

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2010-9 WITH THE REQUEST OF THE HOME NEWS TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING

A Regular Meeting of the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey was held April 26, 2010 and was called to order by Mayor Raymond T. Eppinger at 8:30 PM in the Council Chamber of the Criminal Justice Building at 61 Main Street in South River, New Jersey with the following Councilmembers in attendance:

Councilmembers Almeida, Guindi, Hutchison, Trenga, Trzeciak and Krenznel

Also attending this meeting were Andrew J. Salerno and Gary M. Schwartz, Esq., Borough Attorney.

MINUTES

The Minutes of Meeting No. 8 held on April 12, 2010 were submitted to the Council for acceptance and/or amendment.

Councilman Krenznel moved that the Minutes be approved as presented. Councilman Guindi seconded the motion. So carried.

PROCLAMATIONS

Mayor Eppinger read a proclamation recognizing Justin Cordes on his Eagle Scout Award.

Mayor Eppinger read a proclamation proclaiming the month of May as Silver Star Banner Day.

PRESENTATION

Fire Chief Mike Farrell presented Councilman Trzeciak, Fire Commissioner with a helmet a badge. Councilman Trzeciak expressed his thanks and said he will wear the helmet and badge with honor and pride. He commended the Fire Dept. for their good work.

ORDINANCES – SECOND READING AND PUBLIC HEARING

Bond Ord 2010-9

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, ROAD IMPROVEMENTS AND VARIOUS OTHER IMPROVEMENTS, AND APPROPRIATING \$3,720,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,534,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$3,720,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$186,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$3,534,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

(a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

- i) Building Improvements and the acquisition of related equipment for the Police Department, with a total appropriation and estimated cost of \$155,000, estimated maximum amount of bonds or notes therefor of \$147,250, and an average period of usefulness of 15 years;

- ii) The acquisition of three (3) non-passenger all wheel drive vehicles for the Police Department, with a total appropriation and estimated cost of \$125,000, estimated maximum amount of bonds or notes therefor of \$118,750, and an average period of usefulness of 5 years;
- iii) Acquisition of a mobile command post for the Office of Emergency Management, with a total appropriation and estimated cost of \$351,000 estimated maximum amount of bonds or notes therefor of \$333,450, and an average period of usefulness of 10 years;
- iv) Acquisition of a backup generator and a radio assessment for the Office of Emergency Management, with a total appropriation and estimated cost of \$44,500 estimated maximum amount of bonds or notes therefor of \$42,275, and an average period of usefulness of 5 years;
- v) Acquisition of a non-passenger four wheel drive vehicle for the Rescue Squad, with a total appropriation and estimated cost of \$31,000, estimated maximum amount of bonds or notes therefor of \$29,450, and an average period of usefulness of 5 years;
- vi) Acquisition of various equipment for the Department of Public Works, including a compactor roller, asphalt hot patcher, three (3) riding lawn mowers, hand mower and trailer, leaf machine, mechanic utility pick-up with hydraulic gate, signage, and a non-passenger four wheel drive vehicle, with a total appropriation and estimated cost of \$331,000 estimated maximum amount of bonds or notes therefor of \$314,450, and an average period of usefulness of 5 years;
- vii) Various Road Improvements, including but not limited to, William Street, Water Street, and Raritan Avenue, with a total appropriation and estimated cost of \$2,050,000, estimated maximum amount of bonds or notes therefor of \$1,947,025, \$295,000 estimated grant funds expected to be received from the New Jersey Department of Transportation, and an average period of usefulness of 20 years;
- viii) Milling and Paving Improvement to various roads throughout the Borough, with a total appropriation and estimated cost of \$180,000, estimated maximum amount of bonds or notes therefor of \$171,000, and an average period of usefulness of 5 years;
- ix) Various Sewer System improvements, with a total appropriation and estimated cost of \$250,000, estimated maximum amount of bonds or notes therefor of \$237,500, and an average period of usefulness of 15 years;

- x) Acquisition of various equipment for the Fire Department, with a total appropriation and estimated cost of \$101,000, estimated maximum amount of bonds or notes therefor of \$95,950, and an average period of usefulness of 5 years;
- xi) Computer Upgrades, with a total appropriation and estimated cost of \$51,000, estimated maximum amount of bonds or notes therefor of \$48,450, and an average period of usefulness of 5 years;
- xii) Park improvements and the acquisition of related equipment with a total appropriation and estimated cost of \$51,000, estimated maximum amount of bonds or notes therefor of \$48,450, and an average period of usefulness of 15 years

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$3,534,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,720,500, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$3,720,500 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$186,500 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 14.96 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,534,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$480,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein

authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Eppinger opened the hearing to the public for comments/questions.

