

Mayor Kilpatrick opened the Council Meeting at 7:00 PM followed by a short prayer and salute to the flag. This meeting was held hybrid.

- **STATEMENT OF NOTICE OF PUBLICATION**

Municipal Clerk Morelos announced that this December 11, 2023 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 and the Star Ledger, notifying the Sentinel Publishing Co., posting on the bulletin board, and is on file in her office.

- **ROLL CALL:**

Present: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Synarski

Absent: None

Others Present: Mayor Victoria Kilpatrick
Glenn Skarzynski, Business Administrator
Denise Biancamano, C.F.O./Treasurer
Jessica Morelos, Municipal Clerk
Sean Kean, Esq., Borough Attorney
Jay Cornell, P.E., Borough Engineer
Nicole Waranowicz, Assistant Municipal Clerk

Others Absent: None

- **APPROVAL OF PRIOR MINUTES OF THE MAYOR AND COUNCIL:**

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

☒ November 13, 2023 - Regular, Agenda & Executive Sessions
☒ November 27, 2023 - Regular, Agenda & Executive Sessions

Seconded by Councilwoman Novak.

Roll Call: Councilpersons Onuoha, Balka, Conti, Novak, Roberts, Synarski (abstained on November 13, 2023), all Ayes.

- **PROCLAMATION & PRESENTATIONS**

Municipal Clerk Morelos administered the Oaths of Office to the following:

- Sgt. Michael Popowski
- Ptl. Davon Sanders
- Ptl. Robert Lopez
- Ptl. Claudio Mendes
- Ptl. Matthew Pelech

- **✦PULSSE Presentation**

Lt. James Novak gave a presentation on the PULSSE Program.

✦Mayor Victoria Kilpatrick for her distinguished service rendered as Mayor for the years 2020-2023 and Borough Council for the years 2015-2019.

Mayor requested a moment of silence in honor of Councilwoman Dwumfour.

Mayor Kilpatrick remarked on her service as Mayor and Councilwoman.

✦Councilwoman Mary J. Novak for her distinguished service rendered as a member of the Sayreville Borough Council for the years 2012-2023.

Councilwoman Novak remarked on her service as Councilwoman.

✦ **Councilman Vincent Conti for his distinguished service rendered as a member of the Sayreville Borough Council for the years 2020-2023.**

Councilman Conti remarked on his service as Councilman.

- **EXECUTIVE SESSION - None**
- **OLD BUSINESS:**

a) Public Hearing on the following Ordinances:
Borough Clerk Morelos read the heading for the following ordinances listed for Public Hearing:

Public Hearing on Ordinance #41-23.

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #41-23.

There were no comments.

Councilman Balka moved the Public Hearing be closed, the Ordinance be adopted on second and final reading and advertised according to law. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Synarski, all ayes.

ORDINANCE #41-23
AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #437-19
FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS
AND EMPLOYEES FOR THE YEAR 2022

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #437-19 and made part hereof.

Borough of Sayreville - Management/Dept. Head Salary & Wage Schedule

SALARY	2022	
	Min	Max
Management Specialist	65,000	90,000

SECTION 2. Severability Clause.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED/APPROVED ON FIRST READING

DATED: November 27, 2023

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: December 11, 2023

DECEMBER 11, 2023
REGULAR MEETING

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS 11th DAY OF December, 2023.

/s/Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

/s/SEAN KEAN, ESQ., Borough Attorney

Mayor Kilpatrick opened the meeting to the public for questions or comments on Ordinance #42-23.

There were no comments.

Councilman Balka moved the Public Hearing be closed, the Ordinance be adopted on second and final reading and advertised according to law. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Balka, Conti, Novak, Onuoha, Roberts, Synarski, all ayes.

ORDINANCE #42-23
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER II OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF SAYREVILLE TO AMEND
SECTION 2-51 “SAYREVILLE ECONOMIC
AND REDEVELOPMENT AGENCY”

WHEREAS, the Borough previously established Section 2-51, “Sayreville Economic and Redevelopment Agency”, which shall constitute a redevelopment entity contemplated and provided for in the aforesaid Redevelopment Law as an agency or instrumentality of the Borough of Sayreville; and,

WHEREAS, Pursuant to Redevelopment Law, the Sayreville Economic and Redevelopment Agency (hereinafter “SERA”) is required to consist of nine (9) Commissioners, to be appointed by the Mayor with the advice and consent of Borough Council for a term of five (5) years; and,

WHEREAS, SERA currently staggers its terms with appointments being made and terms expiring in July of each calendar year; and,

WHEREAS, the Borough Council desires to amend its existing Ordinance to establish that all new appointments moving forward shall be made in January rather than the current practice of making appointments to SERA in the month of July; and,

WHEREAS, in order to conform with New Jersey’s Redevelopment Law while capturing the Borough’s desire to modify the month where terms expire and appointments are made to SERA, the Borough must modify its existing Ordinance; and,

WHEREAS, the Borough Council also desires to amend the existing Ordinance to codify that any member of SERA must be a current resident of the Borough of Sayreville and to require each member to complete basic educational courses to retain their membership on SERA; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~*strikeovers in italics*~~. Those sections of Section 2-51 that will remain unchanged are shown in normal type.

