

RESOLUTION #2025-210

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

Mary J. Novak, Councilwoman

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	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-211
**RESOLUTION OPPOSING NEW JERSEY'S CURRENT AFFORDABLE
HOUSING COMPLIANCE PROGRAM AND PROCEDURES
OF THE FAIR HOUSING ACT, AND REQUESTING
FURTHER LEGISLATIVE ACTION TO ADDRESS THE UNFAIR
AND UNJUST PRACTICES THEREIN.**

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA set forth the requirements and procedures for determining the affordable housing fair share obligations for all municipalities through the State, along with the municipalities required compliance mechanisms, procedures and deadlines in order to satisfy its fair share obligations for the Fourth (4th) Round (2025-2035) of affordable housing compliance; and

WHEREAS, on December 13, 2024, the New Jersey Administrative Office of the Courts issued Administrative Directive #14-24, which established procedural requirements and additional deadlines for proceeding with the Affordable Housing Dispute Resolution Program (the "Program") as required by the Amended FHA; and

WHEREAS, as of the date of this Resolution, the Borough of Sayreville has complied with all applicable requirements, filings and deadlines set forth in the Amended FHA and Administrative Directive #14-24; and

WHEREAS, while the deadlines established by the Amended FHA and Administrative Directive #14-24 are strictly construed against the municipalities, such deadlines are not held as strictly against the Program or the Courts; and

WHEREAS, the Program and the Courts have thus far issued varied and contradictory recommendations and decisions with regard to the methodologies utilized in the determination of the municipalities' present and prospective need obligations and the objections made thereto; and

WHEREAS, the Amended FHA has not been consistently applied to all municipalities with regard to the methods of calculating the municipalities' present and prospective need obligations, which casts doubt and concern over the Program's and Court's handling of the review of the municipalities' adopted Housing Element and Fair Share Plans, along with any obligations to same; and

WHEREAS, the Borough of Sayreville, while fully complying with the requirements of the Amended FHA and Administrative Directive #14-24, opposes the current affordable housing requirements of the Amended FHA, along with the procedures and filing requirements established therein and the Administrative Directive #14-24; and

WHEREAS, the current affordable housing system established in the Amended FHA creates unrealistic requirements upon municipalities, including the promotion of sprawl throughout the State; and

WHEREAS, the current standards embodied in the Amended FHA impose unrealistic burdens on municipalities as demonstrated by the fact that the FHA calls for the imposition of a statewide affordable housing obligation of 84,698 just for Round 4 on municipalities that issued only 99,956 Certificates of Occupancy for all housing units in the 2010-2020 period that was used to establish prospective need obligations for Round 4; and

WHEREAS, the imposition of unrealistic obligations does not advance the realistic opportunity for the construction of more affordable housing, but instead encourages opposition and litigation; and

WHEREAS, the current affordable housing requirements, mechanisms and set-aside percentages provide for excessive overdevelopment, with more market rate units being constructed than affordable housing units, unless otherwise requiring municipalities to expend large sums of public funds to subsidize such construction; and

WHEREAS, the imposition of unrealistic housing obligations forcing municipalities to overdevelop with inclusionary housing, thereby causing resistance to affordable housing; and

WHEREAS, even-handed justice requires that the obligations imposed by our laws must be realistic in order to justify imposing an obligation of constitutional dimension on municipalities to create a realistic opportunity for affordable housing; and

WHEREAS, the unrealistic obligations imposed by the current laws can be easily addressed by redefining the manner in which the regional need is calculated to be faithful to a principle embodied in the Amended FHA; and

WHEREAS, establishing prospective need for affordable units based on 20 percent of residential housing units *actually constructed* over a prior ten-year period accords with New Jersey's long-standing policies of empowering municipalities to cure the abuse of exclusionary zoning with traditional inclusionary zoning; and

WHEREAS, the demand for market-rate housing is a reasonable basis for determining whether and to what extent a realistic opportunity for the creation of affordable housing may exist, and the issuance of certificates of occupancy for new residential units is a reliable indicator of such demand; and

WHEREAS, a standard aimed at ensuring that the number of affordable housing units in our State will increase commensurately with the number of market units constructed will put the doctrine on a sustainable trajectory that will avoid the tendency of municipalities to oppose implementation of affordable housing obligations; and

WHEREAS, in light of the above, the Borough Council of the Borough of Sayreville has determined that the current 4th Round affordable housing process, including the Program, as established by the Amended FHA and Administrative Directive #14-24 needs to be revised, amended and re-adopted by the New Jersey

Legislature to assure a more fair and just process of determining municipalities” present and prospective need obligations, as well as the process and mechanisms provided to municipalities to address same.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, that the Borough hereby requests and demands that the New Jersey Legislature enact further amendments to the Amended FHA to provide for a more fair and just method of addressing the affordable housing obligations throughout the State; as well as provide municipalities the ability to participate in the preparation of such legislation so that their input can be taken into account.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to send a certified copy of this Resolution to the Borough’s State Legislative (Senate and Assembly) representatives, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, the Lieutenant Governor Tahesha Way, the New Jersey Governor Phil Murphy, and the New Jersey League of Municipalities.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

(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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O’Brien
Mayor

	Balka	Colaci	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-212

BE IT RESOLVED that the proper Borough officials are hereby authorized and directed to award a contract for VESTA 911 Support/Maintenance for the Police Department from Motorola Solutions, 500 W Monroe Street, Chicago, IL 60661, through NJ State Contract T0109/A83925 at a total cost not to exceed \$47,681.30.