No comments were made. Councilman Krenzel moved that the public hearing be closed. Councilman Trenga seconded the motion. So carried.

Mayor Eppinger asked if the Councilmembers have any comments.

Councilman Almeida stated that he had a financial issue with the IT portion of the bond. He said that more money is being spent than last year. Servers are still quite functional. He thought that things that are critical should be done now and then do other upgrades in the future. He said he continues to be unhappy with United Computer's rates. He spoke to Mr. Salerno. He thought that the one portion of the bond should be changed and the IT project should be broken up.

Councilman Krenzel stated that the proposal was given to the council members and we had two weeks to review it. Each item has a usefulness of five years. He thought we should do the upgrades now as recommended by the IT consultant.

Mayor stated that this is a \$51,000 expenditure of a \$3 million bond ordinance. He thought that the upgrade should be done all at once. This is not a small sum, but security backup is very important. Councilman Almeida stated the cost of the project is \$62,000. Mr. Salerno stated that money is coming from prior ordinances, but the \$51,000.

Councilman Almeida stated that there are many good projects in the bond ordinance which he supports but does not think the IT portion is a good piece.

Councilman Guindi commented on the cost of new lawn mowers and asked if DPW can do work rather than have it outsourced. Mr. Salerno stated not with the current

staff. It is viable to review if we can do the work ourselves but not at this time. It would not be feasible to get it done in a timely manner. The landscaping contract is over this year. Councilman Guindi asked about the acquisition of the backup generators. Mr. Salerno stated this gives OEM flexibility to have additional generators when needed.

Councilman Almeida stated we should look into the feasibility of bringing landscaping in-house rather than outsourcing it. He asked about hybrid vehicles for EMS, DPW and Fire Prevention. Mr. Salerno said that we will test the hybrids out. It was noted that the Paid EMS contract states that the Borough must provide vehicles. Mr. Salerno stated that he reviewed many vehicles with Chief Bouthillette. Mayor Eppinger stated that we have four-wheel drive vehicles and have looked into purchasing vehicles. Chief Bouthillette stated that it is important to maintain a functional fleet of four-wheel drive vehicles. Councilman Trenga thought it was great that the Borough was going with hybrids.

Councilman Krenzel stated that this is part of an ongoing process since the Mayor came into office. He has had discussions with departments on what was needed. He will meet again in May with department heads to see what is needed for the next three years.

There were no further comments.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Krenzel moved that the ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Hutchison seconded the motion.

ROLL CALL VOTE

YEAS: Guindi, Hutchison, Trenga, Trzeciak, Krenzel
NAYS: Almeida

Bond Ord 2010-10

BOND ORDINANCE PROVIDING FOR WATER SYSTEM IMPROVEMENTS, AND APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough

of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$300,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$15,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Water Utility Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$285,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of Water System improvements in connection with Water Street and Raritan Avenue, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$285,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$300,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$300,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$15,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall

include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a Water Utility improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Eppinger opened the hearing to the public for comments/questions.

No comments were made. Councilman Trenga moved that the public hearing be closed. Councilman Hutchison seconded the motion. So carried.

Mayor Eppinger asked if the Councilmembers have any comments.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Krenzel moved that the ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Hutchison seconded the motion.

ROLL CALL VOTE

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

Ord 2010-11

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 174 ENTITLED "FLOOD HAZARD AREAS" BY DELETING

EXISTING CHAPTER 174 AND SUBSTITUTING A NEW CHAPTER 174
ENTITLED "FLOOD DAMAGE PREVENTION ORDINANCE"

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of South River that Chapter 174 of the Code of the Borough of South River entitled "Flood Hazard Areas" be amended by deleting existing Chapter 174 and substituting a new Chapter 174 thereof:

SECTION 1.