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 and shall be added and/or amended to reflect said changes:

SECTION ONE. Section 2-51, "Sayreville Economic and Redevelopment Agency", shall be amended as follows:

2-51- Sayreville Economic and Redevelopment Agency.

2-51.1 Created. Pursuant to the Redevelopment Law, the Borough hereby creates a body corporate and politic to be known as the "Sayreville Economic and Redevelopment Agency" which shall constitute a redevelopment entity contemplated and provided for in the aforesaid Redevelopment Law as an agency or instrumentality of the Borough of Sayreville.

2-51.2 Membership. Pursuant to the Redevelopment Law, there shall be nine (9) Commissioners of the Agency, each of whom shall be residents of the Borough of Sayreville and shall be appointed by the Mayor, with the consent of the Borough Council, of which no more than two (2) of the nine (9) commissioners on the SERA shall be members of the Borough Council to be appointed by the Council. The members of the Borough Council appointed to the SERA shall serve for a term of one (1) year or until their elected term expires whichever occurs first. The Council Members serving on the SERA shall not have the right to appoint a designee. All non-elected members shall be required to complete basic educational courses, which shall be selected by the Township Attorney, in order to retain their respective membership. Such educational courses shall be completed within one (1) year of appointment and shall be related to land use law and planning or such other topics that touch upon the tasks, responsibilities and activities of this Commission. The educational courses shall consist of no more than five hours of scheduled instruction and shall be structured so that a member may satisfy this requirement within one calendar day. N.J.S.A. 40:55D-23.3.

2-51.3 Powers and Duties. In addition to all such powers as are specifically granted to the Agency pursuant to N.J.S.A. 40A:12A-1, et seq., and as may otherwise be generally allowed pursuant to other applicable statutes, the Agency shall also have the power to:

- a. Inquire into, survey and publicize the extent, advantages and utility of vacant land and other dormant and underutilized properties of the Borough.
- b. Classify such land and properties according to its adaptability for the establishment and development thereon of various types of economic activities.
- c. Study and analyze business trends, requirements and developments to ascertain the opportunities for economic expansion in the Borough.
- d. Advertise the business advantages and opportunities and the availability of suitable sites and facilities in the Borough and otherwise initiate and pursue appropriate efforts to encourage and accomplish economic development and expansion within the Borough.
- e. Cooperate with other Borough departments, agencies, committees and local civic organizations to promote, encourage and assist economic development within the Borough.
- f. Arrange for the sale or lease of the Borough's vacant lands to businesses whose location thereon is best calculated, in the judgment of the Agency, to advance the interests of the Borough and of its citizens.
- g. Acquire title to vacant land owned by the Borough for the purpose of resale or lease to businesses whose presence within the Borough will best benefit, in the judgment of the Agency, the Borough and its citizens.
- h. Exercise such other powers as may be reasonably necessary and appropriate to accomplish its purposes and goals in accordance with applicable laws and regulations.

2-51.4 Terms & Appointment. Pursuant to Section 2-51.2, SERA shall consist of nine (9) commissioners appointed by the Mayor, with the consent of the Borough Council, of which two (2) Commissioners on SERA shall be members of the Borough Council appointed by the Council. All of the Mayor's non-council appointments shall be for a term of five (5) years. All appointments to SERA shall be made in January and shall expire on December 31st of the

preceding year following the expiration of said term. *Should a vacancy occur during the term of any commissioner, the Mayor, with the consent of the Borough Council shall appoint a replacement who shall serve for the remainder of that vacancy's unexpired term.* Any Commissioner of SERA currently sitting with an unexpired term shall continue to sit as a Commissioner until the expiration of their term which presently occurs in July 2024, 2025 & 2026. Thereafter, any Commissioner sitting on SERA with an expiration of July 2024, 2025 ~~or~~ 2026, or 2027 shall serve in a holdover capacity until December 31st of the calendar year that their term was set to expire.

SECTION 2. Severability Clause.

