

**RESOLUTION #2022-315**

**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.

\_\_\_\_\_  
Victoria Kilpatrick, Mayor

\_\_\_\_\_  
Vincent Conti, Councilman

\_\_\_\_\_  
Mary J. Novak, Councilwoman

\_\_\_\_\_  
Eunice Dwumfour, Councilwoman

\_\_\_\_\_  
Christian Onuoha, Councilman

\_\_\_\_\_  
Michele Maher, Councilwoman

\_\_\_\_\_  
Donna Roberts, 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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-316**

**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:** Jessica Morelos  
**POSITION:** Municipal Clerk  
**DEPARTMENT:** Administration & Finance  
**EFFECTIVE:** January 1, 2023

**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.

\_\_\_\_\_  
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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-317**

**BE IT RESOLVED**, that the Mayor and Borough Council approve and accept the negotiated employment agreement with Glenn Skarzynski for the position of Business Administrator, effective December 19, 2022.

\_\_\_\_\_  
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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-318**

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

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

**SECTION 1.**

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sayreville hereby requests the Director of the Division of Local Finance to approve the insertion of the following items of revenue in the budget of the year 2022 in the sums contained in **Section 2** which items are now available as a revenue from the following sources:

**SECTION 2.**

- FY2022 Microgrant: Community Policing Development Program  
\$175,000.00

**SECTION 3.**

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

\_\_\_\_\_  
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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-319**

**Authorizing Cancelation of Unclaimed Old Tax Overpayment totaling (\$1,476.00)**

**WHEREAS**, the Acting Tax Collector of the Borough of Sayreville, Kathryn Elichko, reports and advises that on various properties located in the Borough of Sayreville, as detailed on schedule included below, unclaimed overpayment(s) of real estate taxes made more than 5 years ago, are in existence, and cannot be verified, substantiated, enforced or refunded; and

**WHEREAS**, No application has been made to the Tax Collector for refunds of the said overpayments, as of **11/21/22**, and.

**WHEREAS**, the cancellation of said tax overpayments are recommended by the Tax Collector in the continuing effort to maintain the highest level of fiscal responsibility; and

**WHEREAS**, the Tax Collector has determined that actions are required as recommended by the municipal auditors to cancel the following tax overpayments from the records;

<b>TAX YEAR</b>	<b>BLOCK</b>	<b>LOT</b>	<b>QUAL</b>	<b>LOCATION</b>	<b>AMOUNT</b>
2017	275.02	1		CHEVALIER AVE	-\$1,476.00
				<b>Total =&gt;</b>	<b>-\$1,476.00</b>

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Borough of Sayreville, that the aforementioned recitals are incorporated herein as though fully set forth at length.

**BE IT FURTHER RESOLVED**, by the Municipal Council of the Borough of Sayreville, that the Tax Collector's office be and hereby is authorized to process, without any further action on the part of the Governing Body, cancellation of the balances totaling **-\$1,476.00** as detailed by the included schedule.

\_\_\_\_\_  
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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-320**

**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, 2023; 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, 2023 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, 2023.

\_\_\_\_\_  
Eunice Dwumfour, 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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-321**

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle October 2020-June 2025

**FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sayreville, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Sayreville Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	<u>\$16,183.00</u>
Cash Match	<u>\$4045.75</u>
In-Kind	<u>\$12,137.25</u>
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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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.

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-322**

Governor's Council on Alcoholism and Drug Abuse

**FORM 1B – DMHAS Youth Leadership Grant**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

**WHEREAS**, The Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sayreville, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Sayreville Municipal Alliance for Grant Term Two: 9/1/23 – 9/30/25 in the amount of:  
DMHAS Grant Funding     \$5,000.
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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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.

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-323**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials are hereby authorized to award a contract to Lexis Nexis of Alpharetta, GA for the Desk Officer Reporting System in an amount not to exceed \$26,040.00.