**CHAPTER 174
FLOOD DAMAGE PREVENTION ORDINANCE
ARTICLE I
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND
OBJECTIVES**

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Council of the Borough of South River, Middlesex County, New Jersey do ordain as follows:

1.2 FINDINGS OF FACT

[1] The flood hazard areas of Borough of South River are subject to periodic inundation which results in loss, of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

[2] These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- [1] Protect human life and health;
- [2] Minimize expenditure of public money for costly flood control projects;
- [3] Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- [4] Minimize prolonged business interruptions;
- [5] Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- [6] Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- [7] Ensure that potential buyers of property are notified, where applicable, that property is in an area of special flood hazard; and

[8] Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- [1] Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- [2] Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- [3] Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- [4] Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- [5] Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

ARTICLE II DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Appeal — A request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

Base Flood — The flood having a one percent chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or

drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Digital Flood Insurance Rate Map (DFIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Elevated Building — A non-basement building (i) built in the case of a building in an Area of Special Flood Hazard to have the top of the elevated floor elevated above the ground level by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- [1] The overflow of inland or tidal waters and/or
- [2] The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure — Any structure that is:

- [a] Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- [b] Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- [c] Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- [d] Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved State program as determined by the Secretary of the Interior;
or
- (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction shall mean the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- [1] Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- [2] Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

ARTICLE III GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the Borough of South River, Middlesex County, New Jersey.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Borough of South River, Community No. 340280, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Middlesex County, New Jersey (All Jurisdictions)" dated July 6, 2010.
- b) Flood Insurance Rate Map for Middlesex County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34023C0134F, 34023C142F, 34023C0153F, 34023C0161F; whose effective date is July 6, 2010.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at the office of the Borough Clerk, 48 Washington Street, South River, New Jersey 08882-1247.

3.3 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and any other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.4 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- [1] Considered as minimum requirements;
- [2] Liberally construed in favor of the governing body; and,
- [3] Deemed neither to limit nor repeal any other powers granted under State statutes.

3.5 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of South River, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE IV ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- [1] Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- [2] Elevation in relation to mean sea level to which any structure has been floodproofed.
- [3] Certification by a licensed, registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and,
- [4] Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Code Official shall include, but not be limited to:

4.3-1 PERMIT REVIEW

- [1] Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

[2] Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

[3] Review all development permits to determine if the proposed development is located in the floodway and, if so, assure that the encroachment provisions of Section 5.3[1] are met.

4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2-1, SPECIFIC STANDARDS, Residential Construction, and 5.2-2, SPECIFIC STANDARDS, Nonresidential Construction.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

[1] Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement

[2] For all new or substantially improved floodproofed structures:

[i] verify and record the actual elevation (in relation to mean sea level); and

[ii] maintain the floodproofing certifications required in Section 4.1 (3).

[3] Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 ALTERATION OF WATERCOURSES

[1] Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

[2] Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

4.3-5 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

4.4 VARIANCE PROCEDURE

4.4-1 APPEAL BOARD

[1] The Middlesex County Construction Board of Appeals as authorized by the Mayor and Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.

[2] The Middlesex County Construction Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.

[3] Those aggrieved by the decision of the appeal board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, within the time provided by law.

[4] In passing upon such applications, the Middlesex County Construction Board of Appeals shall evaluate all relevant factors, standards specified in other sections of this ordinance, and:

- (i) the danger that materials may be swept onto other lands to the injury of others;
- (ii) the danger to life and property due to flooding or erosion damage;
- (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a waterfront location, where applicable;
- (vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (vii) the compatibility of the proposed use with existing and anticipated development;
- (viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
- (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
- (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

[5] Upon consideration of the factors of Section 4.4-1 [4] and the purposes of this ordinance, the Middlesex County Construction Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

[6] The Construction Code Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

4.4-2 CONDITIONS FOR VARIANCES

[1] Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in SECTION 4.4-1[4] have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

[2] Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

[3] Variances shall not be issued within any designated floodway if any increase in flood levels during the baseflood discharge would result.

