

Mayor O'Brien opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this May 28, 2019 Council Meeting had been advertised and posted in accordance with Open Public Meetings Act Chapter 231, P.L. 1975 by advertising in the Home News Tribune, notifying the Star Ledger and the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

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

Absent: None

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

Others Absent: None

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL: - None**

- **PROCLAMATION & PRESENTATIONS - None**

- **EXECUTIVE SESSION - None**

- **OLD BUSINESS:**

- Clerk reported on having received the following:

a) Planning Board Report/Resolution to Council Recommending the Proposed Amendments to the Waterfront Redevelopment Plan.

- It was brought out later in the meeting that this item would require an Ordinance.

b) Planning Board Resolution denying the amendment to the Land Use Element and Circulation Plan Element of the 2013 Master Plan of the Borough of Sayreville as prepared by Heyer, Gruel & Assoc., dated April 25, 2019.

- Receive & File.

c) Planning Board Resolution to Council not recommending the Fulton's Landing Redevelopment Plan set forth in the April 11, 2019 report prepared by Heyer, Gruel & Assoc.

- Receive & File.

Councilwoman Kilpatrick moved that Items b & c be received & filed.

Seconded by Councilwoman Novak.

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

d) Public Hearing on the following Ordinances:

The Clerk read the following Ordinances into record for Public Hearing:

ORDINANCE #452-19
AN ORDINANCE ADOPTING THE FULTON'S LANDING
REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7

At this time Mayor O'Brien opened the meeting up to the public for questions & comments on Ordinance 452-19. He reminded everyone that he would be trying to stick to the 5 minute limitation.

Prior to the public hearing Mr. DuPont reviewed the status of what has transpired over the last 20 years with regards to the outcome of the litigation on Fulton's Landing/Mocco property, which may help to put things into context and perspective for the residents. He further explained to the Mayor and Council what rights they have statutorily.

- Jim Robinson, 11 Borelle Square.

Prior to Mr. DuPont's review he came to the microphone and reminded the Mayor that Judge Hurley admonished the Borough for limiting the time for public hearings on these types of matters. Following Mr. DuPont's comments he said that his concern was only the extension of Lakeview Drive. He asked who prepared the 1986 & 1993, 2013 Master Plan. He said that all three of these Master Plans called for the extension of Lakeview Drive. He said that the Redevelopment Plan prohibits the extension of Lakeview Drive. Mayor recognized and called forward the Borough Planner, Susan Gruel and asked her to state her credentials for the record.

Mrs. Gruel stated that she represents the Borough as the Borough Planner and did prepare the draft of the Fulton's Landing Redevelopment Plan. She said that in reference to Mr. Robinson's question regarding the connection of Lakeview Drive, that she can only respond to the 1998 Master Plan. She said that she does not know about the Master Plans prior to that or the 2013 Master Plan. She said that the 1998 Master Plan did have the connection, however, it was in the context of what the Land Use recommendations were for the Mocco piece. At that point, it was proposed for high density residential and the other portion was economic development, warehousing/economic development. At that time there were three recommended connections, because of the concern that there was no connection between Main St. & Washington Road, one suggested connection to Lakeview through the Mocco piece, because of the residential component. The other two were Ernston Road, which has occurred and the other is called Sayreville Boulevard and that has been completed. So the circumstances since 1998 and the conditions have changed. That is why at this point in time, because of changed circumstances as well as the other two connections having been completed that it would be inappropriate to have the connection through here since the entire site is proposed to be industrial.

Mr. Robinson then asked about Pulaski Avenue, Batista Court or Kimball Drive. Mayor asked the engineer who responded that these are residential streets and not appropriate for truck traffic.

Mr. Robinson asked how much traffic will be generated from this site on a daily basis. The engineer said that he did not know. The report his office prepared talked about peak hours between the different uses. He said that in his report they raised concerns about traffic- missing residential development traffic and truck traffic and based upon the concept plan that went along with the traffic report they raised concerns and basically recommended that the extension not be included.

Mr. Robinson talked about page 11 of the report issued by the engineer which indicated that the concept configuration for the proposed warehouse and the Master Plan would need to be amended to remove the proposed connection. He said that the Planning Board did not remove the extension of Lakeview Drive from the Master Plan. The engineer agreed. The engineer said that this plan is not consistent with the Master Plan. Mr. Robinson went on to talk about other items the plan talked about, such as easy access to Rt. 287 and the NJ Turnpike, via Washington Rd. (Cty. Rd. 535). He questioned how a tractor trailer would gain access to this sight (Fulton's Landing) via Washington Road. There was no response. Mr. Robinson then talked about mezzanines and if they were anticipated. The engineer said that the concept plan that they saw just talked

about sq. footage not the interior layout. Mr. Robinson said that they would impact a lot of things. Mr. Frankel addressed the mezzanines and that this would go before the Planning Board and that we would not know that answer right now. Mr. Robinson went on to talk about Trans Load facilities with trucks and products coming in and out. Mr. Frankel responded that this was not that type of facility. Councilman McGill went on to explain the concept of cross docking and Trans loads and mezzanines. Mr. Robinson indicated that the ordinances seemed to say something different on these topics.

