

Mayor and Borough Council  
Executive Session – 10/13/09  
Time: 7:55 p.m.

Present: Mayor Eppinger, Councilmembers Trzeciak, Almeida, Guindi, Hutchison,  
Razzano, Trenga, Gary M. Schwartz, Esq., Borough Attorney

RESOLUTION

WHEREAS, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and Council of the Borough of South River are of the opinion such circumstances presently exist.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex of the State of New Jersey, that the public be excluded upon the hereinafter specified subject matter and that such subject matter to be so discussed is as follows:

Anticipated Litigation  
Pending Litigation – Ianetta vs. Borough of South River  
Contract and lease negotiations  
Personnel

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when confidentiality is no longer required.

DATED: OCTOBER 13, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

Pending Litigation – Ianetta vs. Borough of South River

Mr. Salerno advised that the former attorney has filed for reimbursement of legal fees – over \$50,000. JIF said it will reimburse \$15,000. JIF questioned some of the legal bills. Mr. Salerno said he was assured that JIF was going to settle and the Borough to be made whole.

Personnel

Mr. Salerno briefed the Council members on criminal charges made against a Recreation Dept. employee. The employee was suspended without pay pending termination and will be given a Rice notice.

Mr. Salerno briefed the Council members on a fire that occurred at the school on Oct. 8. Fire Chief advised that fire inspectors were not available and had to use East Brunswick. Mr. Salerno discussed the record of hours worked by inspectors and said he would report back to Council on the matter.

Mr. Salerno discussed Hank Vandebek's request to be hired as another fire inspector.

Mr. Salerno discussed Recreation and noted staff doing a good job.

#### Anticipated Litigation

Council members discussed the issue a tree in the right-of-way uprooting the sidewalk. It was noted that it is the homeowner's responsibility to maintain sidewalks in front of their property. Mr. Schwartz said that if the tree is planted by the borough, it may be the borough's responsibility. Mayor Eppinger asked Mr. Schwartz to look into the issue and report back to Council.

Closed session ended at 8:15 p.m.

Respectfully submitted,

Patricia O'Connor, RMC  
Borough Clerk

Approved for release at the regular meeting  
held on October 9, 2012