

RESOLUTION #2024-50

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

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

Kennedy O'Brien, Mayor

Daniel Balka, Councilman

Donna Roberts, Councilwoman

Michael Colaci, Councilman

Stanley Synarski, Councilman

Christian Onuoha, Councilman

John Zebrowski, Councilman

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

Borough Attorney

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-51

**RESOLUTION ACCEPTING AND ADOPTING THE CENTRAL JERSEY
JOINT INSURANCE FUND'S 2024 SAFETY INCENTIVE PROGRAM**

WHEREAS, the Borough of Sayreville is a member of the Central Jersey Municipal Joint Insurance Fund (CENTRAL JIF); and

WHEREAS, it is the policy of the CENTRAL JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the CENTRAL JIF's Safety Committee is made up of representatives of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, the new program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the CENTRAL JIF has adopted the new 2024 SAFETY INCENTIVE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Sayreville, County of Middlesex, State of New Jersey that the Central Jersey Joint Insurance Fund SAFETY INCENTIVE PROGRAM be adopted by the Borough of Sayreville.

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-52

A RESOLUTION TO AFFIRM THE BOROUGH OF SAYREVILLE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Borough of Sayreville (Borough) to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Borough of Sayreville has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mayor and Council that:

Section 1: No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided

however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Sayreville’s web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Sayreville in order for the public to be made aware of this policy and the Borough’s commitment to the implementation and enforcement of this policy.

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O’Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-53

WHEREAS: Local Government is facing the largest budget increase for property/casualty insurance since the mid-1980s; and

WHEREAS: The property/casualty budget for the typical municipality has already experienced a 20% to 25% increase since 2021 and will experience another 12% to 20% increase in 2024; and

WHEREAS: New Jersey now has the highest workers' compensation premium rates in the country based on data from the U.S. Bureau of Labor Statistics; and

WHEREAS: Workers' Compensation escalated because New Jersey judges are now reopening cases up to four and five times, whereas in the past they rarely reopened a case more than once; and

WHEREAS: Workers' Compensation also escalated because of a 2021 Department of Labor decision that directed workers' compensation to pay many accidental disability claims that previously were paid by the pension plans; and

WHEREAS: Another recent law created a presumption that firefighters diagnosed with cancer are eligible for workers' compensation; and

WHEREAS: During the COVID 19 Pandemic, the Legislature approved a law that made COVID contracted by first responders and essential employees compensable under New Jersey's workers' statute resulting in the COVID cost per employee being the second highest in the country; and

WHEREAS: Liability has increased because of the erosion of Title 59 protections in New Jersey's courts. Judges are now reluctant to grant summary judgement dismissing even frivolous claims because of the 2021 New Jersey Supreme Court decision in Gonzalez v. Jersey City; and

WHEREAS: The recent amendment in the sexual molestation statute of limitations also increased Title 59 liability costs. In some cases, towns are being sued based on allegations going back to the 1970s; and

WHEREAS: Property premiums are increasing rapidly because the world-wide frequency of large natural disasters has almost tripled since 2000. New Jersey alone was hit with Hurricane Irene in 2011, Superstorm Sandy in 2012 and Tropical Storm Ida in 2021; and

WHEREAS: Property insurance premiums are also indexed to replacement values that have jumped because of supply chain issues and the labor shortage; and

WHEREAS: Cyber liability premiums have more than doubled in recent years. Organizations without strong cyber risk controls are finding it difficult to purchase any coverage.

NOW THEREFORE BE IT RESOLVED BY THE NEW JERSEY LEAGUE OF MUUNICIPALITIES THAT:

- 1) The Legislature is urged to adopt budget and levy cap exemptions for property/casualty insurance and claims; and
- 2) The Administration and the Legislature should not adopt additional legislation or regulations that will increase municipal claims without a thorough and complete analysis of the cost; and

The New Jersey Department of Labor, the New Jersey Department of Banking and Insurance and the New Jersey Department of Community Affairs should meet with representatives of municipal government to discuss ways to reduce property/casualty costs.

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-53

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2023 Budget Appropriations be and the same are hereby authorized to be made in the following manner to wit:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
General Administration S&W (3-01-20-100-011)		3,000.00
Terminal Leave (3-01-30-410-100)		300,000.00
Capital Improvement Fund (3-01-44-901-100)		300,000.00
Group Insurance (3-01-23-220-195)	250,000.00	
Police S&W (3-01-25-240-018)	150,000.00	
Police Dispatch S&W (3-01-25-250-012)	25,000.00	
Road Repair & Maintenance OE (3-01-26-290-237)	25,000.00	
Garbage & Trash OE (3-01-26-305-249)	30,000.00	
Vehicle & Equipment OE (3-01-26-315-267)	13,000.00	
Sewage Treatment & Disposal OE (3-01-31-455-310)	50,000.00	
Gasoline, Fuel & Lubes (3-01-31-460-316)	50,000.00	
Garbage Disposal – Landfill (3-01-32-465-314)	10,000.00	
	<u>\$ 603,000.00</u>	<u>\$603,000.00</u>

WATER UTILITY

Terminal Leave
(3-05-55-135-100)

50,000.00

Water Operating OE
(3-05-55-110-361)

50,000.00

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-55

WHEREAS, Borough Engineer David J. Samuel has recommended that certain increases and decreases be included in the following described project as will more fully appear by Change Order No. 1:

- Project: Improvements to South Minnisink Avenue
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Amount: No Increase in original contract amount.
- Reason: Adjustment of original contract to reflect actual quantities installed and work performed.

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

1. That the recommendation and approval of said Borough Engineer referred to above and in said Change Order be and the same is hereby accepted and approved:
2. That the Governing Body determines that said charges are proper and essential and that same be paid upon the submission of properly approved borough voucher.

Michael Colaci, Councilman
(Public Works Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-56

RESOLUTION TO APPLY TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM FOR IMPROVEMENTS TO KENNEDY PARK

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, Sayreville Borough desires to further the public interest by obtaining funding in the amount of \$650,000.00, in the form of a 50% matching grant and, if available, a \$350,000.00 loan, from the State to fund the following project: Kennedy Park Improvements to include improvements to the walking trail, its lighting and tree cover at a cost of \$650,000.00 (*total project cost*); and

WHEREAS, the Borough is required to provide a 50% match and said match will be provided by Borough capital funds not to exceed \$325,000; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, the Sayreville Borough Council resolves that:

That Kennedy O’Brien or the successor to the office of Mayor is hereby authorized to:

- a. Make application for such a loan and/or grant;
- b. provide additional application information and furnish such documents as may be required, and
- c. act as the authorized correspondent of the above-named applicant;

The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required, in the amount of \$325,000;

In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;

The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and

This resolution shall take effect immediately.

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2024-56

Whereas, the Borough of Sayreville desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for up to \$100,000.00 to carry out a project to install Pickleball courts and lighting at War Memorial Park; and

Be it therefore RESOLVED,

- 1) that the Borough of Sayreville does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Sayreville and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Daniel Balka, Councilman
(Admin. & Finance Committee)

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

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O’Brien
Mayor

	Balka	Colaci	Onuoha	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						