- John Walsh, 128 Luke St., Morgan.

Complimented our schools, superintendent, teachers, police chief and department. Stated that we have made some great strides and supported the council in the difficult decision they need to make today. He said that all the concerns brought up here tonight are valid but his great concern are the kids in the schools and asked that the council keep that in mind when making their decision.

- Ed Little, 12 Pero Court

Talked about the water problem he had been experiencing as well as his neighbors in Main Street Town Homes ever since Mocco has been bring in and filling in with dirt. He said that for 25 years his home has been dry till now there is a flooding issue. The engineer addressed how and when storm water management would be handled and further impacts on his property. The engineer indicated that he has certification from the Bureau of Mines which has jurisdiction over that property and also has a Soil erosion sediment control plan from Freehold Soil that is allowing him to go in and proceed with that work.

Mr. Little continued to express the issues they have on the property and that water/flooding is coming from on top of the hill. He also talked about noise pollution and truck traffic. He questioned how many trucks would be going into the site per day. The engineer responded with facts that were provided in the traffic report. Mayor also addressed the traffic issue and the theory for the Main Street By-Pass Roadway to Chevalier and take it north. Mr. Little still expressed concerns about traffic dumping onto Kimball Drive and asked for safety strips and three way stops on each of the entrances.

Questioned what they were putting on Block 249. Engineer stated that the Redevelopment Plan covered all three blocks 249, 250 & 251. The blocks and lots are specifically called out in the plan on page 4.

The Borough Attorney stated that the issues that the residents are presenting now have been heard by Judge Miller and Corodemus. The Council at this time is trying to move this matter forward as it has been in litigation for 20 years. This is a proposal that needs to be voted on one way or the other. He said that all of the Judges have heard the citizens' complaints.

- Usman Dar, 1 Tutty Circle

Resident for the past 19 years and traffic has increased. Noise is an issue, windows shake, this plan is not making residents' lives any better. He said that the Master Plan needs to be revisited and conform to the needs of the current residents of the town. He further addressed the truck traffic, noise and the inadequate road system.

Mayor stated that he does not disagree.

The question stands – that the property owner has approval to put up 50 acres of warehousing and 100 acres of homes or 207 homes or to just have warehouses with no homes.

He then laid out the argument about the homes, children and schools.

Mayor felt our housing stock is getting old and need new homes.

He said that many years ago the developer was looking for high density housing and the Mayor said that he said no to that thought. So this is what we're up against with now.

This decision before us.

Mayor also commented on how Sayreville roadways are used and are inadequate for the amount of traffic.

Councilwoman Kilpatrick announced and questioned for clarity that there are two potential plans.

Planner Susan Gruel responded

Plan A – 207 4 bedroom homes and 3 warehouses.

Plan B – in front of Council tonight – The Redevelopment Plan

Takes away and prohibits residential on that site and proposes warehousing only, approximately 1.8 million sq. ft. of warehousing.

She said that the previous approval already had warehousing as part of the approval for that site and also had residential.

This plan does not have any residential as part of the zoning or the plan.

Mayor O'Brien did a comparison of the warehousing alone as opposed to small warehousing and housing with children and the cost to the Borough in schooling the children and the Borough providing services to the residents.

Mr. Dar asked why only these two choices, he said that it is time to update the Master Plan.

Mayor made reference to the Master Plan. The Mayor also announced that years ago the Council proposed purchasing this property from the developer with Open Space funds and the developer was way over our appraisal.

- Robin Paneque, 14 Karwatt Ct.

Questioned if there were going to be 18 wheelers driving down Kimball Drive East.

Mayor indicated that the engineer said that both Kimball Drives will be connecting to the By Pass Roadway.

The engineer said that this proposal does not anticipate truck using Kimball Drive East to get to the By-Pass.

Ms. Paneque raised concerns about the Zoning Board approving for heavy truck traffic.

Councilwoman Kilpatrick asked the engineer if the Main Street By-Pass ever intended to have an 18 wheeler on that roadway.

The Borough Engineer responded that the Main Street By-Pass does not have restrictions for truck traffic. But he said that the development that was proposed this evening with warehouses is not intended to go Kimball East, Kimball West to get to the By-Pass, but there is no truck access for the Main Street By-Pass. He said that the intention was to have traffic exit the property to the east and head east on Main Street.

Mayor asked Art Rittenhouse to come up as a Chairperson of the Main Street By-Pass Committee. He said that he is also a resident of Main Street homes.

- Arthur Rittenhouse, 33 Delikat Lane

Mr. Rittenhouse said that the history and purpose of the By-Pass was to have residents from Sheffield Mews, Main Street Townhouses, Park Village, people who lived off Modzlewski and the homes by the steel mill have a voice in what was happening with the By-Pass. The original plan of the By-Pass Committee and recommendations to the Council was not to have the By-Pass and vehicles behind their homes. The engineer also met with the By-Pass Committee. He said that during these meeting the By-Pass Committee then saw a need for the By-Pass and changed its recommendation to the Council to have it go to Chevalier Ave. There was a presentation two years ago to the Council and the Council agreed that as soon as Phase I was approved they would then apply for Phase II and that no other construction would start on that until the By-Pass was approved all the way through to Chevalier Avenue. So the people of Main Street Townhomes are in favor of the By-Pass as long as it goes all the way through to Chevalier Avenue. The connecting roads should be open to traffic.