BE IT FURTHER RESOLVED that the Chief Financial certifies that funding in the amount of \$47,681.30 is available in Account No. 5-01-20-140-140.

(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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

FUNDS CERTIFIED BY:

Danielle Maiorana, CFO

	Balka	Colaci	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-213

BE IT AND IT IS HEREBY RESOLVED, that the Qualified Purchasing Agent is hereby authorized and directed to auction a 2002 Sutphen 95 foot Mid-Mount Platform 1500GPM Pump/500 gallon Fire Truck VIN: 1S9A3JLE221003043 on municibid.com.

(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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-214

WHEREAS, N.J.S.A. 40A:4-87 provides that the director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount:

SECTION 1.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sayreville in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year 2025 in the sums contained in Section 2 which are now available as revenue from the following sources:

SECTION 2.

**DCA Resilient Communities Grant – Melrose Pump Station –
\$2,859,780.00**

SECTION 3.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

(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	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-215

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 Closeout Contract Change Order No. 3:

- Project: Improvements to Elizabeth Avenue
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Decrease: \$359,694.83
- 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.

(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	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-216
ACCEPTING FINAL WORK
AND AUTHORIZING FINAL PAYMENT
UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, the following named contractor has completed the following work as indicated on the project hereafter referred to, which work is apparently in accordance with the plans, specifications and contract documents:

- Project: Improvements to Elizabeth Avenue
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Balance Due \$14,744.59

WHEREAS, the Borough Engineer has fully issued a certificate certifying to the completion of the work and recommending payment in accordance with the terms thereof; and

WHEREAS, the Standing Committee of the Governing Body under whose jurisdiction this work falls has likewise inspected said work and has determined that it has been completed in apparent conformity with the plans and specifications; and

WHEREAS, the Statutes of New Jersey pertaining to the enforcement of mechanic's and materialmen's liens on municipal projects provide that notice thereof may be filed at any time within 45 days of the final acceptance of said work;

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

1. That the project described in the preamble hereof is hereby accepted and approved with the proviso that such action is not to be construed as a waiver of any violation of the terms of said plans, specifications and contract documents if such violation should later appear.

2. That the Borough Clerk is authorized to insert a brief notice in a daily newspaper circulating in Middlesex County once a week for two consecutive weeks giving public notice of the final acceptance of said work so that any potential lien claimants may have notice thereof.

3. That upon expiration of the 45 days from the date hereof, the proper municipal officials be and they are hereby authorized and directed to execute and deliver a check to the said contractor covering the amount due him, less any retained percentage authorized by the contract documents.

4. That should the contract under which this work has been done provide for the release of any retained percentage upon the filing of a maintenance bond, that said percentage shall be paid said contractor upon the filing of a one-year 15% Maintenance Bond in the amount of \$193,444.57 and the approval of same as to form and sufficiency by the Borough Attorney.

(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	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-217

A RESOLUTION DESIGNATING THE PROPERTIES IDENTIFIED AS BLOCK 446, LOTS 2.01 AND 2.02; AND, BLOCK 445, LOTS 1.01, 1.02, 1.03, 2.03, 2.04, 3.01, 4.03, 4.04, 4.05, 4.06, 5.03 AND 5.04 AND BLOCK 449.07, LOTS 1.01, 2.01 AND 3.01 AS AREAS IN NEED OF NON-CONDEMNATION REDEVELOPMENT AND REHABILITATION PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, AND AUTHORIZING THE SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY TO PREPARE A REDEVELOPMENT PLAN.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (“LRHL”) provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment and rehabilitation; and

WHEREAS, the Borough Council, by Resolution No. 2024-289, adopted November 25, 2024, as amended July 21, 2025, authorized and directed the Borough Planning Board (“Board”) to conduct a preliminary investigation in order to investigate whether seventeen (17) properties identified as Block 446, Lots 2.01 and 2.02; and, Block 445, Lots 1.01, 1.02, 1.03, 2.03, 2.04, 3.01, 4.03, 4.04, 4.05, 4.06, 5.03 and 5.04 and Block 449.07, Lots 1.01, 2.01 and 3.01, all located on either side of Mini Mall Drive and to the north of the intersection of Mini Mall Drive and Ernston Road, inclusive of any and all streets, paper streets, private drives and right of ways (the “Study Area”) meet the criteria set forth in the LRHL, specifically N.J.S.A. 40A:12A-5, and should be determined to be a Non- Condemnation Area in Need of Redevelopment and/or Rehabilitation under LRHL; and