\_\_\_\_\_  
Eunice Dwumfour, 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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-324**

**BE IT RESOLVED** that the proper Borough Officials are hereby authorized to award a non-fair and open contract to Albitron LLC of Holmdel, NJ for the Construction of a Firearm Simulation Training Room in an amount not to exceed \$28,815.00.

\_\_\_\_\_  
Eunice Dwumfour, 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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-325**

**BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials are hereby memorializing an award of an emergency contract for the repair of an emergency generator through NJ State Contract 20-GNSV2-01162 to EMR Power Systems LLC, P.O. Box 3787, Trenton, NJ 088629-3787 in an amount not to exceed \$37,583.00.

\_\_\_\_\_  
Donna Roberts, Councilwoman  
(Water & Sewer Committee)

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

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-326**

BE IT AND IT IS HEREBY RESOLVED that the following transfers between 2022 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 (2-01-20-100-128)		5,000.00
Human Resources OE (2-01-20-105-125)		10,000.00
Planning Board S&W (2-01-21-180-017)		1,000.00
Tax Appeals Pending (2-01-31-455-014)		50,000.00
Gasoline, Fuels & Lubes (2-01-31-460-316)		50,000.00
Group Insurance (2-01-23-220-195)	116,000.00	
	<u>116,000.00</u>	<u>116,000.00</u>

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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.

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

---

Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-327**

RESOLUTION CANCELING BALANCES  
OF IMPROVEMENT AUTHORIZATIONS  
NO LONGER NEEDED

WHEREAS, certain Capital Improvement appropriation balances remain dedicated to projects are now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance and unused debt authorizations may be canceled;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Sayreville that the following unexpended balances be canceled:

ORD. NO.	DESCRIPTION	FUNDED	UNFUNDED
<u>General Capital Fund</u>			
369-17	Various Park Improvements	21,676.48	
370-17	Various Improvements	2,540.26	
419-19	Various Park Improvements	50,000.00	
462-19	Various Park Improvements	50,000.00	

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer for her records.

\_\_\_\_\_  
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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**RESOLUTION #2022-328**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY, AUTHORIZING THE  
MAYOR AND BOROUGH CLERK TO EXECUTE A RISK  
MANAGEMENT CONSULTANT'S AGREEMENT WITH NORTH  
AMERICAN INSURANCE MANAGEMENT CORPORATION (NAIMC)**

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**WHEREAS**, the Borough of Sayreville (the "Borough") is a member of the Central Jersey Joint Insurance Fund (JIF); and

**WHEREAS**, the Borough desires the services of a consultant to provide professional risk management services to be compensated by the JIF; and

**WHEREAS**, the Borough has determined that the Borough's needs may be met by North American Insurance Management Corporation in both a cost effective and comprehensive manner; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(m) provides for the purchase of insurance coverage and consultant services without the need for public bidding in accordance with the requirements for extraordinary un-specifiable services; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500.00, bringing the contract within the purview of P.L. 2004, c.19 as amended by P.L. 2004, c.51 (N.J.S.A. 19:44A-20.5 et seq.) and P.L. 2005, c.271 (N.J.S.A. 19:44A-20.26); and

**WHEREAS**, the term of this Contract shall be from January 1, 2023 through December 31, 2023, unless sooner terminated in accordance with law and the contract; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit a Business Entity Disclosure Certification, which Certification will provide that no contributions have been made that would bar the award of these contracts pursuant to P.L. 2004, c.19 and, further, that no reportable contributions to municipal political or candidate committees of the elected officials of the Borough will be made through the term of these contracts; and

**WHEREAS**, North American Insurance Management Corporation will complete and submit the Political Contribution Disclosure Form required pursuant to P.L. 2005, c.271, **which form will be on file with the Municipal Clerk ten (10) days following to the adoption of this Resolution.**

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sayreville as follows:

1. The recitals set forth above are hereby incorporated into the body of this Resolution as if set forth at length herein.

