

Council President Buchanan called the Council meeting to order at 7:00 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Assistant Clerk Morelos announced that this September 23, 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.

Council President Buchanan stated that the Mayor is ill and will not be present.

Absent: Kennedy O'Brien, Mayor

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

Others Absent: None

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

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

- |                     |   |                          |
|---------------------|---|--------------------------|
| ☒ August 19, 2019   | - | Agenda Session           |
| ☒ September 9, 2019 | - | Regular & Agenda Session |

Seconded by Councilwoman Novak.

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

- **SWEARING IN**

Before the Swearing In, Police Chief Zebrowski introduced the officers being promoted here tonight and he thanked them and commended them for their efforts. He then called them and their families up one by one to be sworn in.

**-Clerk administered the Oaths of Office to:**

- Sergeant Daniel Ellmyer
- Sergeant Sean McGrath
- Sergeant Michael Cinardo
- Lieutenant John Kwitkowski

- **PRESENTATIONS -**

**Presentation of a Health Insurance Fund (HIF) concept for employees by Reliance Insurance.**

**Tom Fletcher, VP Reliance Insurance Group. LLP  
Benefit Broker for the Borough of Sayreville  
Here to review the HIF concept to the Borough.**

Mr. Fletcher explained the Borough's current plan is with Aetna which offered a renewal but as an alternative he investigated other options. He said that the best option which they are recommending to the Borough is the North Jersey Central HIF or Health Insurance Fund. He said the Central Jersey HIF is offering stability to the Borough, a rate that is only 2 ½ % above the current rates and it will still be administered through AETNA. The same courier the Borough currently has in place for their benefit program. Most importantly they are offering benefits that are equal to or better than what the Borough currently has. They are going to duplicate that benefit. This HIF uses the same provider network – so access to doctors and hospitals that the employees currently have access to will not change. No need for anyone to make any changes. This will provide a vehicle for the Borough to achieve long term stability for managing your benefit program.

He reviewed the current Aetna renewal highlights with a projected 335 contracts enrolled in the plan. He said the annual premium for the calendar year of 2019 is \$6.1 million dollars and for 2020 AETNA provided a renewal at 7.82% increase about a \$476,000.0 to current rates.

He said the average increase over the past few years is about a 9%.

He explained the Central Jersey Health Insurance Fund and how it would lower the increase to the Borough while offering the equal to or better than basis of coverage. He said that he has a letter certifying such.

Explained the financial results of their proposal plan saving will be approximately \$322,000. from current AETNA plan. He said that there are also additional features in the program such as employee advocacy programs, program called guardian nurses, a wellness feature, COBRA admin and retiree billing services.

Upon concluding he asked if the council had any questions.

Questions from Councilwoman Kilpatrick as to how they could provide the same coverage for a lower rate.

Mr. Fletcher explained the HIF and how a municipality has the opportunity to join the HIF, because not every municipality qualifies. Sayreville has good performance/experience, favorable and align with what the HIF is performing at to get membership in.

Councilwoman Novak asked how this compares to the State Health Benefits Plan and the information they have been receiving regarding their lower rates.

He said that State Health Benefit Rates were going down but the benefits are much different from what the Borough has and would not comply with the collective bargaining agreements.

He emphasized that this is the medical portion only the pharmacy will still be enrolled with Benecard which renewal will be giving a 2 year rate pass.

The Business Administrator also added that if enrolled in the HIF there might be some savings on dental. Mr. Fletcher said that all the dental markets are being looked into so see what is out there to replicate the plan the Borough currently has including what may be offered through the HIF

Mr. Frankel said that there is a timing issue involved with this offer through HIF. There would have to be a commitment from the governing body in order to move forward with a contract in order to hold the Borough's place in the HIF. Mr. Fletcher said that the HIF wanting to make sure everyone has a ID card for Jan. 1<sup>st</sup> they are asking for a Resolution to be passed before October 1<sup>st</sup>, but they have also granted a waiver that if the Borough could give them a letter of intent prior to October 1<sup>st</sup> then they would start the whole

process assuming that at the governing bodies next council meeting there would be a resolution executing this contract.

Councilwoman Novak asked about the dental figure being included.

Mr. Fletcher said that what they are talking about is exclusively medical only and does not include pharmacy or dental.