[4] Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

[5] Variances shall only be issued upon:

- (i) A showing of good and sufficient cause;
- (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
- (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in SECTION 4.4- 1[4], or conflict with existing local laws or ordinances.

[6] Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

ARTICLE V PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards the following standards are required:

5.1-1 ANCHORING

[1] All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

[2] All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

[1] All new construction and substantial improvements shall be constructed with materials and utilize equipment resistant to flood damage

[2] All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

[1] All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

[2] New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

[3] On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

[4] Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-4 SUBDIVISION PROPOSALS

[1] All subdivision proposals shall be consistent with the need to minimize flood damage;

[2] All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

[3] All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

[4] Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is less).

5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 4.3-2, Use of Other Base Flood Data, the following standards are required:

5.2-1 RESIDENTIAL CONSTRUCTION

[1] New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to or above base flood elevation;

[2] within any AO zone on the municipality's FIRM all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified) and shall provide adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

5.2-2 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:
either

[1] Elevated to the level of the base flood elevation; and

[2] Within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified) and shall provide adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- [1] Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- [2] Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- [3] Be certified by a licensed professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in SECTION 4.3-3 [2] [ii].

5.2-3 MANUFACTURED HOMES

- [1] Manufactured homes shall be anchored in accordance with Section 5.1-1 [2].
- [2] All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

5.3 FLOODWAYS

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- [1] Encroachments, including fill, new construction, substantial improvements, and any other development shall be prohibited unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- [2] If section 5.3[1] is satisfied, all new construction and substantial improvements must comply with Article V PROVISIONS FOR FLOOD HAZARD REDUCTION.
- [3] In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

5.4 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000.00 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of South River from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 2. If any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect after final passage, adoption, and publication according to law.

Mayor Eppinger opened the hearing to the public for comments/questions.

No comments were made. Councilman Trenga moved that the public hearing be closed. Councilman Hutchison seconded the motion. So carried.

Mayor Eppinger asked if the Councilmembers have any comments. Councilman Hutchison stated he was pleased that ordinance is adopted and it will help with lowering flood insurance rates.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Trzeciak moved that the ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Hutchison seconded the motion.

ROLL CALL VOTE

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

ORDINANCES – FIRST READING

Ord 2010-12

**AN ORDINANCE REPEALING AN ORDINANCE
CREATING A PROHIBITED PARKING ZONE ON
MARTIN STREET**

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on May 10, 2010 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Almeida seconded the motion.

ROLL CALL VOTE

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

Ord 2010-13

AN ORDINANCE REPEALING ORDINANCE 2004-40
CREATING A HANDICAPPED PARKING SPACE AT
FLORENCE STREET

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on May 10, 2010 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Almeida seconded the motion.

ROLL CALL VOTE

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

Ord 2010-14

AN ORDINANCE TO AMEND THE CODE OF THE
BOROUGH OF SOUTH RIVER, CHAPTER 324 ENTITLED
“VEHICLES, MOTOR DRIVEN” TO CHANGE THE TITLE
THEREOF TO “BICYCLES AND VEHICLES, MOTOR
DRIVEN” AND BY ADDING A NEW ARTICLE II
ENTITLED “BICYCLES”

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on May 10, 2010 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Almeida seconded the motion.

ROLL CALL VOTE

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

PUBLIC COMMENTS (agenda items only)

No comments were made. Councilman Trenga closed the public portion. Councilman Hutchison seconded the motion. So carried.

RESOLUTIONS

RES: 2010-161

APRIL 26, 2010

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF GENERAL OBLIGATION REFUNDING BONDS AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH GENERAL OBLIGATION REFUNDING BONDS TO ROOSEVELT & CROSS, INCORPORATED

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (**not less than two-thirds of all members thereof affirmatively concurring**) AS FOLLOWS:

Section 1. (a) General Obligation Refunding Bonds, Series 2010A, in an amount not exceeding \$2,850,000, which shall be issued in one series of bonds, of the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"), are hereby authorized to be issued and sold as "Refunding Bonds" (or sometimes referred to herein as the "Bonds").