Mayor then asked the Planner Susan Gruel to answer Co. Kilpatrick's questions.

- Susan Gruel said that the Main Street By-Pass is not part of this plan, she said that she understands the connection. She said that the intent was not to permit truck traffic to go through the residential development to connect to a By-Pass Road that is not constructed yet. She said that the intent was to take the truck traffic and require them to go east on Main St. not to go West and not to go through the development.

Council President Buchanan asked where the actual exits are for this property proposed and what the contingency plan was for if there was an accident on Main Street that traffic would have to be diverted.

Ms. Gruel said that is something that happens when they go before the Planning Board and the Planning Board has the level of detail and the traffic impact assessment which is required and determine what exactly the improvement are. The Planning Board would review those and make a determination. Those matters go before the Planning Board. This is the framework.

She said the emergency access is not something you would put in a redevelopment plan that is something that the Planning Board and engineer would evaluate as to the specific details of the application that is within the requirements and guidelines of what is in this plan.

Ms. Paneque asked that with the residential component of the one plan if the council ever considered having a senior community.

Mayor said that it was his understanding that when he met with the property owner many years ago that was the proposal. But the density was enormous and was unacceptable.

And a senior community for the 207 units would not work economically.

- Lisa Cohose, 8 Seidler Lane, Main Street Townhomes.

Asked that the Council put a hold on voting tonight, so you don't have to vote between Plan A and Plan B. She said that there is another option. The option is to hold off voting on this. She said that the Council needs to gather information and involve the residents. Not political appointees. The residents need to be heard. They need to hear the information in an impartial way. She asked that they put an action committee together so a decision will happen with Fulton's Landing.

Mayor asked for a motion to table this public hearing.

Councilwoman Kilpatrick said that she would like to hear what people have to say that are here.

The Mayor said that the person who moved to Table has the right to bring the matter back up.

Mayor put her in charge of the committee and to gather eight more people that would be a committee of nine and we will provide the professionals and the space to meet.

Council President Buchanan asked the Attorney to explain again why we are here from the twenty year litigation and if we do nothing what is the potential of happening.

Mr. DuPont said that the court will rule on the litigation prior to making this decision or bringing it back. He said to remember that we are under a litigation time period so we do have to report back to Judge Miller and Judge Corodemus. He said that he has to call Judge Corodemus tomorrow and advise her as to what occurred. If the Ordinance is Tabled it does not stop the litigation or prevent the Court from entering an order. He suggested that rather than Table that everyone here should be heard, professionals and residents alike and he would bring back any suggestions to the Judge.

- Ms. Cohose said that she believes that the developer is willing to work with the town and can enter a Consent Order with a deadline allowing the developer and the town to work together to discuss what the issues are and resolve them. This is about transparency and how decisions are being made. She further talked about the infrastructure of the town. Felt that it is not unreasonable to put a committee together for discussion before a decision. She addressed public safety matters and areas of concern.

- William Murphy, 15 Rosewood Ct.

Not in favor of the warehouses. He said that his back yard will be looking at a berm and warehouses. No description of the contents of the warehouses. Talked about noise

pollution and what he will be listening to. Stated that he was not in favor of warehouses across from his home, roads cannot handle traffic, concerns about ingress and egress and emergency vehicles. Wants all issues addressed and answered before a decision is made.

- Jason Friedman, 3 Northfield Ave., East Brunswick
Representative of Carpenters Local 254.

Spoke directly about the use of the property and what it means to working men & women, professional construction workers. Warehousing would provide jobs for construction workers who live here and around Sayreville. Single family homes would not.

- Jeff Lehrer, DeFrancesco, Batemen, Warren. NJ

Spoke on behalf of Crossman interests and wanted to speak on logic.

He said that this has been going on for 20 years and these issues have been addressed. He indicated that by all of the reports and analysis that have been done he said that the uses proposed by this ordinance make complete sense for his client, the surrounding community and for the Borough. He said that in summary 207 homes will result in a net loss of about \$313,000 dollars more cars on Main Street and a loss of approx. 1,000 jobs to the community.

The warehouses would be light industrial zoning of all the Mocco acreage. All truck traffic will be routed in an easterly direction, away from the Kimball Drive neighborhood. It will not be used as a By-Pass all traffic will be moving to the East to the Main Street Extension from there to Rt. 9 & 35. They will signalize Kimball Drive East & West at the cost to the builders. He also stated the following:

- * The site has a valid mining permit from the NJ Dept. of Workforce Development, effective through March 31, 2020.

- * The site has a Soil Erosion and Sediment Control Plan approved by Freehold Soil Conservation, valid through Dec. 30, 2020.

- * Soil has been evaluated by a third parties and defined that it meets the NJDEP Non-Residential soil standards.

- * Any future site development will be reviewed carefully and coordinated with a Cert. NJDEP Licensed Site Remediation Professional. To provide for any and all engineering and institutional controls appropriate for this site.