Council President Buchanan asked about the co-pays and contract with AETNA would stay the same it would only be a provider change.

Mr. Fletcher said that you would be going into a self-insured platform. They are going to give you rates that you would use for your Chapter 78 contributions. The HIF would manage this on a self-insured basis. Any surpluses would be paid back to the Borough in a dividend.

Council President said that the provider and co-pays stay the same it is just a matter of who administers it and that would be the HIF.

Mr. Fletcher said that the provider would remain AETNA. You will still have an AETNA card and that will say Central Jersey HIF on it.

Mr. Frankel further explained that this turn over will be as seamless as possible there will only be a new card issued only the Borough will have a savings as well as the employees.

Councilwoman Kilpatrick asked for an explanation on the dividends being paid back to the Borough.

Mr. Fletcher said that once you get your membership in the HIF. As they offer no loss no gain. If there are profits/surplus that is then paid back as a dividend to the members. You would have to be in a HIF a certain period of time to earn back a dividend.

Councilwoman Kilpatrick asked what the Borough would be doing with that surplus money and because we are charging our members money and the Borough may be getting money back she felt that the employees should be getting money back too, based upon what they paid out.

She said for the record that this money should be returned to the employees. Council President Buchanan agreed that it should be worded in the record because moving forward there may be different people sitting as Council and this would set the record clear.

Mr. Frankel said that the Borough prices out our medical insurance every year through our brokers. If this is something that is not good for us-we price out these contracts every year and we can change.

We try to get the best price for the best services we have, so after 1 year we can leave.

Mr. Fletcher said that as a consultant – this is the best way the Borough can manage cost for healthcare.

The Business Administrator said that we need to issue a letter of intent to them before October 1<sup>st</sup>, so we will need a motion to issue this letter of intent and have a resolution on at the next meeting authorizing the Borough's joining the HIF.

**Councilwoman Novak made the motion. Seconded by Councilman Dalina.**

Councilwoman Kilpatrick said with that motion she would like to make sure that there is a caveat on the books that any money that is received as a result of a surplus is returned to the employees.

Mr. Fletcher said that in order for the Borough to protect themselves there is an agreement from the HIF that should be reviewed by the attorney before execution.

Letter of intent contingent upon the review by the Borough Attorney.

Mr. DuPont said that the resolution should read that this would be a letter of intent contingent upon a contract being properly negotiated and executed by the Mayor and Council.

Councilman McGill asked about the infrastructure of HIF. The layers of protection governing this HIF was explained by Mr. Fletcher.

**Council President Buchanan asked for a Roll Call:**

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

- **EXECUTIVE SESSION** – None

- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:

Assistant Municipal Clerk Morelos read the heading for the following ordinances listed for Public Hearing:

The assistant clerk announced the heading for Public Hearing on Ordinance #468-19.

Council President Buchanan opened the meeting to the public for questions or comments on Ordinance #468-19.

There were no appearances.

**Councilman McGill moved the Public Hearing be closed the Ordinance be adopted on second and final reading and advertised according to law.**

**Seconded by Councilwoman Kilpatrick.**

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

**ORDINANCE #468-19**  
**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #437-19**  
**FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS**  
**AND EMPLOYEES FOR THE YEARS 2019 – 2022**

(Stipends)

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #437-19 and made part hereof.

- Insurance Risk Manager - Stipend \$7,500.00
- Water Treatment W3 License – Stipend \$7,500.00
- Water Treatment C3 License – Stipend \$7,500.00

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 9, 2019

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

/s/ Damon Enriquez, Councilman  
(Admin. & Finance Committee)

**ADOPTED ON SECOND READING**

DATED: September 23, 2019

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

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

The clerk announced the heading for Public Hearing on Ordinance #469-19.

Council President Buchanan opened the meeting to the public on Ordinance #469-19.

There were no appearances.

**Councilman McGill moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Novak.**

**Roll Call:**

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

**Nays: None. Carried.**

**ORDINANCE #469-19**

**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #436-19  
FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS  
AND EMPLOYEES FOR THE YEARS 2019 – 2022**

(New Title)

**BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville as follows:**

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #436-19 and made part hereof.