2. The Mayor or the Business Administrator of the Borough of Sayreville is hereby authorized to execute an agreement with North American Insurance Management commencing January 1, 2023 and terminating on December 31, 2023, which shall provide that all payment for the performance of the services contemplated thereunder shall be the responsibility of the Central Jersey Joint Insurance Fund; and

**BE IT FURTHER RESOLVED** that the award of the herein contract shall be published in the official newspaper of the Borough setting forth the “nature, duration, service, and amount of the contract” and a copy of the contract and this Resolution shall be on file in the office of the Borough Clerk for public inspection during regular business hours pursuant to N.J.S.A. 40A:11-5(1)(a)(ii); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately; and

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification, Political Contribution Disclosure Form, and the Determination of Value be placed on file with this Resolution.

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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.

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

**RESOLUTION #2022-329**

**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.

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Eunice Dwumfour, 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.

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						

**RESOLUTION #2022-330**

**BE IT AND IT IS HEREBY RESOLVED** that the Borough Planner is hereby authorized and directed to prepare a Master Plan Reexamination Report in two phases at a fee not to exceed \$68,000.00.

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Christian Onuoha, Councilman  
(Planning & Zoning Committee)

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

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

---

Jessica Morelos, RMC  
Municipal Clerk

---

Victoria Kilpatrick  
Mayor

**TO BE READ IN FULL**

**RESOLUTION #2022-331**

**A RESOLUTION OF THE BOROUGH OF SAYREVILLE IN THE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING  
THE EXECUTION OF AN AGREEMENT BETWEEN THE  
BOROUGH OF SAYREVILLE AND THE  
ASSOCIATED HUMANE SOCIETIES, INC.**

**WHEREAS**, the Governing Body of the Borough of Sayreville has determined that it is in need of a provider of services for animal protection which will be available on a daily basis; and

**WHEREAS**, the Governing Body of the Borough of Sayreville has come to an agreement with the Associated Humane Societies, Inc., a non-profit, charitable organization to provide the Borough services including but not limited to, the rescue, custody and care of injured animals, trapped animals, sick animals and animals whose lives are endangered or animals that present a danger to humans, including those that have bitten a person; and

**THEREFORE, BE IT AND IT IS HEREBY RESOLVED** that the proper Borough Officials and the Borough Administrator are authorized and directed to execute the Agreement between the Borough of Sayreville and the Associated Humane Societies, Inc. which Agreement will run from the 1<sup>st</sup> day of January, 2023 through December 31, 2023.

\_\_\_\_\_  
Eunice Dwumfour, 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.

\_\_\_\_\_  
Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

\_\_\_\_\_  
Jessica Morelos, RMC  
Municipal Clerk

\_\_\_\_\_  
Victoria Kilpatrick  
Mayor

	Conti	Dwumfour	Maher	Novak	Onuoha	Roberts
Ayes						
Nays						
Abstain						
Absent						

**TO BE READ IN FULL**

**RESOLUTION #2022-332**

**WHEREAS**, in compliance with the New Jersey Supreme Court's decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Borough voluntarily filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Borough of Sayreville, County of Middlesex, Docket No. MID-L-4010-15, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan, in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, NL is the current owner of property identified on the Borough's tax map as Block 297, Lot 1; Block 333, Lot 1 and Block 332, Lots 1, 2, 3, and 4, (the "NL Site"); and

**WHEREAS**, NL currently is under a contract to sell the NL Site to a third-party prospective purchaser, Rocville, which desires to construct an inclusionary development on the NL Site;

**WHEREAS**, in evaluating property appropriate for inclusionary development, the Borough determined that the NL Site presents a suitable opportunity for such development;

**WHEREAS**, the NL Site is included in the Borough's Amended Housing Element and Fair Share Plan (hereinafter "Affordable Housing Plan");

**WHEREAS**, the Affordable Housing Plan includes the NL Site as an inclusionary development at a density that will permit a total of 132 units, of which 7 will be affordable to very low-, low-, and moderate-income households (the "Inclusionary Development");

**WHEREAS**, NL (in consultation with Rocville), the Borough and the Planning Board entered into a settlement agreement in June 2018 (the "2018 Settlement Agreement") setting forth the terms, conditions, responsibilities, and obligations to which they agreed in order to resolve the NL Intervention; and