(b) In order to effectuate the Refunding Plan (defined herein), the Mayor or Chief Financial Officer shall determine the actual principal amount of the Refunding Bonds to be issued; provided that such determination shall be consistent with the refunding provisions of the Internal Revenue Code as described in the refunding bond ordinance finally adopted by the Borough Council on March 8, 2010, entitled, "REFUNDING BOND ORDINANCE OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL OBLIGATION BONDS, SERIES 2000, DATED OCTOBER 1, 2000, HERETOFORE ISSUED TO FINANCE CAPITAL IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$2,850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,850,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF SOUTH RIVER FOR FINANCING THE COST THEREOF" and be within the parameters set forth in Section 2 of this resolution. The signature of the Mayor or Chief Financial Officer on the Purchase Contract (defined herein) authorized in Section 2 hereof shall constitute evidence of the approval of such actual principal amounts.

Section 2. The Refunding Bonds are hereby authorized to be sold to ROOSEVELT & CROSS, INCORPORATED (the "Underwriter") in accordance with a purchase contract to be entered into by and between the Underwriter and the Borough. The Mayor or the Chief Financial Officer, are hereby authorized to execute and, on behalf of the Borough, negotiate a purchase contract substantially in the form attached hereto as Exhibit A (the "Purchase Contract") with the Underwriter in the form satisfactory to bond counsel and upon terms satisfactory to the Mayor or the Chief Financial Officer for the sale of the Refunding Bonds to the Underwriter in accordance with the provisions of this resolution, provided that (i) the sale of the Refunding Bonds results in a net present value savings to the Borough of at least 3% of the par amount of the Refunded Bonds (hereinafter defined), (ii) the underwriter's discount shall not exceed \$5.50 per bond, and (iii) the terms of the sale of the Refunding Bonds are otherwise in accordance with the terms provided in the approval of the Local Finance Board of the Department of Community Affairs of the State of New Jersey (the "Local Finance Board") granted on April 14, 2010. The signature of the Mayor or the Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. (a) The Refunding Bonds shall be issued in the par amounts determined by the Mayor or the Chief Financial Officer to be necessary to (collectively, the "Refunding Plan") pay costs of issuance and to provide a deposit to an escrow fund that, when invested, will be sufficient to:

(i) currently refund all or a portion of the outstanding principal amount of the originally issued \$6,094,000 General Obligation Bonds, Series 2000, dated October 1, 2000 and maturing on October 1, 2010 through October 1, 2014 in the total principal amount of \$2,634,000 (the "Refunded Bonds"), on June 28, 2010, or as may be determined by the Mayor or Chief Financial Officer (the "Redemption Date") at the option of the Borough at a redemption price of 101% of the principal amount of the Refunded Bonds to be redeemed plus any unpaid accrued interest to the Redemption Date;

(b) The Refunding Bonds shall bear interest at rates agreed to by the Mayor or Chief Financial Officer as provided in the Purchase Contract, such rates to be set to assure that the Borough achieves at least a 3% net present value debt service savings measured against the Refunded Bonds.

(c) The Refunding Bonds are not subject to redemption prior to their stated maturities.

(d) The Bonds shall be dated their date of delivery or such other later date consistent with the date of sale and shall bear interest at the rates per annum as the Mayor or Chief Financial Officer shall determine.

(e) The Refunding Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Mayor or Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Purchase Contract.

(f) The Refunding Bonds shall mature on October 1 within a year of the date of sale and thereafter in the principal amounts as may be determined by the Mayor or Chief Financial Officer and shall bear interest payable semiannually on October 1 and April 1 in each year until maturity commencing October 1, 2010 (or such other dates as shall be determined by the Mayor or Chief Financial Officer and set forth in the Purchase Contract), at the rates per annum as may be determined by the Mayor or Chief Financial Officer and as set forth in the Purchase Contract.