**Borough of Sayreville – SAM’S Salary & Wage Schedule**

| Ord. 469-19<br>amending 436-19 | 2019       | 2019       | 2020       | 2020       | 2021       | 2021       | 2022       | 2022       |
|--------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| <b>SALARY</b>                  | <b>Min</b> | <b>Max</b> | <b>Min</b> | <b>Max</b> | <b>Min</b> | <b>Max</b> | <b>Min</b> | <b>Max</b> |
| Assistant Superintendent       | 82,915     | 97,283     | 84,913     | 99,640     | 87,166     | 102,298    | 89,481     | 105,029    |
| Public Works                   |            |            |            |            |            |            |            |            |

**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 or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 9, 2019

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

/s/ Damon Enriquez, Councilman  
(Admin. & Finance Committee)

**ADOPTED ON SECOND READING**

DATED: September 23, 2019

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

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

The clerk announced the heading for Public Hearing on Ordinance #470-19.

Council President Buchanan opened the meeting to the public on Ordinance #470-19.

There were no appearances.

**Councilman McGill moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Novak.**

**Roll Call:**

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

**Nays: None. Carried.**

**ORDINANCE # 470-19**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XVII OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF SAYREVILLE TO ADD  
SECTION 17-9 "SAYREVILLE PARKS ADOPT A BENCH"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

17-9 Sayreville Parks Adopt a Bench

17-9.1 Purpose.

The purpose of this section is to establish rules and regulations regarding the purchase and maintenance of Memorial Benches and Plaques in Sayreville Parks.

17-9.2 Installation of Bench and Plaque

The Borough of Sayreville will purchase, install and service each memorial plaque and bench. Engraving of plaques will be limited to "In Memory Of..." and "In Honor of..." and up to three additional lines or sixty (60) characters total. Any loss or damage to the plaque is the responsibility of the applicant. All language used on the memorial and/or dedication plaque is subject to approval by the Governing Body.

17-9.3 Application

An application for a Sayreville Parks Adopt a Bench, submitted to the Recreation Department with a check in the amount designated in Chapter Two, Section 64.26 and approved by the Governing Body.

17-9.4 Ownership

Purchase of any memorial bench and plaque in no way constitutes personal ownership. Placement of bench is not guaranteed and the Borough reserves the right to relocate the memorial bench if necessary. If the memorial gift becomes any kind of hazard or liability to the Borough; or, if the approved terms of acceptance are not fulfilled by the donor, the Borough has the right to removed and/or relocate said memorial. Any request for a memorial or dedication plaque is at the sole discretion of the Governing Body.

17-9.5 Life of Memorial

The Memorial and/or Dedication period will last twenty (20) years. At the end of that period the Bench will be available for renewal, with right of first refusal given to the original donor at the prevailing rate. In the event that the original donor fails to file an updated application with payment, the bench will be offered to next requestor.

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 17 be amended to add Section 9, Sayreville Parks Adopt a Bench” to the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 9, 2019

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

/s/ Damon Enriquez, Councilman  
(Admin. & Finance Committee)

**ADOPTED ON SECOND READING**

DATED: September 23, 2019

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

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

The clerk announced the heading for Public Hearing on Ordinance #471-19.

Council President Buchanan opened the meeting to the public on Ordinance #471-19.

There were no appearances.

**Councilman McGill moved the Public Hearing be closed and the Ordinance adopted on second and final reading and advertised according to law. Motion was seconded by Councilwoman Novak.**

**Roll Call:**

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

**Nays: None. Carried.**

**ORDINANCE # 471-19**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER II OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO ADD SECTION**  
**2-64.26 "SAYREVILLE PARKS ADOPT A BENCH"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

| Program                                   | Fee             |
|---|-----------------|
| <b>26. Sayreville Parks Adopt a Bench</b> | <b>\$500.00</b> |

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that Chapter 2-64 be amended to add "26. Sayreville Parks Adopt a Bench" to the Revised General Ordinances of the Borough of Sayreville, shall be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: September 9, 2019

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

/s/ Damon Enriquez, Councilman  
(Admin. & Finance Committee)

**ADOPTED ON SECOND READING**

DATED: September 23, 2019

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

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

**b) Borough Clerk Farbaniec announced that the Mayor returned Ordinance #464-19 to her office on August 29, 2019 with his statement declaring the Ordinance Vetoed.**

**She read the heading into record.**

**ORDINANCE NO. 464-19**  
**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE AUTHORIZING**  
**THE ACQUISITION OF LAND IDENTIFIED AS A PORTION OF LOT 1,**  
**BLOCK 367.01, CONSISTING OF APPROXIMATELY 4.54 ACRES,**  
**FROM K-LAND CORP. ("SELLER") FOR THE PURCHASE PRICE OF**  
**\$1,430,000.00 FROM THE BOROUGH'S OPEN SPACE TRUST FUND**  
 (Council President Buchanan, Sponsor – Public Hearing WAS HELD August 19, 2019)

Council President asked if this matter need to be open to the public.