- * Site Remediation issues will be addresses as part of site plan approval.

He further stated that this Ordinance is the enabling legislation. It is just the beginning. He has to go to the Planning Board and talk about all of these issues being brought up and discussed here tonight. All of these matters will have to be addressed at Site Plan.

He said that with respect to the alleged soil conservation, for the record, a Soil Erosion and Sediment Control Plan was required by the Freehold Soil in 2006. They stabilize the banks of the old mining operations since soil was flowing into Burt's Creek. A Plan was submitted in 2006 by his client. His client spent the money, retained engineers, the plan was approved by Freehold Soil in 2006 and recertified by Freehold Soil in 2018 through 2020. A deficiency Notice was received, not a violation notice, which related to a trucker who dumped a load of soil to close to Burt's Creek. That issue was abated and the matter was closed.

He said that the By-Pass issue is a local issue with a long history and hopefully will be resolved by this community to relieve the concerns about the use of the community as a cut through.

He said that his client has committed to ensure all trucks exit the site in an easterly direction away from Kimball Drive East and West roadways.

Next he discussed the extension of Lakeview Drive.

He said that the language in the 1998 Master Plan states that Lakeview Drive could be extended. This is a suggestive comment not a mandate. He said that it would cost \$11 million dollars to bore through the ConRail line to go through and extend Lakeview Drive and most of the cost will be borne by the tax payers of the community.

He said that this is a significant ratable to the community. An end to litigation that has cost the town a lot of money and ultimately result in a plan that can be workable. The Planning Board will address all concerns.

Mayor asked that attorney if he would be amenable to set a defined end date allowing a committee to be formed by the effected residents to enter into a dialog with you to see if there are other options to be reviewed.

Mr. Lehrer said that he could speak to his client, but there is a matter of litigation and council needs to move on this ordinance.

Discussion on a time line.

Mr. Lehrer said again that these are site plan issues that will be addressed. He said that SERA provided their recommendation, Planner provided their plan and that plan was introduced. He still has to go before the Planning Board and this will be a long process.

Council President Buchanan asked why they are putting fill in for industrial and not residential of a part of the plan is residential?

Mr. Lehrer said that it is on a certain portion of the property that is zoned for industrial and that is where that fill is going. He said that they were told by Soil Conservation that that portion needed to be stabilized, that the banks are too steep and needed to be stabilized.

Co. Buchanan asked if there was any work being done on the residential portion. Mr. Lehrer said that a Licensed Site Remediator that is certified by the DEP will evaluate those soils and his clients costs to make sure that if it is ever developed for residential that the soil is appropriate for residential use. So for whatever is built there the soils will qualify under DEP Standards.

- Robert Griffin, Griffin, Alexander PC
Representing Main Street Homeowners Assoc.
He said that at face value it seems like poor planning to disregard your Master Plan that you adopted and now you want to do something that a professional planner would not likely approve of. Spoke about the other residential projects that are being approved and the cost generated by the school children to the taxpayer and nothing was said.

Councilwoman Kilpatrick strongly addressed his comments regarding development and how hard this Council pushed back against the COAH obligation that was put before them that got put before them by the Planning Board. The Council reduced the overall housing.

Mr. Griffin then talked about the By-Pass Road and truck traffic and Kimball Drive East have asked the Council not to open the By-Pass until it opens to Chevalier Avenue. He also talked about all the trucks coming out of the proposed development and the impact.

Councilwoman Novak suggested doing the same as we did with Kimball Drive East as we did with Boehmhurst Avenue and not open the intersection until the road is completed.

Mr. Griffin said that he was told that they would open all the streets once they hit Kimball Drive East. Would like to see what Co. Novak said in a settlement agreement.

Councilwoman Novak said that we could handle the traffic such as weight restriction on the roads.

Councilman Dalina asked that retired Sergeant, John Bartlinski come up and comment.

Mr. Griffin said that he would like to see a study of what we could expect by means of putting in two traffic lights, a By-Pass roadway, and 1.08 million sq. feet of industrial roads.

There needs to be a study. Felt the Council does not have to choose tonight especially when you don't know what you are buying. Felt it was appropriate to wait until they get more feedback and get more information.

Mayor called for a 5 minute recess.

Motion made by Council President Buchanan to recess the meeting for five minutes.

Seconded by Councilman Dalina.

Roll Call: Voice Vote, all Ayes.

Time: 9:28 PM

Mayor called for a motion to reconvene the meeting and the Public Hearing. Seconded by Councilman Dalina.

Roll Call: Councilpersons Buchanan, Dalina, Enriquez, Kilpatrick, McGill, Novak, all same members present.

Time: 9:38 P.M.

Mayor reopened the Public Portion.

- Al Meyer, 153 Miller Avenue

Spoke about the traffic now on Main Street and the warehouses on Main Street and the traffic that will create. As well as the current truck traffic we have with the Steel Mill and Sabert. He said the truck traffic will be 24 hours. He said that personally he would like to see housing but if they decide to go with the warehouses move the ingress & egress to Crossman Road.