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

INTRODUCED/APPROVED ON FIRST READING

DATED: November 27, 2023

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: December 11, 2023

/s/Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

/s/Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS 11th DAY OF December, 2023.

/s/Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

/s/ Sean Kean, Borough Attorney

NEW BUSINESS:

a) Introduction of the following ordinances: NONE

• CONSENT AGENDA RESOLUTIONS

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

Those commenting were:

- Jim Robinson, 11 Borelle Square
Mr. Robinson questioned the turf maintenance on the bill list.
CFO Biancamano responded this is maintenance and believe it's once a year.

No further comments.

Councilman Onuoha made a motion to close the Public Portion and adopt the Consent Agenda Resolutions. Seconded by Councilwoman Novak.

Roll Call: Councilpersons Onuoha, Balka, Conti, Novak, Roberts, Synarski, all Ayes.

RESOLUTION #2023-310

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/ Victoria Kilpatrick, Mayor

/s/ Daniel Balka, Councilman

/s/ Christian Onuoha, Councilman

/s/ Vincent Conti, Councilman

/s/ Donna Roberts, Councilwoman

/s/ Mary J. Novak, Councilwoman

/s/ Stanley Synarski, 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/ Sean Kean, Esq., Borough Attorney

Bill list of December 11, 2023 in the amount of \$8,552,037.24 in a separate Bill List File for 2023 (See Appendix Bill List 2023-A for this date).

RESOLUTION #2023-311

**AUTHORIZATION TO EXECUTE A SHARED PARKING & ACCESS
EASEMENT AGREEMENT WITH 1970 NJ RT 35 URBAN RENEWAL LLC
AND THE MORGAN FIRST AID SQUAD, INC.**

WHEREAS, 1970 NJ Rt. 35 Urban Renewal, LLC ("Grantor") is the owner of certain real property located and designated on the Tax Map of the Borough of Sayreville as Block 425, Lot, 2.02; and

WHEREAS, the Borough is the owner of certain real property adjacent to the Grantor's property and designated on the Tax Map of the Borough of Sayreville as Block 425, Lot, 2.01; and

WHEREAS, the Morgan First Aid Squad, Inc. (the "Grantee"), is a tenant leasing the Borough's property to operate a volunteer rescue squad; and

WHEREAS, the Grantor received approvals from the Borough of Sayreville Planning Board to construct a self-storage facility on Grantor's property, said approval

occurring on June 7, 2023 and memorialized by Resolution on August 2, 2023; and

WHEREAS, as a condition of approval, the Grantor is required to provide Grantee access across Grantor’s property for purposes of accessing seven (7) designated shared parking spaces located on Grantor’s property; and

WHEREAS, the Borough, as owner of the neighboring property, is required to be a party to any access easement agreement between the Grantor and Grantee; and

WHEREAS, in consideration of the Borough’s involvement, the Grantor and Grantee each agreed to indemnify the Borough from any loss, liability claims, suits, costs and expenses arising out of negligence or misconduct in connection with the use of the easement area; and

WHEREAS, the Borough is desirous of entering into the aforementioned Shared Parking & Access Easement Agreement to afford itself of the indemnification protections set forth therein.

NOW, THEREFORE, BE IT RESOLVED, the Sayreville Borough Mayor and Borough Council hereby approve and authorize the Borough of Sayreville to execute the Shared Parking & Access Easement Agreement with 1970 NJ Rt. 35 Urban Renewal, LLC and Morgan First Aid Squad, Inc.

BE IT FURTHER RESOLVED, that all Borough officials including, but not limited to the Mayor, the Borough Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

/s/ Daniel Balka, Councilman
(Admin. & Finance Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-312

**BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN THE DEFENSE
LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO
ENABLE THE SAYREVILLE POLICE DEPARTMENT TO REQUEST AND ACQUIRE
EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the **MAYOR AND COUNCIL** of the **BOROUGH OF SAYREVILLE** that the **SAYREVILLE POLICE DEPARTMENT** is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31, 2024; and

NOW THEREFORE BE IT FURTHER RESOLVED that **BOROUGH OF SAYREVILLE POLICE DEPARTMENT** is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the **BOROUGH OF SAYREVILLE** without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that **THE BOROUGH OF SAYREVILLE POLICE DEPARTMENT** is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: (See attached list)

BE IT FURTHER RESOLVED that the **BOROUGH OF SAYREVILLE LEA Official** shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the **BOROUGH OF SAYREVILLE LEA OFFICAL** shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect January 1, 2024 and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31, 2024.