Clerk responded that the Public Hearing was held on August 19, 2019. Now there needs to be a vote of the Council if they wish to override the Mayor's veto of Ord. 464.19.

**Council President Buchanan made a motion to over-ride the Mayor's Veto. Motion was seconded by Councilwoman Novak.**

**Roll Call: Councilpersons Buchanan, Dalina, Enriquez, Kilpatrick, McGill, Novak. All Ayes. Mayor's Veto was overturned by the Council.**

b) Appointments (If any)

Council President Buchanan made a motion to appoint:  
- Ken Scott to the Sayreville Economic & Redevelopment Agency.  
**Motion was seconded by Councilwoman Kilpatrick.**  
**Roll Call: Voice Vote, all Ayes, carried.**

Council President Buchanan made a motion to appoint:  
- Hitesh Shah as Liaison to the Board of Education.  
**Motion was seconded by Councilwoman Novak.**  
**Roll Call: Voice Vote, all Ayes. Carried.**

• **NEW BUSINESS:**

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

**ORDINANCE #472-19**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**SECTION 12.6 RENT CONTROL**

**Councilwoman Novak moved the Ordinance be approved on first reading, advertised according to law and a Public Hearing be held on October 15, 2019. Seconded by Councilwoman Kilpatrick.**

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

**CONSENT AGENDA RESOLUTIONS**

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

**There were no appearances the Council President Buchanan made a motion to close the public portion and that the Consent Agenda Resolutions be approved. Seconded by Councilman Dalina.**

**Roll Call:**  
**Ayes: Councilpersons Buchanan (except 2019-301), Dalina, Enriquez, Kilpatrick,**  
**Novak (except 2019-301), all Ayes.**  
**Nays: Councilwoman Novak voted No on Resolution #2019-301**  
**Abstain: Councilman Buchanan abstained from voting on Resolution #2019-301**

**RESOLUTION #2019-288**

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

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

Absent  
Kennedy O'Brien, Mayor

/s/Daniel Buchanan  
Councilman

/s/ Victoria Kilpatrick  
Councilwoman

/s/ Kevin Dalina  
Councilman

/s/ Absent  
Dave McGill Councilman

/s/ Damon Enriquez  
Councilman

/s/ Mary Novak  
Councilwoman

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

/s/Michael DuPont  
Borough Attorney

**Bill list of September 23, 2019 in the amount of \$3,253,662.43 in a separate Bill List File for 2019 (See Appendix Bill List 2019-A for this date).**

**RESOLUTION #2019-289**

**WHEREAS**, Debra Meyers has applied to the Mayor and Council for approval of a beauty shop license located at 993 US Highway 9, Parlin, NJ; and

**WHEREAS**, said application has been referred to the proper departments for investigation; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Clerk is hereby authorized and directed to issue a license to Debra Meyers to operate a beauty salon t/a Cares A. Unisex Salon located at 993 US Highway 9 North, Parlin, NJ 08859

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Daniel Buchanan, Council President

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

/s/Michael DuPont, Esq.  
Borough Attorney

**RESOLUTION #2019-290**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE MAYOR AND BOROUGH CLERK TO ACCEPT AND EXECUTE THE  
RARITAN RIVER AND BAY REGIONAL RESILIENCE GRANT**

**WHEREAS**, Superstorm Sandy greatly impacted the residents of the Borough of Sayreville; and

**WHEREAS**, the Middlesex County Board of Chosen Freeholders has utilized its' General Powers Process, pursuant to NJSA 40:20-1, to provide grants to offset costs of providing service programs by participating municipalities and Community Based Organizations that benefit the residents of Middlesex County; and