WHEREAS, the Board authorized and directed Veena M. Sawant, AICP, PP, to conduct the preliminary investigation, as well as prepare a report with maps and exhibits showing the boundaries of the Study Area; and

WHEREAS, Ms. Sawant conducted the preliminary investigation and prepared a Preliminary Investigation Report, dated August 20, 2025, with maps and exhibits showing the boundaries of the Study area and the location of the parcel therein, setting forth the basis of the investigation (the “Report”); and

WHEREAS, the LRHL requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as “an area in need of redevelopment,” at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Township once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, in accordance with N.J.S.A. 40A:12A-6 of the LRHL, after giving due notice of same, on August 20, 2025, the Board conducted a public hearing on the preliminary investigation and Report on whether the Study Area meets the criteria

to be designated as a “non-condemnation area in need of redevelopment” pursuant to the LRHL; and

WHEREAS, at the August 20th public hearing, Ms. Sawant was sworn and provided testimony in support of the preliminary investigation and Report before the Board; and

WHEREAS, at the August 20th public hearing, the Board also gave members of the public an opportunity to speak and ask questions related to the preliminary investigation, Report, and testimony of Ms. Sawant; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on August 20, 2025, determined that the Study Area met one or more criteria to designate the Study Area as an “area in need of redevelopment,” collectively meeting criteria “c”, “d” and “h” of N.J.S.A. 40:12A-5 of the LRHL; as well as be designated as an area in need of rehabilitation; which was memorialized by way of Resolution adopted on August 20, 2025, which is attached hereto and made a part hereof; and

WHEREAS, having considered the Board’s recommendation and the supporting Report, the Borough Council agrees with the recommendation of the Board that the Study Area be designated as a “non-condemnation area in need of redevelopment” and an area in need of rehabilitation pursuant to the LRHL; and

WHEREAS, the Borough Council now desires to designate the Study Area as a “non-condemnation area in need of redevelopment,” and an area in need of rehabilitation, and to authorize and direct the Sayreville Economic and Redevelopment Agency (“SERA”) to prepare a draft redevelopment plan for the Study Area and to present same to the Borough Council for its consideration.

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

- (1) The foregoing recitals are incorporated herein as if set forth in full.
- (2) The Study Area, which consists of the properties identified as Block 446, Lots 2.01 and 2.02; and, Block 445, Lots 1.01, 1.02, 1.03, 2.03, 2.04, 3.01, 4.03, 4.04, 4.05, 4.06, 5.03 and 5.04 and Block 449.07, Lots 1.01, 2.01 and 3.01 on the Borough Tax Maps, inclusive of any and all streets, paper streets, private drives and right of ways, is hereby designated as a Non-Condensation Area in Need of Redevelopment, as well as an area in need of rehabilitation under the LRHL (hereinafter also defined as the “Redevelopment Area”).
- (3) The Determination shall authorize the Borough of Sayreville to use all of the powers provided by the Legislature for use in a redevelopment area excluding the use of eminent domain, thus designating it a “Non-Condensation Redevelopment Area” and an area in need of rehabilitation.
- (4) SERA is hereby authorized and directed to prepare a draft redevelopment

plan for the Redevelopment Area and to present same to the Borough Council for its consideration.

- (5) The Borough Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of the Department of Community Affairs (the "Commissioner") for review. The Determination of the Study Area as a "non-condemnation area in need of redevelopment" shall not take effect without first receiving the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.
- (6) Notice of the Determination (the "Notice") shall be served, within ten (10) days of the Determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.
- (7) A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are hereby authorized to take all required actions to effectuate the authorizations in this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

(Planning & Zoning)

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	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						

RESOLUTION #2025-218

WHEREAS, Mayor Kennedy O'Brien has appointed Christopher Bardsley to the position of Coordinator of the Office of Emergency Management to serve for a three (3) year term from September 1, 2025 to September 1, 2028; and

WHEREAS, N.J.S.A. 40:69A-43(b) requires that each Department Head appointed by the Mayor shall be with the advice and consent of the Council.

NOW THEREFORE, BE AND IT IS, HEREBY RESOLVED, by the Council of the Borough of Sayreville that consent to the appointment of Christopher Bardsley as Coordinator of the Office of Emergency Management of the Borough of Sayreville is hereby given.

(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.

Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

Jessica Morelos, RMC
Municipal Clerk

Kennedy O'Brien
Mayor

	Balka	Colaci	Novak	Roberts	Synarski	Zebrowski
Ayes						
Nays						
Abstain						
Absent						