/s/ Donna Roberts, Councilwoman
(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/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-313

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Memorandum of Understanding with the Port Authority of New York and New Jersey for use of the range as a weapons qualification, training and practice facility for police officers of the Port Authority Police Department.

/s/ Donna Roberts, Councilwoman
(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/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-314

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

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
General Administration S&W (3-01-20-100-011)		11,000.00
Police OE (3-01-25-240-129)		47,000.00
Police S&W (3-01-25-240-011)		280,000.00
Public Buildings & Grounds OE (3-01-26-310-125)		5,000.00
Recreation OE (3-01-28-370-122)		5,000.00
Sewage Treatment S&W (3-01-31-455-014)		8,000.00
Tax Assessment OE (3-01-20-150-159)	10,000.00	
Legal OE (3-01-20-155-161)	36,000.00	
Zoning Board of Adjustment OE (3-01-21-185-185)	2,000.00	
Construction S&W	10,000.00	

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(3-01-21-195-015)		
Group Insurance (3-01-23-220-195)	45,000.00	
Crossing Guard S&W (3-01-25-255-020)	20,000.00	
Magistrate & Prosecutor S&W (3-01-25-275-021)	15,000.00	
Traffic Control OE (3-01-25-280-228)	10,000.00	
Road Repair S&W (3-01-26-290-012)	10,000.00	
Road Repair OE (3-01-26-290-228)	10,000.00	
Garbage & Trash OE (3-01-26-305-249)	20,000.00	
Recycling OE (3-01-26-306-190)	15,000.00	
Buildings & Grounds S&W (3-01-26-310-016)	5,000.00	
Vehicle Maintenance S&W (3-01-26-315-015)	10,000.00	
Vehicle Maintenance OE (3-01-26-315-269)	15,000.00	
Office on Aging S&W (3-01-30-428-015)	5,000.00	
Sewage Treatment OE (3-01-31-455-239)	38,000.00	
Gasoline, Fuels & Lubes (3-01-31-460-315)	25,000.00	
Garbage Disposal – Landfill (3-01-32-465-314)	30,000.00	
FICA (3-01-36-472-317)	25,000.00	
	<u>356,000.00</u>	<u>356,000.00</u>
<u>WATER OPERATING</u>		
Water Operating S&W (3-05-55-110-014)		40,000.00
Water Operating OE (3-05-55-110-171)	40,000.00	

/s/ Daniel Balka, Councilman
 (Admin. & Finance Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-315

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. 1:

- Project: 2022 Roadway Paving & Reconstruction Project – Phase I
- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872
- Net Decrease: \$20,455.05
- 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/ Vincent Conti, Councilman
(Public Works Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-316
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: 2022 Roadway Paving & Reconstruction Project – Phase I

- Contractor: Z Brothers Concrete Contractors, Inc.
304 Jernee Mill Road
Sayreville, NJ 08872

- Balance Due \$9,924.39

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 \$74,422.49 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Vincent Conti, Councilman
(Public Works Committee)

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

ATTEST: /s/ Sean Kean, Esq., Borough Attorney
BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-317

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. 1:

- Project: Active Adult Center Parking Lot Improvements

- Contractor: Fischer Contracting, Inc.
10 Short Hills Lane
Scotch Plains, NJ 07076

- Net Decrease: \$27.20

- 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/ Vincent Conti, Councilman
(Public Works Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-318
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: Active Adult Center Parking Lot Improvements

- Contractor: Fischer Contracting, Inc.
10 Short Hills Lane
Scotch Plains, NJ 07076

- Balance Due \$3,282.72

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 \$24,620.44 and the approval of same as to form and sufficiency by the Borough Attorney.

/s/ Vincent Conti, Councilman
(Public Works Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-319

WHEREAS, on November 28, 2023 the Mayor and Council of the Borough of Sayreville received bids for the "French Street/Albert Street Roadway and Drainage Improvements"; and

WHEREAS, Certification as to Availability of Funds is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council on this 11th day of December, 2023 that:

1. Contract for the "French Street/Albert Street Roadway and Drainage Improvements" be awarded to Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, NJ 08872 on their bid price of \$1,057,430.34 as appears on copy of bid document attached hereto and made a part hereof, subject to the waiver of minor irregularities.

/s/ Vincent Conti, Councilman
(Public Works Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

RESOLUTION #2023-320

WHEREAS, there is office equipment, radio equipment and computer equipment no longer needed for public use by the Borough;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the above equipment is hereby authorized to be disposed of.