- John Bartlinaki, 5 Grand St., So. Amboy

Stated the following as fact:

- Judge granted approval for 207 Homes and 3 warehouses.
Borough Attorney stated that they received the approval for the warehouses and they have the right to build the 207 homes once approved by the Planning Board.
- 207 homes / approx. 414 children in school system. Commented on the amount it costs to educate a child. Homes cost the taxpayer much more than warehouses. He further commented on his opinion on the warehouses.
- Commented on the Main Street By-Pass and discussions held in the past regarding Kimball Drive East & West, Boehmurst, Quaid Avenue would all empty into the By-Pass that there would be weight limits on the streets. Main Street By-Pass is a necessity.
- Lakeview Drive is not conducive to heavy truck traffic.
- Only egress from 777 Washington Road to Washington Road Eastbound is to exit the parking lot onto Lakeview Drive and left at the traffic light.
- Commented on the proposed traffic lights at Kimball Drive East & West.
- Recommended possibly getting Conrail approval for a temporary road crossing the tracks, by putting concrete blocks and planting grass over top just for emergencies for ambulances and firetrucks or in the case of Main Street is shut.

- Jeff Leherer, DeFrancesco, Bateman representing Lorraine Mocco

Fulton's Landing & Crossman Development

He stated that during the break he contacted his client regarding the request for a break in order for all parties involved to listen, interact and come back to this Council to the extent if there are any changes they will be dealt with through the Planner, Attorney and Engineer. He said that they offered 45 days.

Mayor said that they will start with the 45 days. He asked for a committee of 9 people from the area. Co. Novak stated that our next meeting would be July 22nd. Mayor said that the committee should be put together within a day or two and the Borough would make available the Borough professionals and a room here in Borough Hall to meet.

The Borough Attorney said that at this point we would need a motion to Table this till the July 22nd meeting.

Councilman Dalina moved to table ordinance 452-19 till the July 22nd meeting.

Mayor explained that the Ordinance is being taken from the Table and not voted on.

He said that the discussion would continue.

Borough Attorney said that the Ordinance vote can be Tabled but yet continue with the discussion. He said that there was one option

The Borough attorney that stated that we should allow everyone to speak and following that we make a motion to Table till the July 22nd meeting. He said that is the only ordinance that we are discussing right now. So conceptually what we are going to do is allow everyone to speak tonight on Ordinance 452-19/Fulton's Landing Redevelopment Plan then the Public Portion will not be closed but carry the Ordinance until the July 22nd meeting then at that point in time we can have the public discussion once again and vote on that date.

Mayor stated that we would continue the testimony tonight and Co. Dalina would make a motion to carry the Ordinance until the July 22nd meeting.

Councilman Dalina rescinded his first motion to Table the Ordinance and Councilwoman Novak also rescinded her second.

- Arthur Rittenhouse, 33 Delikat Lane, Main Street Townhomes

Stated that he agrees with putting off the vote and will all the comments made here tonight by the public.

He expressed his concerns about the dirt being trucked into the Fulton's Landing site.

He then gave some background of who was in charge of overseeing the mining of this property going way back to current, DEP permits, compliance, soil sampling.

He said that the agencies he spoke with said that the Borough should have the plans and permits and they only have the one. He said that the Borough has been told that they cannot enter onto the property because there is a law stating that the Borough may go on may look to make sure things are running properly and can be reported to proper agencies.

- Ed Little

Commented about the water issue in his basement and questioned if they knew there was a spring on that property before they started filling it in.

How would they know what the effect would be with the water going down the hill.

- Steve Levenson, 5 Telegraph Lane

Commented about the water in his basement. Been there 18 years sump pump has been dry. Sump pump has not been dry in the last year. Basement has flooded and had to renovate it.

Commented on the original plan pointing out some particular blocks and lots and what the plan read. Page 11 of the Redevelopment Plan. Planner Susan Gruel said that he is correct but that is a typo and will be corrected.

He commented that the Master Plan needs to be updated to include more roads to move people through the town.

Ms. Muzzo, 52 Delikat Lane

Concerns about their property value with warehouses being build.

Support houses and small warehouses.

Concerns about noise and lighting pollution.

- Steve Melanaski, 28 Scarlett Drive.

Commented about the COAH plan approval and the number of school children that it will generate. Expressed concerns about the school traffic with children mixed with trucks and what it would do to his property value. Expressed concerns about one lane traffic in each direction.

Suggested that they are doing the right thing by Tabling this ordinance after the public portion until more information can be obtained and see if the Borough could handle the flow of both COAH, Temple and this development.

- Ruth Ann Mahoney, 2 Gerard Place, Parlin

Commented that she was not in favor of the Fulton's Landing Redevelopment Plan.

Addressed her concerns about traffic in that area and additional traffic heading up Ernston Road from this development. She said that the noise and traffic is going to affect the whole town and stated that she felt Lakeview Drive should be put through.

- Susan Gruel, Borough Planner

Clarified a factual element that has to do with a Land Use recommendation in the Master Plan. She talked about the Land Use Element of the 2013 Master Plan. That recommendation is not inconsistent with what she would say is the redevelopment plan draft for Land Use is consistent with the land use recommendation in the 2013 Master Plan, which calls for the entire site in either SED or SEDII and proposes to eliminate residential options on that site.