**WHEREAS**, the Middlesex Board of Chosen Freeholders has available within the Resilient NJ Program the sum of \$15,241.53 to be disbursed to the Borough of Sayreville to cover the costs of the Borough of Sayreville personnel who facilitate the program for the Borough residents participating; and

**WHEREAS**, the Governing Body of the Borough of Sayreville has reviewed the Agreement prepared by the County of Middlesex and has found it to be in the best interest of the residents of the Borough of Sayreville to accept the grant and execute the Raritan River and Bay Regional Resilience Grant Agreement; and

**BE IT AND IT IS HEREBY RESOLVED** that Mayor Kennedy O'Brien and Theresa A. Farbaniec, Borough Clerk are hereby authorized and directed to execute the Resilient NJ Program Raritan River and Bay Regional Resilience Grant.

/s/ David McGill, Councilman  
(Administration & Finance Committee)

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**RESOLUTION #2019-291**

**WHEREAS**, property known as Lot(s) **31**, in Borough Block **336**, more commonly known as **38 Sherwood Road**, in **Parlin, NJ** is owned by **Chris & Adriana Engelbrecht**; and

**WHEREAS**, **Chris Wayne Engelbrecht**, 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 fourth quarter of Calendar Year **2018** as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year **2018 & 2019** were generated from the **2017, & 2018** 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 **2018, & 2019**, while the property is correctly classified as being Tax Exempt commencing with fourth quarter of **2018**.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector be, and he hereby is, authorized and directed to cancel fourth quarter of **2018**, all four quarters of **2019**, and the first two quarters of **2020**, in the amount of **\$14,785.32**, and refund the amount paid for fourth quarter of **2018**, as well as the first three quarters of **2019**, in the amount of **\$8,361.91** on the property known and designated as Lot(s) **31** in Borough Block **336**.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**RESOLUTION #2019-292**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE,**  
**COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**  
**AUTHORIZING THE SAYREVILLE**  
**FIRE DEPARTMENT USE OF OUT-OF-SERVICE VEHICLES**

**WHEREAS**, the Garage Services Department of the Borough of Sayreville took certain vehicles out of services and transferred said vehicles to Fort Grumpy;

**WHEREAS**, the Sayreville Fire Department has requested the use of the said vehicles;

- 1998 Crown Victoria #2FAFP71W7XX106514
- 2003 Crown Victoria #2FAHP71W63X112914
- 2005 Crown Victoria #2FAHP71W35X109674

**WHEREAS**, the Garage Services Department and the Department of Public Works representatives agree to the use and will schedule the said vehicles to be scraped after the re-certification takes place; and

**BE IT AND IT IS HEREBY RESOLVED** that Mayor and Council of the Borough of Sayreville do hereby authorize and grant permission for the requested use by the Sayreville Fire Department and the subsequent removal of said vehicles for scrap.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**RESOLUTION #2019-293**

**BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN THE DEFENSE  
LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO  
ENABLE THE SAYREVILLE POLICE DEPARTMENT TO REQUEST AND  
ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA), Law Enforcement Support Office (LESO) and 1033 Program to make use of excess Department of Defense personal property by making that personal property available to Municipal, County and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 Program allows Municipal and County LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to Municipal and County LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling and upkeep of the property, and for specialized training on operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the Municipality or County approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville that the Sayreville Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31, 2020 and

**NOW BE IT FURTHER RESOLVED** that the Borough of Sayreville is hereby authorized to acquire items of non-controlled property designated "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Borough of Sayreville without restriction; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Borough of Sayreville is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which the resolution authorizes.

**BE IT FURTHER RESOLVED** that the Borough of Sayreville LEA Official shall develop and implement a full training plan and policy for the maintenance and use of any and all equipment purchased; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville LEA Official shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which the resolution authorizes; with Program participation and all property request authorization terminating on December 31, 2020.

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

**ATTEST:**  
/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**BOROUGH OF SAYREVILLE**  
/s/ Daniel Buchanan  
Council President

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

/s/ Michael DuPont, Esq.  
Borough Attorney

**RESOLUTION #2019-294**

**BE IT RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for **Public Safety HVAC Upgrades at a fee not to exceed \$148,000.00** and upon approval of said plans and specifications that proper Borough officials are hereby authorized to advertise for the receipt of bids.