/s/ Daniel Balka, Councilman
(Admin. & Finance Committee)

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

/s/ Sean Kean, Esq., Borough Attorney

ATTEST:

BOROUGH OF SAYREVILLE

/s/ Jessica Morelos, RMC
Municipal Clerk

/s/ Victoria Kilpatrick
Mayor

- **CORRESPONDENCE:**
 - A. Departmental Reports for November, 2023.
 - B. Minutes from Boards/Commissions:
 - 1. Shade Tree Commission – November 16, 2023.
 - 2. Planning Board – October 18, 2023 and November 1, 2023
 - C. Resignations from Boards & Commissions:
 - 1. Alexa Haris – Environmental Commission
 - D. Planning Board Resolution which was memorialized on December 6, 2023:
 - 1. Sayreville Seaport Associates Urban Renewal LP Amended Preliminary & Final Major Site Plan, Block 256.01, Lot 24; Block 257.02, Lot 1.05.

Councilwoman Novak made a motion to accept the correspondence. Seconded by Councilwoman Roberts.

Roll Call: Councilpersons Novak, Balka, Conti, Onuoha, Roberts, Synarski, all Ayes.

- **MAYOR & COUNCIL REPORTS**
 - **ADMINISTRATIVE & FINANCE – Councilman Balka**
 - 1) SAMS MOU was signed.
 - 2) Finance Dept. working on closing out the year.
 - 3) Thanked the Mayor, Councilwoman Novak and Councilman Conti for their service.
 - 4) Wished everyone a Happy Holiday.
 - **PUBLIC SAFETY – Councilwoman Roberts**
 - 1) Congratulated the new police officers and the promotion of one.
 - 2) Thanked the Mayor, Councilwoman Novak and Councilman Conti for their service.

3) Wished everyone a Merry Christmas and Happy New Year.

➤ **PUBLIC WORKS – Councilman Conti**

1) Thanked the Council for working with him.

➤ **RECREATION – Councilwoman Novak**

- 1) Reported on various recreation events.
- 2) Thanked the volunteers in the town.
- 3) Wished everyone a Merry Christmas and Happy New Year.

➤ **WATER & SEWER/ENVIRONMENTAL – Councilman Synarski**

- 1) Congratulated the police officers.
- 2) Thanked the Mayor, Councilwoman Novak and Councilman Conti for their service.
- 3) Commented on the tour of the water treatment plant.
- 4) Thanked Glenn for finding a place to move the community garden.

➤ **PLANNING & ZONING – Council President Onuoha**

- 1) Thanked the Mayor, Councilwoman Novak and Councilman Conti for their service.
- 2) Looking forward to more progress in the future.

➤ **MAYOR – Victoria Kilpatrick**

- 1) Reminded everyone that on January 1st appointments are made and implored residents to attend meetings.
- 2) Thanked her students.
- 3) Wished everyone a Happy Holiday.

● **PUBLIC PORTION**

Those commenting were:

- Ghalib Syed, 3 Sophie Street

Mr. Syed commented on a light being out on his street since June. Business Administrator Skarzynski gave an update on the lights.

- Julie Veloz

Ms. Veloz thanked the Mayor for allowing her to be the Communications liaison for the last 3 years. She commented on how far the Borough has come with communication with the residents.

- Carol Anglely, Ash Terrace

Ms. Anglely commented on the behavior at the Board of Education meeting. She commented on the lawsuit against the Borough filed by the Board of Education.

- Addison Kilpatrick, 21 Wick Drive

Ms. Kilpatrick stated she is very proud of her mom.

- Bob Duffy, 111 Merritt Avenue

Mr. Duffy thanked the Mayor, Councilwoman Novak and Councilman Conti for their service. He commented on professionals.

- Jim Robinson, 11 Borelle Square

Mr. Robinson thanked the Mayor, Councilwoman Novak and Councilman Conti for their service. He questioned the status of the SERA investigation. Business Administrator Skarzynski responded that investigator will not be able to do the work with the amount that was attached to the resolution and would need to authorize additional money. Mr. Robinson commented on the Board of Education and Planning Board. He questioned the status of purchasing open space. Mr. Robinson commented on political contributions.

- Ken Olchaskey, 108 North Edward Street
Mr. Olchaskey commented on the Mayor and Council's service to the Borough.

- Anthony Sposato, 54 Washington Road.
Mr. Sposato thanked Councilwoman Novak, Councilman Conti and Mayor for their service.

No further comments.

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

Roll Call: Voice Vote, all Ayes.

- **ADJOURNMENT**

No further business Councilwoman Novak made a motion to adjourn. Seconded by Councilwoman Roberts.

Roll Call: Voice Vote, all Ayes.

Time 10:18 P.M.

Jessica Morelos, RMC
Municipal Clerk

Date Approved: _____