**WHEREAS**, the 2018 Settlement Agreement was duly approved by the Borough and the Planning Board at respective public meetings of the Borough and the Planning Board; and

**WHEREAS**, the Court approved the 2018 Settlement Agreement following a publicly-noticed Fairness Hearing; and

**WHEREAS**, the 2018 Settlement Agreement memorialized the Parties' intent that Rocville would construct the Inclusionary Development on the NL Site in a manner consistent with the 2018 Settlement Agreement and the exhibits thereto; and

**WHEREAS**, the 2018 Settlement Agreement provided for the Planning Board to expedite the processing of development applications for the Inclusionary Development; and

**WHEREAS**, the parties to the 2018 Settlement Agreement agreed that the Borough and Planning Board would refrain from imposing cost-generative features, as defined by

relevant law, on the Inclusionary Development; and

**WHEREAS**, in December 2019, the Court approved the Borough's Housing Element and Fair Share Plan, inclusive of the NL/Rocville Project and entered a Final Order of Judgment of Compliance and Repose in the Compliance Action; and

**WHEREAS**, Rocville submitted to the Planning Board an Application for Preliminary and Final Major Site Plan Approval for the Inclusionary Development (the "Site Plan Application"); and

**WHEREAS**, the Planning Board's professionals (the "Planning Board's Professionals") reviewed the Site Plan Application and issued a Technical Engineering Review, dated July 30, 2020 ("Technical Engineering Review"), indicating that Rocville needed, among other things, to include in its application (1) a tree reforestation plan in accordance with the Borough's Tree Reforestation Ordinance; (2) revisions to its plans to extend a 16-inch water main from Oak Street to Raritan Street, rather than the 8-inch water main shown in the plans; and (3) a downstream sanitary sewer capacity study; and

**WHEREAS**, a dispute subsequently ensued among the Parties as to whether the above-enumerated requirements are "cost-generative features" that, in accordance with the 2018 Settlement Agreement, cannot be imposed as a requirement of approval of Rocville's Site Plan Application; and

**WHEREAS**, in October 2020, NL and Rocville filed an action in the Superior Court of New Jersey against the Borough and the Planning Board, entitled NL Industries, Inc. & Rocville, LLC v. Borough of Sayreville & Borough of Sayreville Planning Bd., Docket No. MID-L-5939-20, seeking a declaration of the Parties' rights under and enforcement of the 2018 Settlement Agreement (the "Enforcement Action"); and

**WHEREAS**, the parties, the Borough of Sayreville, the Planning Board of the Borough of Sayreville, NL Industries, Inc., and Rocville, LLC, have been able to resolve their differences through this "Second Settlement Agreement" pertaining to the issues of any potential cost-generative features, including but not limited to, sewer construction, which resolves all issues before the Court under MID-L-5939-20; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sayreville (the "Council") that subject to the following conditions:

1. The Borough Council hereby authorizes and directs the Mayor, or his/her designee and the Borough Clerk to execute the Second Settlement Agreement attached hereto as **Exhibit A**, subject to any de minimis revisions from Counsel; and
2. The Borough hereby directs its Special Affordable Counsel to (a) file the fully executed Settlement Agreement with the Court for review; (b) take all actions reasonable and necessary to secure an Order Approving the Second Settlement Agreement, if necessary.

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Christian Onuoha, Councilman  
(Planning & Zoning Committee)

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

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Michael R. DuPont, Borough Attorney

**ATTEST:**

**BOROUGH OF SAYREVILLE**

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Jessica Morelos, RMC  
Municipal Clerk

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Victoria Kilpatrick  
Mayor

	<b>Conti</b>	<b>Dwumfour</b>	<b>Maher</b>	<b>Novak</b>	<b>Onuoha</b>	<b>Roberts</b>
<b>Ayes</b>						
<b>Nays</b>						
<b>Abstain</b>						
<b>Absent</b>						