She said that it is not inconsistent with the Land Use Element.

- James Robinson, 11 Borelle Square.

He said that the version he received two weeks ago is different from what he received tonight. He asked if they were the substantive changes or pagination changes.

Co. Novak said that it appears only to be different pages when copied but no changes.

Borough Attorney said that there were no changes.

Commented that the Council listened when it came to COAH and the plan and because of that produced a better product.

He requested the following:

- What Council was doing to make sure traffic is not adversely impacted.
 - Have a plan to improve traffic.
 - He said that page six reads that the plan needs to indicate its relationship to improving traffic and public transportation and other public improvements. So he will be asking how the plan would improve traffic and public transportation and other public improvements. That is what the statute requires.
 - Questioned the number of traffic lights on Main Street.
 - Traffic lights at Kimball Drive East & West where the driveways connect.
 - Asked if the developer is required to build rail siding in.
- The Borough Attorney stated that is not in the plan.
- Asked if the plan conforms with the ordinance.
 - Asked if this developer required to contribute to the affordable housing fund.
- Attorney stated that they do have to contribute.

- Susan Gruel, Planner responded to Jim Robinson's questions and comments.
- Freight Rail Spur is encouraged on page 21 of the Plan.
- She said that the plan specifically states that on page 12 it reads "the plans supersedes the regulations set forth in the Borough's Land Development regulation chapter 26, for this area unless it specifically references other Borough regulations affecting development that are in conflict or superseded by this plan. However, existing engineering standards, performance standards, and definitions not provided in this plan shall apply.

Mr. Robinson spoke about a paragraph on page 15 regarding items being prohibited such as Lakeview Drive. He then asked about infrastructure costs and if he would have to contribute and that they should pay their fair share.

- Gary Lattanzi, 4 Gwizdak Ct.

Questioned if Kimball Drive East would be able to handle truck traffic.

The engineer stated that the Borough was looking to putting restrictions on that roadway to prevent trucks from utilizing those roads.

Councilwoman Kilpatrick said that that roadway was not conducive to any truck traffic.

Council President Buchanan asked the attorney to draft an ordinance not allowing truck traffic on Kimball Drive East and West.

- Donna Roberts, 369 Washington Road

Commented that she was in favor of the Mayor putting together a committee to work with the officials on this matter.

Mayor asked if there were any further questions or comments on this matter.

There being none he called for a motion to close the Public Portion.

Councilman Dalina made a motion to close the Public Portion and Table the Ordinance till the July 22, 2019 meeting.

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

Mayor called for the next order of business.

The Borough Clerk read the following Ordinances for Public Hearing:

Public Hearing on Ordinance #453-19.

BOND ORDINANCE #453-19

BOND ORDINANCE PROVIDING FOR VARIOUS 2019 ROADWAY PAVING AND RECONSTRUCTION PROJECTS, BY AND IN THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,800,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$401,350) AND AUTHORIZING THE ISSUANCE OF \$3,398,650 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

(Admin. & Executive – Public Hearing May 28, 2019)

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Sayreville, in the County of Middlesex, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$3,800,000, which sum includes a grant in the amount of \$401,350 received or expected to be received from the New Jersey Department of Transportation (the “Grant”). No down payment for said improvements or purposes is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), as said improvements or purposes involve projects funded by State grants.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,800,000 appropriation not provided for by application hereunder of said Grant, negotiable bonds of the Borough are hereby authorized to be issued in a principal amount not exceeding \$3,398,650 pursuant to and within the limitations prescribed by 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 a principal amount not exceeding \$3,398,650 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 which said bonds or notes are to be issued are for the paving and reconstruction of all or a portion of various roadways within the Borough, including, but not limited to, Allgair Avenue, the Allgair

Avenue Parking Lot, various roads within Hercules Village (including, but not limited to, Lena Street, Cheesequake Road, Haig Street, Foch Street, Pershing Avenue and Bailey Place), Church Street, Smullen Street, Oakwood Drive/Sheid Drive, and Ernston Road from the Garden State Parkway to Route 35. Such improvements or purposes are to include, but are not limited to, as applicable, demolition and excavation, milling, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements, and all other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications on file in the Office of the Clerk of the Borough and available for public inspection.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,398,650.

(c) The estimated cost of said improvements or purposes is \$3,800,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$401,350 available for such improvements or purposes.

SECTION 4. Other than the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Middlesex. Other than the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection

with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, 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 or notes provided for in this bond ordinance by \$3,398,650 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,500,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the

Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: May 13, 2019**

/s/THERESA A. FARBANIEC, R.M.C.
Clerk of the Borough of Sayreville

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

**ADOPTED ON SECOND READING
DATED: May 28, 2019**

/s/THERESA A. FARBANIEC, R.M.C.
Clerk of the Borough of Sayreville

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

APPROVAL BY THE MAYOR ON THIS 28th DAY OF MAY, 2019.

/s/KENNEDY O'BRIEN, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

/s/MICHAEL DUPONT, ESQ.
Borough Attorney

Mayor opened the meeting up to the public for questions or comments on Ordinance #453-19. 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, McGill, Novak,
All Ayes.

