

Council President Dalina called the Agenda Meeting to order at 7:35 PM followed by a salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this Agenda Session Meeting being held on Monday, September 13, 2021 has 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 Conti, Dalina, Enriquez, Maher, Novak, Roberts

Absent: None

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

Others Absent: Mayor Victoria Kilpatrick

- **OLD BUSINESS:**

- Mayor Kilpatrick announced that the following Ordinance(s) will be voted on at the September 27, 2021 meeting.

ORDINANCE #543-21

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIV OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND SECTION**

14-14.9 "MISCELLANEOUS FEES"

(Water & Sewer Committee - Co. Novak - Public Hearing 9-27-21)

- **NEW BUSINESS:**

COMMUNICATIONS & COMMITTEE REPORTS

➤ **ADMINISTRATIVE & FINANCE – Councilwoman Roberts**

A) **Minutes & Departmental Reports: None**

B) Applications received for **Bingo/Raffle Licenses** from the following Organizations:

- 1) **St. Stanislaus Kostka HSA** to conduct two Off-Premise (Calendar) Raffles on several dates in 2022 (RA:2388; RA:2389).

-Approved.

C) Committee Reports:

- 1) Commented on the 9/11 Ceremony

➤ **PLANNING & ZONING – Councilwoman Maher**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Planning Board minutes of July 21, 2021.

- Seconded by Councilwoman Novak.

B) **Notice to Adjacent Community/Property Owner -**

- 1) Notice of Public Hearing to be held before the Sayreville Board of Adjustment on September 22, 2021 from Steven McCutcheon and Shannon Smith for a Certification of Non-Conformity to

allow a two (2) family residence in the R-7 Zone District which doesn't permit two (2) family residences for 105 Washington Road.

- Seconded by Councilwoman Novak.

C) Resolution from the Planning Board stating that the National Amusement Theater site qualifies as a non-condemnation area in need of redevelopment.

-Approved.

Borough Attorney read the following resolution that will be memorialized at the next meeting.

Explanation: Resolution designating the property commonly known as the former National Amusements theater site, Block 265, Lot 1, Block 273, Lot 1 and Block 274.01, Lot 1, as a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL") and authorizing the Borough Engineer's office to prepare a redevelopment plan for said property.

Borough of Sayreville RESOLUTION NO. 2021-

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

WHEREAS, the Sayreville Planning Board was directed by the Borough Council, pursuant to Resolution dated May 10, 2021, to conduct a preliminary investigation in order to investigate the area listed within the chart below and generally described as the Study Area to determine if the Study Area should be determined to be a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"). The following property is included within the Study Area presently being investigated:

No.	Address	Block	Lot
	Former National Amusement Site	265	1
	Former National Amusement Site	273	1
	Former National Amusement Site	274.01	1

WHEREAS, the Planning Board retained Michael Fowler, AICP, PP of Michael Fowler Associates, LLC. to perform a preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an "area in need of redevelopment" in accordance with the LRHL; 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 (2) consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Township’s assessment records; and

WHEREAS, Michael P. Fowler, AICP, PP did prepare and provide to the Planning Board a Preliminary Investigation Report for Non-Condensation Area (the “Report”) dated July 2021, and said Report stated that the Study Area meets the criteria set forth in N.J.S.A. 40A:12A-5, subsections A, B, C & H

WHEREAS, the Board held a public hearing to determine whether the Study Area is a “non-condemnation area in need of redevelopment” under the criteria set forth in Section 5 of the LRHL at a special meeting of the Board held electronically on August 18, 2021; and

WHEREAS, notice of the Public Hearing was provided in the official newspaper of the Township on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

WHEREAS, notice was also provided to property owners in the Study Area; and

WHEREAS, at the Public Hearing, Michael P. Fowler AICP, PP presented the Report and advised that the Study Area meets the criteria set forth in N.J.S.A. 40A:12A-5, subsections A, B, C & H as a “non-condemnation area in need of redevelopment”; and