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

**ATTEST:**  
/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

**BOROUGH OF SAYREVILLE**  
/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-295**

**BE IT RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for the **Senior Center Window Replacement at a fee not to exceed \$10,000.00** and upon approval of said plans and specifications that proper Borough officials are hereby authorized to advertise for the receipt of bids.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-296**

**BE IT RESOLVED** that the Borough Architect is hereby authorized and directed to prepare plans and specifications for the **Melrose Fire House Concrete Apron/Floor Study at a fee not to exceed \$5,000.00** and upon approval of said plans and specifications that proper Borough officials are hereby authorized to advertise for the receipt of bids.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-297**

**WHEREAS**, authorization was granted on August 19, 2019 to purchase a 2019 Ford F-250 Pickup in the amount of \$27,528.00; and

**WHEREAS**, the original vehicle which was quoted on is no longer in stock or available.

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** that the Purchase Order # 1902445 issued on August 19, 2019 covering in Resolution #2019-262 for the purchase of one (1 ) Ford F-250 is hereby increased to a total not to exceed \$35,470.50.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-298**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE PURCHASE OF ONE (1) DRI-PRIME CRITICALLY SILENCED  
TOW BEHIND BYPASS PUMP**

**WHEREAS**, the Governing Body of the Borough of Sayreville is in need of an Dri-Prime Tow Behind Bypass Pump;

**WHEREAS**, the Governing Body of the Borough of Sayreville have determined that the Borough of Sayreville should purchase a new Dri-Prime Critically Silenced Tow Behind Bypass Pump; and

**WHEREAS**, the Borough of Sayreville is a member of the Houston-Galveston Area Council (HGACBuy) and through the HGAC Buying co-op contract CM02-19 is able to purchase one (1) Dri-Prime Critically Silenced Tow Behind Bypass Pump; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials are authorized and directed to purchase one (1) Dri-Prime Critically Silenced Tow Behind Bypass Pump Machine in the amount of \$65,602.26 for its Water & Sewer Department.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-299**

**WHEREAS**, 901 Ernston Road Realty LLC has posted a Performance Bond covering Block 438, Lot 1 and Block 452, Lot 1 for 901 Ernston Road Realty LLC Site Plan in the amount of \$25,000.00; and

**WHEREAS**, the Borough Engineer's Office has recently performed a site inspection and has indicated that the required site work has been completed and has recommended that the bond in the amount of \$25,000.00 be released at this time.

**NOW, THEREFORE, BE IT RESOLVED** that the proper Borough Officials are hereby authorized and directed to release said bond in the amount so stated.

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**RESOLUTION #2019-300**

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

|                           |   |
|---------------------------|---|
| <b>NAME OF APPOINTEE:</b> | Phillip Quigely                             |
| <b>POSITION:</b>          | Assistant Superintendent<br>of Public Works |
| <b>DEPARTMENT:</b>        | Department of Public Works                  |
| <b>EFFECTIVE:</b>         | January 1, 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 Department of Personnel.

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

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

/s/ Michael DuPont  
Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**RESOLUTION #2019-301**

**MEMORIALIZING THE GOVERNING BODY'S AWARD OF A  
CONTRACT TO HACKENSACK MERIDIAN HEALTH (JFK)  
EMERGENCY MEDICAL SERVICES**

**WHEREAS**, the Borough of Sayreville published an RFP for Emergency Medical Services; and

**WHEREAS**, on July 10, 2019 the Business Administrator received bids for Basic Live Support Service and Emergency Medical Transport Services and same were reviewed and recommendations were made to the Governing Body.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the action taken by the Governing Body on September 9, 2019 is hereby memorialized and the contract for Basic Life Support Services and Emergency Medical Transport Services is hereby awarded to Hackensack Meridian Health (JFK).

/s/ Victoria Kilpatrick  
Councilwoman / Sponsor

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

/s/ Michael DuPont, Esq., Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

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

**RESOLUTION #2019-302**

**WHEREAS**, on September 10, 2019 the Mayor and Council of the Borough of Sayreville received bids for the "Duhernal Wellfield Generator and Electrical Improvements"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council on this 23<sup>rd</sup> day of September, 2019:

1. Contract for the "Duhernal Wellfield Generator and Electrical Improvements" be awarded to Dee-En Electric of Linden, NJ on their bid price of \$384,330.00 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities and pending the expiration of the estoppel period on October 2, 2019 and the approval of the documents by the Borough Attorney .