Nays: None. Carried.

(Councilwoman Kilpatrick was not feeling well and stepped away from the meeting)

Public Hearing on Ordinance #454-19.

ORDINANCE # 454-19 - Tabled
**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER VII OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION
7-3.3 "PARKING PROHIBITED AT ALL TIME ON CERTAIN STREETS"**
(Pershing Avenue - Public Safety - Co. Buchanan Public Hearing 5-28-19)

Mayor opened the meeting up to the public for questions or comments on Ordinance #454-19.

Those appearing were:

- Audrey Capeci, 24 Pershing Avenue

Stated that she does not have a driveway and that this ordinance would now move the no parking to her side of the road and would not be able to park in front of home to carry groceries. She said that the first ordinance was written because it impacted the least number of residents. Committee meetings were

held, solutions were proposed and this was not one of them. Wants the ordinance currently adopted should remain.

Councilwoman Novak agreed.

Council President Buchanan stated that the current Traffic Sergeant recommended that the ordinance be changed to the opposite side and explained his reasoning. He said that the Council has to act because of the potential hazard. He said that other roadways are also currently being looked at because of this issue of being able to get a fire truck and or ambulance down the street. He addressed the other solutions that were discussed.

Councilwoman Novak said that they either leave the ordinance as is or change it.

Mayor commented on why the streets were built the way they are.

Kevin Krushinski was called to speak.

Kevin Krushinski, Fire Marshall

He explained the size of the street as well as the side of the fire trucks and that it is too narrow to get a fire truck down with cars parked on both sides.

Councilman Dalina recommended keeping the street the way it is.

Discussion on alternate side parking where accessible, both sides and work on a compromise.

Council President Buchanan made a motion to Table the Ordinance until we can get more information from Kevin Krushinski and Sgt. Braile. Motion was seconded by Councilman Dalina.

Roll Call: Ayes: Council Persons Buchanan, Dalina, Enriquez, McGill, all Ayes.

Abstain: Councilwoman Novak.

(Councilwoman Kilpatrick had stepped away from the meeting before the discussion on the ordinance)

Ordinance #454-19 was Tabled.

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, McGill, Novak,
All Ayes.

Nays: None. Carried.

Public Hearing on Ordinance #455-19.

ORDINANCE #455-19
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER IV OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO ADD SECTION 4-10.7
"COMMUNITY OUTREACH PROJECTS SPECIAL SERVICES BUREAU"
(Public Safety – Co. Buchanan Public Hearing 5-28-19)

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:

4-10 – UNIFORM DIVISION

4-10.7 COMMUNITY OUTREACH PROJECTS SPECIAL SERVICE BUREAU (COPS)

The formation of this bureau is intended to have a dynamic impact on the manner, method and breath of the Sayreville Police Department's goal to provide outstanding community outreach to our residents.

The Community Outreach Projects Special Service Bureau shall consist of one (1) Lieutenant, one (1) Sergeant and one (1) Patrol Officer and will come under the direct supervision of the Uniformed Division Commander. The Lieutenant and Sergeant will be responsible for all scheduling, training, and assigning responsibilities for the respective programs. In addition, the Lieutenant and Sergeant will be responsible for community outreach to all organizations, as well as, individual residents and non-residents whose needs and/or interests impact the Borough of Sayreville with regard to crime prevention and quality of life issues.

The Community Outreach Projects Service Bureau will include, but not be limited to the following active programs: Clergy Council, LEAD, Veterans Diversionary Program, Sayreville DVRT, Marine Unit, Bicycle Unit, ATV Unit, Motor Unit, Special Needs and Senior Security Surveys.

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Four, Section 4-10**, of the Revised General Ordinances of the Borough of Sayreville, shall be added 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.

/s/ Daniel Buchanan, Council President
(Public Safety Committee)

ATTEST:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

APPROVED AS TO FORM:

/s/ Michael R. DuPont, Esquire
Borough Attorney

Mayor opened the meeting to the public for questions or comments on Ordinance #455-19.

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 Buchanan, Dalina, Enriquez, McGill, Novak, All Ayes.

Nays: None. Carried.

e) Appointments (If any) - None

• **NEW BUSINESS:**

a) Clerk reported having received the Supplemental Debt Statement from CFO Denise Biancamano as of May 28, 2019.

Councilwoman Novak made a motion to receive and file the Supplemental Debt Statement. Seconded by Council President Buchanan.

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

b) Introduction of the following ordinances:

ORDINANCE #456-19
**BOND ORDINANCE PROVIDING FOR 2019 ACQUISITION OF
VEHICLES AND EQUIPMENT, BY AND IN THE BOROUGH OF
SAYREVILLE,
IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY;
APPROPRIATING \$2,100,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$1,995,000 BONDS OR NOTES
OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**
(Admin. & Finance – Public Hearing 6-10-19)

Councilman McGill moved the ordinance be approved on first reading, advertised according to law and a Public Hearing be held on June 10, 2019. Motion was seconded by Councilman Dalina.

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

Mayor moved onto the Consent Agenda Resolutions.