WHEREAS, at the Public Hearing, the Planning Board reviewed the Report, heard a presentation and the testimony of Mr. Fowler as well as testimony from any members of the public who were given an opportunity to testify and ask questions of the Planning Board and of Mr. Fowler; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Planning Board, on August 18, 2021, determined that the Study Area qualified as a “non-condemnation area in need of redevelopment” in accordance with N.J.S.A. 40A:12A-5, which determination was memorialized by Resolution of the Planning Board on September 1, 2021; and

WHEREAS, the Borough Council agrees with the recommendation of the Board that the Study Area be designated as “an area in need of redevelopment” pursuant to the LRHL; and

WHEREAS, the Township Council wishes to designate as a Non-Condensation Area in Need of Redevelopment the aforementioned properties located within the Study Area (“Subject Properties”) and authorize the office of the Borough Engineer, CME Associates, to prepare a redevelopment plan for the Subject Properties and to present same to the Borough Council for its consideration, and referral to the Planning Board.

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; and
2. The former National Amusements site, Block 265, Lot 1, Block 273, Lot 1 and Block 274.01, Lot 1, are hereby designated as a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “LRHL”); and
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”.

4. The office of the Township Engineer, CME Associates, is hereby authorized to prepare a redevelopment plan for the Subject Properties and to present same to the Borough Council for its consideration, and referral to the Planning Board; and

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.

8. This Resolution shall take effect immediately.

Councilwoman Novak moved the resolution be adopted and memorialized at the next meeting. Seconded by Council President Dalina,

Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.

D) Committee Reports:

- 1) Requested a weight limit ordinance for Kendall Drive and Creamer Drive to alleviate potential truck traffic.
- 2) Commented on 9/11 Ceremony.
- 3) NJ Feeds is returning.
- 4) Questioned the status of paying for animal licensing online.

➤ **PUBLIC SAFETY – Councilman Conti**

A) **Minutes & Departmental Reports:**

Move the following Minutes/Reports be Received & Filed:

- 1) Board of Health minutes of June 3, 2021.

- Seconded by Councilman Enriquez.

B) Application for **membership as a Firefighter** received from the following:

- 1) Micheal Broyer accepted by Morgan Hose & Chemical Co. No. 1 at their July 1, 2021 meeting.

- Approved.

C) **Coin toss** request for the corner of Washington & Ernston Road received from:

- 1) Sayreville Blue Bombers Travel Softball team on November 13 & 14, 2021 from 10am-2pm.

- Approved.

D) Committee Reports:

- 1) Commented on 9/11 Ceremony.
- 2) Resident complaint about the right turn on red on Ernston and Washington Road and that you shouldn't when children are present and drivers are not adhering to it.

- 3) Thanked the Fire Department for helping Middlesex County with water rescues in Middlesex County.

➤ **RECREATION – Councilman Enriquez**

A) **Minutes & Departmental Reports: None**

B) Application for Special Event received from the following:

- 1) Barkat Jasani to hold a wedding on October 1, 2021 from 1pm-8pm and October 2, 2021 from 3pm-10pm at 879 Bordentown Avenue.

- Approved.

C) Letter of resignation received from Donna Zaleski from her position on the Recreation Advisory Board.

- Receive & File.

B) Committee Reports:

- 1) Library received a grant for \$46,000.00 through the American Rescue Plan Act.
2) Reported on various recreation events.

➤ **WATER & SEWER/ENVIRONMENTAL – Councilwoman Novak**

A) **Minutes & Departmental Reports: None**

B) Committee Reports:

- 1) Commented on the 9/11 Ceremony.
2) Questioned the Helmetta building permits being waived and who authorized it.
Business Administrator Frankel responded that it was for electrical permits and the Mayor had a discussion with Helmetta and Spotswood's Mayors during the flooding and the decision was made that they weren't going to charge for permits.
Borough Attorney DuPont stated that the Borough Council would have to waive those fees.
Councilwoman Novak made a motion to waive the electrical permits sought by Helmetta from Hurricane Ida. Seconded by Councilman Conti.
Roll Call: Councilpersons Novak, Conti, Dalina, Enriquez, Maher, Roberts, all Ayes.
3) Questioned the time system that the employees now have to use.
Business Administrator responded that it's a time management system and also explained the system.
Councilwoman Novak questioned the cost.
Business Administrator Frankel responded \$12,000.00.

