

Executive Session
Mayor and Borough Council
May 26, 2009
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Mayor and Borough Council
Executive Session – 5/26/09
Time: 7:45 p.m.

Present: Mayor Eppinger, Councilmembers Trzeciak, Almeida, Guindi, Hutchison,
Razzano, Trenga, Andrew J. Salerno, Borough Administrator,
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
- Markowski vs. Sadowski
Potential Property Disposition
Personnel

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

DATED: MAY 26, 2009

/s/ Anthony Razzano
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Razzano, Trenga, Trzeciak
NAYS: None

Personnel

Mr. Salerno advised that a DPW employee, was suspended without pay due to pending criminal charges. He also advised that another employee was under investigation regarding the same case.

Pending Litigation

Markowski vs. Sadowski

Mr. Salerno and Borough Council discussed a drainage problem regarding private property owners on Morningside Ave. and David Street and how the problem could be resolved. Possible solutions were discussed as offered by various parties. The Council authorized Mr. Schwartz to advise the attorney's for the parties of the Borough's position.

Ianetta vs. Borough of South River

Mr. Salerno advised he had nothing to report at this time.

Anticipated Litigation

Bentley Realty Group/Dunkin Donuts

Mr. Schwartz stated that the Parking Authority did not approve a parking space. The Parking Authority has rights. The Borough Council has the authority to eliminate parking in the area. One space was eliminated and one space is being moved up. The Parking Authority objected. Councilman Hutchison said that the Parking Authority wanted it one way in and one way out. Mr. Schwartz said that technically, this is not a Parking Authority matter. It is a Traffic Safety issue and there is no objection from the Police Department. This could be anticipated litigation.

Mr. Schwartz suggested that the applicant's attorney, Mr. Salerno, the Police Department and Bruce Koch meet to discuss the issue to work out a solution that would satisfy both Dunkin Donuts and the Parking Authority. Borough Council agreed to proceed in this fashion.

Personnel

CFO Hire

Mr. Salerno advised that forty applicants applied for the CFO position and four people were qualified. Mayor Eppinger, Councilmen Guindi and Trzeciak and he met with the applicants. Tom O'Hara, has 15 years experience and is a CMFO. It would take him six

months to get up to speed. Term toward tenure would start right away. Another applicant, Joe Zanga, has worked for Gerry Stankiewicz 11 years but is not a CMFO. When Siva was hired, he was not a CMFO. Joe Zanga would be hired as a Temporary CFO. Mr. Salerno further advised that it would be a one year appointment with a one year renewal period. Joe knows South River and that is a big plus. There would be a cost savings to the Borough with not having to consult with the auditor all the time. Tenure would not start until certification was obtained and he was appointment permanent CFO. Councilman Trzeciak liked Tom O'Hara off the bat. Joe Zanga knows so much about South River. Mayor Eppinger said that Tom O'Hara never dealt with an electric utility.

Mr. Salerno suggested a salary of \$93,000. Councilman Razzano asked if there was any appearance of impropriety in hiring within. Mr. Salerno said the Joe Zanga called him and that Gerry Stankiewicz removed Joe from the South River audit review once he was interested in the position. There is no impropriety. Councilman Guindi thought that the suggested salary was too high and asked if the Borough Council would authorize Mr. Salerno to offer a lower salary in the range of \$80,000 to \$85,000 with Mr. Zanga getting the increase when he obtained certification. Mr. Salerno stated that he already negotiated with Mr. Zanga and that the \$93,000 was less than Mr. Zanga's salary requirement. He also said that the suggested salary was well within the salary range paid to comparable CFOs.

Mayor Eppinger, Councilmen Trzeciak and Guindi recommended that Joe Zanga be offered the position. Councilmembers agreed with this recommendation. Mr. Salerno stated that he will offer the position to Mr. Zanga at a salary of \$93,000. A resolution appointing Mr. Zanga would be on the agenda of the regular meeting of 6/8/09.

As an aside, Mr. Salerno advised that the owner of Block 38, Lots 14 and 15 (East Coast Custom) was asking between \$275,000 and \$325 for the property. Based on asking price, Mr. Salerno was directed to contact the owner of the property and tell him that the Borough was not interested in purchasing the property at this time.

Motion made by Councilman Razzano to adjourn executive session at 8:25 p.m.
Councilman Hutchison seconded the motion.

Respectfully submitted,

Patricia O'Connor, RMC
Borough Clerk

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