CONSENT AGENDA RESOLUTIONS

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

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

Council President Buchanan moved the Public Portion be closed and the Consent Agenda Resolutions be approved on Roll Call Vote.

Roll Call: Councilpersons Buchanan, Dalina, Enriquez, McGill, Novak.

RESOLUTION #2019-150

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/ Dan Buchanan
Councilman

Absent _____
Victoria Kilpatrick, Councilwoman

/s/ Kevin Dalina
Councilman

/s/ 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

RESOLUTION #2019-151

BE IT RESOLVED that the proper Borough officials are hereby authorized to award contract to Tactical Public Safety of West Berlin, NJ for Radio System and E911 maintenance through State Contract #T0109/A83932 in an amount not exceed \$44,803.97.

/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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2019-152

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized and directed to purchase and install sound and recording equipment from Gramco Business Communications, 1149 Bloomfield Avenue, Clifton, NJ 07012 for the Borough of Sayreville Public Safety Complex interview room through the Educational Services Commission of NJ Contract #17/18-29, at a total cost not to exceed \$34,638.00.

/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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2019-153

BE IT AND IT IS HEREBY RESOLVED that the proper Borough officials are hereby authorized to appoint a Grant Writer in order to pursue a grant in the amount of \$15,000.00 to be used for Rescue Jacks for motor vehicle extrication through grant sponsor Firehouse Subs in an amount not to exceed \$2,000.00.

/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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2019-154

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AUTHORIZING MEMBERSHIP IN PASSAIC
VALLEY SEWERAGE COMMISSION NORTH JERSEY
COOPERATIVE PRICING SYSTEM (NJWWCPS)**

WHEREAS, the Governing Body of the Borough of Sayreville, Middlesex County, New Jersey (hereinafter "Borough") has been informed of the benefits of membership in NJWWCPS Cooperative Pricing System; and

WHEREAS, the Governing Body of the Borough of Sayreville has applied for membership in the NJWWCPS in order to purchase services, equipment, etc. from vendors approved by the NJWWCPS thus saving in costs for products and administration time; and

WHEREAS, membership in the program comes at no cost to the Borough of Sayreville but will result in the Borough of Sayreville saving money while purchasing through the approved vendors; and

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that Mayor Kennedy O'Brien and the Governing Body of the Borough of Sayreville hereby approve the Borough's membership in the NJWWCPS.

/s/ Dave McGill
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
Michael DuPont, Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

RESOLUTION #2019-155

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

NAME OF APPOINTEE: Kristy Berbert
POSITION: Clerk 1
DEPARTMENT: Water Department
EFFECTIVE: June 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/Victoria Kilpatrick, Councilwoman
(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, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien, Mayor

RESOLUTION #2019-156

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

NAME OF APPOINTEE: Steve Mozdzen
POSITION: Sewer Repairer I
DEPARTMENT: Sewer Department
EFFECTIVE: June 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/Victoria Kilpatrick, Councilwoman
(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, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/Theresa A. Farbaniec, RMC
Municipal Clerk

/s/Kennedy O'Brien, Mayor

RESOLUTION #2019-157

BE IT AND IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized and directed to continue with the ongoing remedial action activities as required by the NJDEP for underground Storage Tank Removal Program at the Crossman Pump Station site at a fee not to exceed \$22,500.00.

/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/ Kennedy O'Brien
Mayor

• **RESOLUTION(S) TO BE READ IN FULL:**

Mayor opened the meeting for any questions or comments on Resolution 2019-158.

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

Councilman Dalina moved the Public Portion be closed and Resolution #2019-158 be approved on Roll Call Vote.

Roll Call: Councilpersons Dalina, Buchanan, Enriquez, McGill, Novak.

RESOLUTION #2019-158
BOROUGH OF SAYREVILLE
MIDDLESEX COUNTY
RESOLUTION OF NEED

WHEREAS, Community Investment Strategies, Inc. (hereinafter referred to as the "Sponsor") propose to construct an approximately 88 unit housing project (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Borough of Sayreville (hereinafter referred to as the "Borough") on a site to be described as Block 175, Lot 10.01 on the Official Assessment Map of the Borough of Sayreville, Middlesex County, New Jersey, which is located in the River Road Redevelopment Area; and

WHEREAS, the Project is consistent with the Borough's Conditional Order of Judgement of Compliance and Repose entered on December 20, 2018; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Project may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage

and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs, or any other Department of Community Affairs programs as applicable; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Borough hereby determines that there is a need for this housing project in the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sayreville (the "Council") that:

- (1) The Council finds and determines that the Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

/s/ Kevin Dalina, 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, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien, Mayor

- **BOROUGH ENGINEER – None**
- **BOROUGH ATTORNEY – None**
- **PUBLIC PORTION**

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

There were no appearances. Council President moved the Public Portion be closed. Seconded by Councilman Dalina.

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business Councilwoman Novak moved to adjourn. Seconded by Councilman Dalina.

Roll Call: Voice Vote, all Ayes.

Time 11:13 P.M.

Respectfully submitted,

Theresa A. Farbaniec, RMC
Municipal Clerk

Date Approved: _____