➤ **PUBLIC WORKS – Council President Dalina**

A) **Minutes & Departmental Reports: NONE**

B) **Notice of retirement** received from Mark Jarusiewicz from his position in the Department of Public Works, effective January 1, 2022.

- Receive & File.

C) Committee Reports:

- 1) Thanked Public Works for doing a bulk pickup for the residents affected by the storm.

➤ **MAYOR – Victoria Kilpatrick - None**

➤ **BUSINESS ADMINISTRATOR - Daniel E. Frankel**

- Admin. & Finance

- 1) Authorization to execute a Discharge of Mortgage for property located at 7 George Street.

- Resolution.

- Planning & Zoning

- 1) Authorization to purchase one 2021 Ford Explorer for the Fire Prevention Division through ESCNJ Contract 20/21-09 in an amount not to exceed \$33,082.27.

- Resolution.

- 2) Authorization to draft a letter supporting the application of Renewable Resources Inc./Atlantic Power Transmission LLC for its offshore wind transmission line project.

- Approved.

- Public Safety

- 1) Letter received from Antonio Toto, Esq. appealing the Police Department's denial of a massage parlor renewal license for Massage Therapy Spa. Need to schedule a hearing.

- Hearing scheduled for 9/27/21 at 6:15pm.

- 2) Authorization to award a contract to Queues Enforth Development for 2021-2022 CAD Maintenance in an amount not to exceed \$28,164.00 through NJ State Contract T0109/A83889.

- Resolution.

- 3) Authorization to purchase firearms through a Non-Fair and Open Contract from Modern Material in an estimated amount of \$39,760.00.

- Resolution.

- Public Works

- 1) Authorization to award a contract to Commercial Interiors Direct for carpeting at the Borough Hall in an amount not to exceed \$52,959.90 through ESCNJ Co-op Contract 19/20-05.

- Resolution.

- Recreation

- Water & Sewer

- 1) Memorializing an emergency contract issued to Quincy Compressor for a replacement Air Compressor in an amount not to exceed \$53,600.00.

- Resolution.

- 2) Authorization to award a Non-Fair and Open Contract to Rock Rentals for specialized Water and Sewer Equipment rentals on an as needed basis in an amount not to exceed \$44,000.00.

- Resolution.

Business Administrator asked Councilwoman Novak to set up a committee meeting before the next meeting.

➤ **C.F.O. - Denise Biancamano**

- 1) Authorization to amend the 2021 Local Municipal Budget for the following:
- Coronavirus Local Fiscal Recovery Fund - \$5,947,913.00

- Resolution.

➤ **BOROUGH ENGINEER - Jay Cornell**

- 1) Duhernal Well Maintenance and Redevelopment Services – Closeout of Contract and Change Order (Report Attached).

- Resolution.

➤ **BOROUGH ATTORNEY - Michael DuPont - None**

➤ **PUBLIC PORTION**

Mayor Kilpatrick opened the meeting up to the public for any and all questions or comments.

Those were no appearances.

Councilwoman Novak made a motion to close the Public Portion. Seconded by Councilman Conti.

Roll Call: Voice Vote, all Ayes.

➤ **ADJOURNMENT**

No further business. **Council President Dalina made a motion to adjourn the Agenda Session. Motion was seconded by Councilwoman Novak.**

Roll Call: Voice Vote, all Ayes.

Time: 8:20 P.M.

Jessica Morelos, RMC
Municipal Clerk

Date Approved: _____