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

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

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

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

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

**READ IN FULL**

**RESOLUTION #2019-303**

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

**NAME OF APPOINTEE:** Sara Bardsley  
**POSITION:** School Traffic Guard  
**DEPARTMENT:** Police  
**EFFECTIVE:** September 24, 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 Department of Personnel.

/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 Council President's signature.

/s/ Michael DuPont  
Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Daniel Buchanan  
Council President

**READ IN FULL**

**Council President Buchanan opened the meeting to the public for questions or comments on Resolution #2019-303. There were no appearances.**

**Councilwoman Novak moved the public hearing be closed and the resolution be approved on Roll Call Vote. Seconded by Councilwoman Kilpatrick.**

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

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

Council President Buchanan opened the meeting up to the Public for questions or comments.

Those appearing were:

-Arthur Rittenhouse, 33 Delikat Lane

He commented on the override of the Mayor's Veto without having a Phase II environmental testing done on the property commented on the letter the Borough Attorney read at the last meeting.

He felt the letter was hidden from him or the public because this letter was dated May 21<sup>st</sup>.

He commented that everything that was in the letter were things that he has said since April.

Questioned again if the Borough did anything to check the soil on Fulton's Landing property.

Commented that SERA had a meeting and nothing was done on SERA's part either.

-Jim Robinson, 11 Borelle Square, Parlin

Thanked the Council for overturning the Mayor's Veto of Ordinance 464-19 for the Purchase of Open Space Property and what that meant to the Borough.

He said that this ordinance is not just about the purchase of open space, it is about the entire COAH Settlement that has been going on for years and finally settled. He reviewed the entire COAH background and the number that the Borough was able to negotiate and this space saved the Borough from building 300 units.

He spoke about Kaplan's two parcels, Camelot I and Camelot II and about the school costs.

-Mike D'Addio, 13 Zaleski Drive

SERA Chairman

Responded to Mr. Rittenhouse accusation about the letter being hidden. He said that he is a private resident and that Mr. DuPont was nice enough for providing him the letter the next day. As far as SERA not doing anything at their last meeting was because SERA does not have this application, there are no Escrow fees posted, there are no plans.

He said that at the time that plans and applications are submitted then they will perform our own soil testing for contamination.

-Ruth Ann Mahoney, 2 Gerard Place, Parlin

- Thanked the Council for overriding the veto.

No further questions or comments.

**Councilwoman Novak made a motion to close the public portion. Seconded by Councilman Dalina.**

Roll Call: Voice Vote, all Ayes.

Before closing, Councilwoman Novak commented that there had been a comment made that if something is found on the property that it is going to cost us more in legal fees. She felt that the contract has been written so that it would not cost us anymore and that is nothing compared to the legal fees if we did not override this veto.

She corrected a statement that Mr. Robinson made regarding property in Melrose being Borough property. It is not Borough owned property it is property within the Borough. We did not own that. They worked very hard to purchase that property as we did to purchase Kaplan's property but National Lead refused to sell it to us.

Councilwoman Kilpatrick further commented that the Borough was being held responsible for paying a hefty sum in attorney fees for National Lead. She explained why the Borough sold the small strip of property in the middle of the property which was to

pay for additional attorney fees that we incurred as a result of planning board situations. She thanked the sitting councilmembers for overriding the Veto.

Councilman Buchanan said that back in the '90's the residents voted to preserve open space with Open Space Funds. This was done tonight with the vote to overturn the Mayor's Veto of the Ordinance to purchase open space property. By not pursuing this would jeopardize the whole project and that the Borough is covered, if by small chance the property is contaminated at all. He also thanked the council for joining and overriding the Mayor's Veto.

**No further questions or comments. Councilwoman Novak moved the public portion be closed. Seconded by Councilman Dalina.**

Roll Call: Voice Vote, all Ayes.

**ADJOURNMENT**

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

Roll Call: Voice Vote, all ayes.

Time: 8:03 P.M.

Respectfully submitted,

\_\_\_\_\_  
Theresa A. Farbaniec, RMC  
Municipal Clerk

Date Approved: \_\_\_\_\_