and

WHEREAS, the Court's Special Master has since advised that new 30 year restrictions are requires for the Borough to receive credits for Gillette Manor towards the Borough's Round 3 new construction obligation; and

WHEREAS, the Borough will seek to secure 84 units of affordable housing credits, plus any applicable, bonuses, from Gillette Manor, which will require new 30 year restrictions absent any residency preference; and

WHEREAS, the Borough wished to support Gillette Manor in these efforts in any way it possibly can and wishes to express its continued gratitude to Gillette Manor for providing invaluable services to the Borough; and

NOW THEREFORE BE IT RESOLVED as follows:

1. The Borough hereby requests that Gillette Manor extend controls for a new period of 30 years for its units as they become vacant and affirmatively market those units without any residency preference.
2. The Borough hereby supports Gillette Manor in its efforts to assist the Borough with its efforts to comply voluntarily with its constitutional mandate to provide affordable housing and resolves to assist Gillette Manor in any way it can.

/s/ Pasquale Lembo, Councilman
(Planning & Zoning Committee)

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2018-166

BE IT RESOLVED that the proper Borough officials are hereby authorized to renew the CAD System software maintenance agreement with Queues Enforth Development (QED), 92 Montvale Ave., Suite 4350, Stoneham, MA 02180 (State Contract #T0109/A83889) at a total cost not to exceed \$25,776.00.

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

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

/s/ Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien
Mayor

RESOLUTION #2018-167

WHEREAS, Borough Qualified Purchasing Agent has recommended that certain increases and decreases be included in the following described project as will more fully appear in Contract Change Order No. 3 and 4:

- Project: Library Meeting Room Project
- Contractor: Tri Form Construction
119 Liberty Street
Metuchen, NJ 088470
- Change Order No. 3
Net Increase: \$ 1,182.72
- Change Order No. 4
Net Increase: \$ 535.50
- 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 QPA referred to above and in said Change Orders be and the same is hereby accepted and approved:

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

/s/ Pasquale Lembo, Councilman
(Admin. & Finance Committee)

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

/s/ Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O’Brien
Mayor

RESOLUTION #2018-168

BE IT RESOLVED, that the Qualified Purchasing Agent (QPA) is hereby authorized and directed to advertise for the receipt of bids for One (1) Godwin Dri-Prime CD150M Critically Silenced, or equivalent tow behind bypass pump.

/s/Steven Grillo, 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.

/s/Michael DuPont
Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O’Brien
Mayor

(Resolution #2018-169 was skipped)

RESOLUTION #2018-170

WHEREAS, March 11, 2013 the Borough of Sayreville awarded a contract for “Ferric Chloride” to PVS Chemical, 10900 Harper Avenue, Detroit, MI 48213; and

WHEREAS, the Borough of Sayreville is desirous of exercising its right to renew the contract for one additional one-year period at no additional increase in price contained therein; and

WHEREAS, PVS Chemical has indicated their interest in extending their terms of the aforesaid contract for and additional one-year (1) period;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sayreville that the terms and conditions of the current contract with the above-captioned supplier for “Ferric Chloride” is hereby renewed for one additional one-year period at no additional increase in price.

/s/ Steven Grillo, 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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2018-171

BE IT AND IT IS HEREBY RESOLVED that the proper borough officials are hereby authorized and directed to execute a Utility Agreement with Middlesex County concerning water line replacement associated with the Scott Avenue Improvement Project.

/s/ Victoria Kilpatrick, 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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

- **BOROUGH ENGINEER - Jay Cornell - None**
- **BOROUGH ATTORNEY - Michael DuPont - None**

PUBLIC PORTION-

- **PUBLIC PORTION**

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

Those appearing were:

- Janice Benedetto, 1 Thomas Place, Melrose
Asked where we were with the MCUA Meeting. She indicated that it is posted that the Planning Board is having a meeting on June 13th regarding COAH matters. Mr. Frankel responded that both meeting will take place on June 13th.
Ms. Benedetto expressed that it wasn't fair to the resident who would want to attend both meetings.
Mr. Frankel stated that this date was the only date that both the MCUA

officials and Planning Board Officials were available to meet. He indicated that the MCUA meeting will begin at 6PM in the Council Chambers and the Planning Board would begin at 7PM in Room 308.

Ms. Benedetto felt that was unsatisfactory. Council President Kilpatrick and others felt the same.

Council President Kilpatrick requested the MCUA meeting date be rescheduled as the Planning Board could not because of timing issues. Council agreed.

Councilman Grillo suggested we select three dates between late June and early July. Council agreed.

Ms. Benedetto asked Mr. Frankel if he contacted other towns business administrators regarding their negotiations with Cablevision. Mr. Frankel said that he made calls to four business administrators and he received one response from Old Bridge and they seemed to indicate that they did not receive anything good from cablevision and he did not receive a response from Jackson.

- Brian Becker, National Humane Society.

He addressed the council regarding their new TNR Program. He spoke about the town's feral cat population. He said that the program is free of charge to the municipality. They would trap them, neuter them and release them back to the area they were found. He indicated that if they are physically friendly then they will hold on to them and adopt them out.

Mayor suggested that they first appear before the Board of Health and they would then make a recommendation to the governing body. Councilman Grillo suggested that they also speak with Sammy's Hope the pet adoption center here in Sayreville.

There were no other questions or comments. Mayor O'Brien called for a Motion. **Councilman Grillo made a motion to close the Public Portion. Seconded by Council President Kilpatrick.**

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business. **Councilman Buchanan moved to adjourn the Council Session. Motion was seconded by Council President Kilpatrick.**

Roll Call – Voice Vote, all ayes. Carried.

Time 11:12 P.M.

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved