

Mayor O'Brien opened the Council Meeting at 7:03 PM followed by a short prayer and salute to the flag.

- **STATEMENT OF NOTICE OF PUBLICATION**

Theresa Farbaniec, Municipal Clerk announced that this November 13, 2018 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, Grillo, Kilpatrick, Lembo, Novak

Absent: Mayor O'Brien  
Councilman Melendez

Others Present: 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:**

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

- ☒ October 9, 2018 - Regular, Executive & Agenda Session Minutes
- ☒ October 16, 2018- Receipt of Bids (Borough Hall Boiler Replacement)
- ☒ October 22, 2018 - Special and Executive Session Minutes
- ☒ October 22, 2018 - Regular, Agenda & Executive Session Minutes

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes.  
Councilman Grillo abstained from the October 22<sup>nd</sup> minutes as he was not in attendance.

- **PROCLAMATION & PRESENTATIONS**

- **Presentation to the Sayreville Lady Bombers Varsity Tennis Team**  
**Council President Kilpatrick called upon Coach Provenza forward to hand out the awards.**

- ❖ **For their accomplishment in winning the White Division in 2016, 2017 & 2018**

Liana Masangkay      Shrusti Sheth  
Alecia Richardson      Katherine Sudol

- ❖ **For their accomplishment in winning the White Division in 2018**

Grace Ekpe      Dania Khan      Stephanie VanNote  
Samatha Gagnon      Julia Kitrys      Jasmine Yehudaioff  
Rilakshmi Kanthaqswamy      Camilla Rutkowski

Each councilmember commented to the team and the coaches on their accomplishments.

Council President Kilpatrick announced that we will be going into Closed Session.

- **EXECUTIVE SESSION** – Personnel / Labor Negotiations

Borough Attorney Mr. DuPont read the following Executive Session Resolution into record.

**RESOLUTION FOR CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances, and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The public portion of this meeting is hereby adjourned in order that the Governing Body may meet in a closed, private session for approximately 15 minutes to discuss the following matters:

Personnel / Labor Negotiations

2. Following the conclusion of said closed session, the Governing body shall reconvene the open portion of this meeting to consider any other matters which may be properly brought before it at this time.

3. The nature and content of discussion which occurs during closed session shall be made public at the time the need for non-disclosure no longer exists.

**NOW, THEREFORE BE IT RESOLVED** that the public be excluded and this resolution shall take effect immediately.

/s/ Daniel Buchanan, Councilman

APPROVED:

/s/ Victoria Kilpatrick, Council President

**Councilman Buchanan moved the Executive Session Resolution be adopted on Roll Call Vote. Motion seconded by Councilman Lembo.**

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes.

Time: 7:16 PM

**Reconvene:**

Councilwoman Novak made a **motion to reconvene**. Motion was seconded by Councilman Novak. Buchanan.

Roll Call: Voice Vote, all Ayes. - Time 7:33 PM

**Council President Kilpatrick called for Old and New Business.**

- **OLD BUSINESS:**
  - a) Public Hearing on the following Ordinances:
    - None

- **NEW BUSINESS:**
  - a) Introduction of the following ordinances:
    - None

- **CONSENT AGENDA/RESOLUTIONS**

Council President Kilpatrick opened the meeting to the public for questions or comments on Consent Agenda Resolutions.

**There were no appearances.**

**Councilman Buchanan made a motion to close the public portion and adopt the Consent Agenda Resolutions on Roll Call Vote. Motion was seconded by Council President Kilpatrick.**

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes. Carried.

**RESOLUTION #2018-369**

**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 and properly audited by the appropriate committees be and the same are hereby ordered to be paid by the appropriate Borough officials.

Absent  
Kennedy O'Brien, Mayor

/s/ Daniel Buchanan, Councilman

/s/ Pasquale Lembo, Councilman

/s/ Steven Grillo, Councilman

Absent  
Ricci Melendez, Councilman

/s/ Victoria Kilpatrick, Councilwoman

/s/ Mary J. 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, Esq., Borough Attorney

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**Bill list of November 13, 2018 in the amount of \$13, 111, 319.54 in a separate Bill List File for 2018 (See Appendix Bill List 2018-A for this date).**

**RESOLUTION #2018-370**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH ATTORNEY TO ORDER A TITLE SEARCH**

**WHEREAS**, K-LAND is the owner of certain property designated on the Sayreville Tax Map as Block 367.01 Lot 1 (Prime Parcel); and

**WHEREAS**, the Borough of Sayreville wishes to purchase the property designated as Block 367.01 Lot 1 (Prime Parcel); and

**WHEREAS**, before purchasing said property the Borough of Sayreville wishes to secure a title search of said property; and

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Attorney is authorized to order a title search for the property designated on the Borough of Sayreville Tax Map as Block 367.01 Lot 1.

/s/Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-371**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

**NAME OF APPOINTEE:** Beverly Johns *and*  
Kenneth Kelly, Jr.

**POSITION:** Clerk 2

**DEPARTMENT:** Tax Assessor

**EFFECTIVE:** January 1, 2019

**BE IT FURTHER RESOLVED** that the compensation to be paid such appointee shall be fixed and determined by the Salary Ordinance or appropriate resolution adopted thereunder fixing the compensation to be paid municipal employees and that this appointment be made subject to all the rules and regulations of the New Jersey Civil Service Commission.

/s/Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-372**

**WHEREAS**, the Borough of Sayreville desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$750,000,00 to carry out a project for Sayreville Water Treatment Security.

**BE IT THEREFORE RESOLVED,**

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

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and Signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

/s/ Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-373**  
**AUTHORIZING ASSIGNMENT**

**WHEREAS**, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and

**WHEREAS**, Western Atlanta Ventures, LLC has presented an offer to purchase, by assignment, Certificate of Sale #17.36 which was issued to the Borough of Sayreville at a tax sale held on December 12, 2017, on Block 168.11, Lot 144 known as 118 Dolan Street, Sayreville, NJ, and assessed to Thomas and Marilyn Krainski, in the amount of \$11,336.44, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Sayreville hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector.

/s/ Mary J. Novak, Councilwoman  
(Admin. & Executive 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.

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION # 2018-374**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN  
THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
AUTHORIZING LOCAL COMMITMENT FOR RESILIENT NJ GRANT PROGRAM**

**WHEREAS**, the Borough of Sayreville has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience and protect environmental resources; and

**WHEREAS**, the Borough of Sayreville is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program Funds;

**NOW THEREFORE, BE IT RESOLVED** that the Borough of Sayreville will attend and participate at project meetings and events as a member of the Regional Team;

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will support the efforts of the County of Middlesex in its role of coordinating activities of the Regional Team; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will provide timesheets, receipts for expenses, and required documentation to the Prime, when requested, in order to be reimbursed for staff time and expenses for participation at project meeting and events; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will engage in outreach efforts; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will assist in the identification of socially vulnerable populations and will work towards addressing their unique needs within the planning process; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will provide data and information as requested; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will work with the Prime in identifying potential resilience projects and initiatives; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will support the Prime in providing meeting space and resources; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will review and provide feedback on interim and final deliverables; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will work with the Consultant Team provided by NJDEP in its efforts to complete the project; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville authorizes the execution of the grant agreement in the amount offered and approved by NJDEP and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by Middlesex County as Prime for the Raritan River and Bay Regional Resiliency Team and NJDEP; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville will continue participation until the completion of this program; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville agrees to adopt, in full, the State of New Jersey Department of Community Affairs "CITIZENS PARTICIPATION PLAN, CDBG-DISASTER RECOVERY" March 12, 2013 (CDBG-DR Citizen Participation Plan) in order to provide citizen participation opportunities required by CDBG-DR regulations as applicable for this project; and

**BE IT FURTHER RESOLVED** that the Borough of Sayreville agrees to comply with all CDBG-DR regulations, and accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies.

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey, that the Governing Body of the Borough of Sayreville authorize the execution of a sub recipient agreement and associated documents for Resilient NJ Grant.

/s/ Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018 - 375**  
**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE PERSONNEL POLICY HANDBOOK**

**WHEREAS**, the Borough of Sayreville has in effect a Personnel Policies Employment Handbook that was adopted by the Governing Body in 1996; and

**WHEREAS**, the Governing Body of the Borough of Sayreville amended the Personnel Policies Employee Handbook in 2014 and desires to further amend and update the current Personnel Policies Employment Handbook as was amended in its entirety in 2014; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Sayreville that the following sections are hereby amended as contained in Addendum A and Addendum B as attached hereto and made a part hereof:

- Addendum A - Section 1.7 Drugs and Alcohol
- Addendum B - Section 1.4 Open Public Meetings Act Procedure;

**BE IT FURTHER RESOLVED** that this amendment shall take effect immediately.

/s/ Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-376**

**BE IT AND IT IS HEREBY RESOLVED**, that the proper Borough Officials are hereby authorized and directed to execute a Memorandum of Agreement with AFSCME, Local 3527 covering contract years 2017, 2018, 2019, 2020, 2021 and 2022.

/s/ Mary J. Novak, Councilwoman  
(Administration & Executive 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, Borough Attorney

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

APPROVED:  
/s/ Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION 2018-377**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REJECTING THE BID PACKAGE OF PIONEER POLE BUILDINGS, INC. AND AWARDING CONTRACT TO DUTCHMAN CONTRACTING**

**WHEREAS**, the Borough of Sayreville accepted Bid Proposals for the Pole Barn Police Range on September 26, 2018; and

**WHEREAS**, of all the Bids received by the Borough of Sayreville Pioneer Pole Building, Inc. was the low bidder; and

**WHEREAS**, after all Bid packages were reviewed it was found that the bid received from Pioneer Pole Building, Inc. had the following fatal flaws:

1. Bidder submitted a photocopy of a previous bid, not an original bid; and
2. Bid contained no original signatures nor company seals; and

**WHEREAS**, the second low bid received from Dutchman Contracting was fully responsive and compliant.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the Bid of Pioneer Pole Building, Inc. is hereby rejected and the contract is awarded to the second low bidder, Dutchman Contracting.

/s/Victoria Kilpatrick, 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, Borough Attorney

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

**BOROUGH OF SAYREVILLE**  
/s/Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-378**

**BE IT AND IT IS HEREBY RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to execute an Public Health Interlocal Shared Services Agreement with the County of Middlesex to provide the Health Services associated with the Board of Health for the period of January 1, 2019 through December 31, 2019 with a cost not to exceed \$176,993.20.

/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, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-379**

**BE IT RESOLVED** that the following person is hereby appointed to the following title and department as per NJ Civil Service Commission Procedures:

**NAME OF APPOINTEE:** Colby Redfield  
**POSITION:** Laborer  
**DEPARTMENT:** Water & Sewer Dept.  
**EFFECTIVE:** December 1, 2018

**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 Civil Service Commission.

/s/ Steven Grillo, Councilman  
(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, Borough Attorney

ATTEST:

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-380**

**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 in Contract Change Order No. 1:

- Project: Improvements to Pulaski Avenue
- Contractor: Z Brothers Contracting
- Net Increase: \$150,000.00
- 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.

/s/ Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-381**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Engineer is hereby authorized and directed to prepare plans and specifications for the Improvements to Allgair Street at a fee not to exceed \$22,500.00 and upon approval of said plans and specifications that Borough Clerk is further authorized to advertise for the receipt of bids.

/s/ Victoria Kilpatrick, 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, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-382**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Architect is hereby authorized and directed to develop a concept plan for a Library Multi-Use Expansion at a fee not to exceed \$10,000.00.

/s/ Daniel Buchanan, Councilman  
(Recreation 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, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTION #2018-383**

**BE IT AND IT IS HEREBY RESOLVED**, that the proper Borough Officials are hereby authorized and directed to execute a Memorandum of Agreement with Sayreville Association of Municipal Supervisors; and

**BE IT FURTHER RESOLVED**, that said contracts shall be for a six (6) year period commencing January 1, 2017 to December 31, 2022 and that said Agreements shall be in accordance with the terms and conditions as stated in the “Memorandum of Agreement”.

/s/ Mary J. Novak, Councilwoman  
(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.

/s/ Michael DuPont, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/Victoria Kilpatrick, Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		X
Nays						
Abstain						
Absent					X	

**RESOLUTIONS READ IN FULL**

Clerk Farbaniec announced that there are three Resolutions to be read in full. The first resolution #2018-384 is permitted to be read by Title only, as Bond Counsel advised that full copies be made available to the Council and to the Public and that a public hearing be held for questions or comments. Ms. Farbaniec read the Title of the Resolution into record.

**RESOLUTION #2018-384**

**RESOLUTION AUTHORIZING THE RENEWAL OF A PORTION  
OF THE BOROUGH'S \$350,000 SPECIAL EMERGENCY  
APPROPRIATION NOTES, SERIES 2017, DATED NOVEMBER 17,  
2017, AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE**

**WHEREAS**, the Borough Council of the Borough of Sayreville, County of Middlesex, New Jersey (the "Borough") has heretofore issued its Special Emergency Appropriation Notes, Series 2017 dated November 17, 2017 in the aggregate principal amount of \$350,000 (the "Prior Notes"); and

**WHEREAS**, the Prior Notes mature on November 16, 2018 and it is desirable to renew the portion of the Prior Notes permitted by and pursuant to the Local Budget Law, constituting Chapter 4 of Title 40A of the Revised Statutes of New Jersey (the "Local Budget Law"); now, therefore,

**BE IT RESOLVED** by the BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, in the County of Middlesex, New Jersey as follows:

SECTION 1. That a portion of the Prior Notes in an amount not to exceed \$280,000 shall be renewed as one issue and shall be in such denomination or denominations, shall bear such number or numbers, such date or dates of issue, redemption and maturity, such redemption price or prices, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Budget Law. The portion of the Prior Notes shall, upon renewal, be entitled "Special Emergency Appropriation Notes, Series 2018" or any other designation determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer").

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and she hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and her signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and she hereby is authorized to take all actions necessary to sell the Notes from time to time at public or private sale in such amounts as she may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the Notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 8. That the Mayor of the Borough, the Chief Financial Officer, and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 9. That the Chief Financial Officer be and she hereby is directed to pay the portion of the Prior Notes required to be paid by the Local Budget Law in the amount of \$70,000 from the applicable funds of the Borough.

SECTION 10. That the Notes may be renewed from time, but at least 1/5 of the Borough's Prior Notes shall mature and be paid in each year so that all of the Prior Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of the adoption of the resolution authorizing the Prior Notes.

**SECTION 11. That two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.**

SECTION 12. That this resolution shall take effect immediately.

/s/ Mary J. Novak, Councilwoman  
(Admin. & Executive 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, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	<i>Buchanan</i>	<i>Grillo</i>	<i>Kilpatrick</i>	<i>Lembo</i>	<i>Melendez</i>	<i>Novak</i>
<i>Ayes</i>	X	X	X	X		X
<i>Nays</i>						
<i>Abstain</i>						
<i>Absent</i>					X	

Council President Kilpatrick opened the meeting up to the public for questions or comments on Resolution 2018-384.

There were no appearances.

Councilman Buchanan moved the public portion be closed and resolution #2018-384 be approved on Roll Call Vote. Seconded by Councilman Grillo.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes.

Borough Attorney DuPont read the following two resolutions in full:

**RESOLUTION #2018 - 385**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A REVISED DEVELOPER FEE ASSESSMENT AND ALLOCATION AGREEMENT BETWEEN THE BOROUGH, SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P. AND SAYREVILLE ECONOMIC & REDEVELOPMENT AGENCY**

**WHEREAS**, the Borough of Sayreville ("Borough"), Sayreville Seaport Associates Urban Renewal, L.P. ("SSA") and Sayreville Economic & Redevelopment Agency wish to amicably resolve a dispute regarding the utilization of trust fund dollars generated from development fees from the Waterfront Redevelopment Plan Project currently referred to as Riverton; and

**WHEREAS**, as a result, the Borough and SSA entered into a Developer Fee Assessment and Allocation Agreement on October 9, 2018;

**WHEREAS**, the representatives of the parties have negotiated a revised agreement and exhibit thereto ("Amended Agreement") in the form attached hereto and parties wish to enter this Amended Agreement.

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** as follows:

1. The Borough Council authorizes Council President Kilpatrick or the Borough’s Mayor, Kennedy O'Brien to execute the Settlement Agreement in the form attached hereto; and
2. The Borough directs its Affordable Housing counsel to seek approval of the agreement from the trial court, in the event that court approval is necessary.

/s/ Victoria Kilpatrick  
Council President

APPROVED FOR EXECUTION:

/s/ Michael DuPont, Borough Attorney

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	Buchanan	Grillo	Kilpatrick	Lembo	Melendez	Novak
Ayes	X	X	X	X		x
Nays						
Abstain						
Absent					X	

At this time Council President Kilpatrick opened the meeting up to the public for questions or comments on Resolution #2018-385.

Appearing Was:

- Jim Robinson, 11 Borelle Square

Questioned the correction as to the resolution and if this was as a result of the executive session meeting from the last meeting date.

Mr. DuPont stated that it was not. It was errors that the Counsel caught following the meeting.

There were no further questions or comments on this resolution.

Councilman Buchanan moved the public portion be closed and that Resolution #2018-385 be approved on Roll Call Vote. Motion was seconded by Councilman Grillo.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes. Carried.

**RESOLUTION NO. 2018-386**

**RESOLUTION APPROVING THE SPENDING PLAN COMPONENT OF THE ADOPTED 2018 HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, on June 14, 2018, the Borough of Sayreville (“Borough”) entered into a Settlement Agreement with Fair Share Housing Center (“FSHC”) that established the Borough’s fair share obligation and preliminarily approved the Borough’s compliance mechanisms in accordance with the March 10, 2015 decision of the Supreme Court which transferred responsibility to review and approve housing elements and fair share plans from the Council on Affordable Housing (COAH) to designated Mount Laurel trial judges within the Superior Court; and

**WHEREAS**, on June 28, 2018, Honorable Arnold L. Natali, P.J.Ch., held a Fairness Hearing and, subsequently, on August 18, 2018 issued a Court Order approving a Settlement Agreement between the Borough and Fair Share Housing Center, finding it to be fair to the Region’s low- and moderate-income households; and

**WHEREAS**, the Borough’s Planning Board adopted a 2018 Housing Element and Fair Share Plan (“Housing Element Fair Share Plan”) consistent with the Court-approved Settlement Agreement on June 14, 2018; and

**WHEREAS**, the Borough Council endorsed the HEFSP on October 9, 2018 at a properly-noticed public meeting; and

**WHEREAS**, the adopted and endorsed Plan includes a Spending Plan component, as required by COAH's rules at N.J.A.C. 5:93-5.1(c), which projects anticipated revenues to the Borough's Affordable Housing Trust Fund, and describes anticipated expenditures of funds through the end of the Third Round; and

**WHEREAS**, the Borough requires approval of its Spending Plan in order to utilize any of the funds within the Affordable Housing Trust Fund; and

**WHEREAS**, the Borough of Sayreville has prepared a Spending Plan consistent with P.L.2008, c.46 Council on Affordable Housing ("COAH") regulations and the Settlement Agreement entered into between the Borough of Sayreville and Fair Share Housing Center on June 14, 2018; and

**WHEREAS**, the Borough desires to submit its Spending Plan to the Court in connection with the Compliance Action for review and approval.

**NOW THEREFORE, BE IT RESOLVED** the Borough Council of the Borough of Sayreville, Middlesex County, State of New Jersey, hereby adopts the Spending Plan that is attached hereto as Exhibit A. and requests that the Court review and approve the Borough's Spending Plan, so that it can expend funds in its Affordable Housing trust Fund.

**BE IT FURTHER RESOLVED** that the appropriate Borough officials are to take any and all actions to effectuate this Resolution.

/s/ Victoria Kilpatrick  
Council President

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

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC  
Municipal Clerk

/s/ Victoria Kilpatrick  
Council President

	<b>Buchanan</b>	<b>Grillo</b>	<b>Kilpatrick</b>	<b>Lembo</b>	<b>Melendez</b>	<b>Novak</b>
Ayes	X	X	X	X		x
Nays						
Abstain						
Absent					X	

At this time Council President Kilpatrick opened the meeting up to the public for questions or comments on Resolution #2018-386.

Appearing Was:

- Steve Melanaski, 28 Scarlett Drive, Parlin

Asked if there was still a pending Pro Forma to see what the direct impact would be.

Response by the Borough Attorney that he has been in touch with Susan Gruel and she was working on that and he should anticipate it by the next meeting.

There were no further questions or comments on this resolution.

Councilman Buchanan moved the public portion be closed and that Resolution #2018-386 be approved on Roll Call Vote. Motion was seconded by Councilwoman Novak.

Roll Call: Councilpersons Buchanan, Grillo, Kilpatrick, Lembo, Novak, all Ayes. Carried.

- **CFO – Denise Biancamano** – No Report
  - **BOROUGH ENGINEER -Jay Cornell** - No Report
  - **BOROUGH ATTORNEY - Michael DuPont** – No Report
- **PUBLIC PORTION**

At this time the Mayor opened the meeting to the Public for questions or comments on any and all matters.

Those appearing were:

Frank Terzino, 32 Canal St.

Questioned what the plans were for the old firehouse next to the Borough Hall, it was the first Borough Hall, first jail, first firehouse. He asked the Clerk if she received an OPRA request for info regarding the building. He said that the historical society has heard that the Borough was soliciting for bids for the demolition of the building.

Clerk Farbaniec said that she would check with the clerk who handles the OPRA requests. Mr. Terzino handed her a copy. The Council dispelled the rumor about the borough receiving bids for demolition of the building. Council President Kilpatrick stated that it has been noted that the building is unsafe and there are concerns about mold. She asked Dan Frankel to check with various departments to see if inspections were made and what the reports read. Councilman Buchanan said that there have been conversations about obtaining funding to restore the building not demolish it.

- Ed Strek, Nickel Avenue

Suggested having the Borough's structural engineer look at the building see what is wrong with it. Asked that all reports be forwarded to the Historical Society. Stated that the Historical Society would like to see that building preserved.

- Referred to the Borough Engineer.

- Jim Robinson, 11 Borelle Square

Thanked Councilman Lembo for his service.

Commented on the Mayor's lack of appointing three members to the Planning Board a few years ago and they continued to sit, deliberated and voted on matters. He then commented on the terms on appointments to the Planning Board and when the terms should begin. He said the record should reflect that they are four year terms and do not run with the individual. He said that he wants to know that it is the official opinion of the Borough Attorney.

- There were no further appearances.

**Councilman Buchanan moved the public portion be closed. Seconded by Councilwoman Novak.**

Roll Call – Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business. **Councilwoman Novak moved to adjourn the Council Session. Motion was seconded by Councilman Buchanan.**

Council President Kilpatrick said before we adjourn she would like to call up Police Chief Zebrowski to address the Pershing Avenue issue.

Councilwoman Novak then rescinded here motion to adjourn. Councilman Buchanan seconded that motion.

Roll Call: Voice Vote, all Ayes.

Police Chief Zebrowski turned the podium over to Sgt. Braile.

Sgt. Braile reported that on Sept. 11, 2018 the Council passed an ordinance to restrict parking on the West side of Pershing Avenue and since then it caused a concern with some of the residents of Pershing Avenue. He said that the Council

appointed a committee to look into these issues. On Oct. 30<sup>th</sup> there was a meeting with the residents of Pershing Avenue and Sayreville Fire Marshall.

Councilman Buchanan said that the subcommittee had requested that the Traffic Bureau take a further look on Pershing Avenue as far as west side, east side, linear footage and the need for a four way stop sign.

Sgt. Braile said that the week of Nov. 5<sup>th</sup> he began a study of Pershing Avenue. He said that he performed site inspections, he sat and observed traffic flow and patterns.

Pt. Sivilli set up a traffic monitoring system. He said that the report contains a two day reading the number of vehicles, the average speed. Speed is not an immediate factor on Pershing Avenue. He pulled MVA reports going back to 2008 and found 1 MVA.

Based upon that information a four way stop sign is not warranted. He stated that on the west side there are only three residents that would provide more frontage for parking with less restrictions and less inconvenience to the residents.

Council President Kilpatrick said that so based upon the report the Ordinance would have to be amended to the opposite side so there would be less inconvenience to the residents.

Councilman Buchanan said that he would like to see the ordinance amended and that the residents receive a full package of information prior to introduction. He requested the Borough Engineer to review the need for a four way stop sign from an engineering standpoint for the report. The Chief said that in order to get any traffic device i.e., stop sign they need an engineering report.

Council President Kilpatrick thanked the police for their due diligence for the reports in the time frame requested.

Councilman Grillo said that we now have a written report from the Police Dept. and will have one from the Engineer. He would like to share both documents with the residents prior to the ordinance being introduced.

Council also asked that any street 23' or less be looked at for parking issues.

Councilman Grillo suggested having the Fire Marshall inventory 10-15 streets that may be a concern and assess those streets and if it is warranted to continue then we can do so.

Council President Kilpatrick asked if there was any opposition to moving forward as Co. Buchanan suggested. None heard.

Councilman Buchanan asked the Police before they leave about an issue with Patton Drive not having a stop sign coming out onto Dolan Street, with the new parking lot straight across. Sgt. Braile will look into the matter further.

Matter closed.

Councilwoman Novak moved to Adjourn. Seconded by Councilman Buchanan.

Roll Call: All ayes.

Time 8:09 P.M.

Respectfully submitted,

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Theresa A. Farbaniec, RMC  
Municipal Clerk

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Date Approved