(g) The Refunding Bonds will be issued in fully registered form. One certificate shall be issued for the principal amount maturing in each year, unless otherwise directed by the Chief Financial Officer, with the advice of the Financial Advisor and/or Bond Counsel. Both principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$1,000 or any integral multiple thereof through book-entries made on the books and the records of The Depository Trust Company and its participants except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$1,000 or any integral multiple thereof. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as may be determined by the Mayor or Chief Financial Officer (the "Record Dates" for the Bonds). The Refunding Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

(i) The following matters are hereby determined with respect to the Refunding Bonds:

- | | |
|-------------------|---|
| Designation: | General Obligation Refunding Bonds, Series 2010 |
| Qualification: | The Refunding Bonds are designated as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986. |
| Date of Bonds: | Date of Delivery. |
| Principal Payment | On dates to be determined by the Mayor or the Chief Financial Officer. |
| Date: | |

Interest Payment Dates: On each October 1 and April 1, commencing October 1, 2010. (or such other dates as are determined by the Mayor or Chief Financial Officer).

Redemption The Refunding Bonds are not subject to redemption prior to their stated maturities.

Place of Payment: Cede & Company, New York, New York, and the Borough will pay Cede & Company directly.

Section 4. The Refunding Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Refunding Bonds:

REGISTERED
NUMBER R-_____

REGISTERED
\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MIDDLESEX

BOROUGH OF SOUTH RIVER,

GENERAL OBLIGATION REFUNDING BOND

DATE OF ORIGINAL ISSUE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/___	___/___/___	_____ %	_____

BOROUGH OF SOUTH RIVER, in the County of Middlesex, New Jersey (the "Borough") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of _____ DOLLARS (\$ _____), and to pay interest on such sum from the Date of Original Issue of this bond until it matures at the Rate of Interest Per Annum specified above semiannually on the _____ days of _____ and _____ in each year until maturity, commencing on _____, 20____. Interest on this bond will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the _____ and _____ next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Borough will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a bond ordinance of the Borough finally adopted March 8, 2010 entitled, "REFUNDING BOND ORDINANCE OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING

FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL OBLIGATION BONDS, SERIES 2000, DATED OCTOBER 1, 2000, HERETOFORE ISSUED TO FINANCE CAPITAL IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$2,850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,850,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF SOUTH RIVER FOR FINANCING THE COST THEREOF" and Resolution No. _____ of the Borough finally adopted on April 26, 2010, in all respects duly approved and published as required by law (the "Authorization Proceedings").

The bonds are not subject to redemption prior to their stated maturities.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the BOROUGH OF SOUTH RIVER has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of the Clerk of the Borough, and this bond to be dated the Date of Original Issue as specified above.

BOROUGH OF SOUTH RIVER, IN
THE COUNTY OF MIDDLESEX,
NEW JERSEY

By: _____ (Facsimile)
Mayor

ATTEST:

By: _____
Clerk

By: _____ (Facsimile)
Chief Financial Officer

Section 5. The law firm of Dilworth Paxson LLP is authorized to arrange for the printing of the Refunding Bonds. The proper officials of the Borough are hereby authorized and directed to execute the Refunding Bonds and to deliver them to or upon the order of the Underwriter upon receipt of payment therefor.

Section 6. By purchasing the Refunding Bonds pursuant to the Purchase Contract, the Underwriter shall agree to the following:

- (a) Payment shall be in immediately available funds.
- (b) The Underwriter shall inform the Borough in writing of the yield at which a substantial amount of the Bonds are sold to the public, such amount being sufficient to satisfy the requirements of bond counsel.

Section 7. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code.

Section 8. The distribution by the Borough of a Preliminary Official Statement, (the "Preliminary Official Statement") is hereby authorized, and the use of the information contained therein concerning the Borough in connection with the sale of the Refunding Bonds is hereby approved and authorized. The Mayor or the Chief Financial Officer of the Borough is hereby authorized and directed to execute and deliver to the Underwriter the final Official Statement with such changes from the Preliminary Official Statement as counsel may advise and the officer executing the same may approve, such approval to be evidenced by such officer's execution thereof. The Mayor or the Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement final for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 9. The Mayor or Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 10. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Refunding Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Refunding Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$1,000 or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Refunding Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 11. A Continuing Disclosure Certificate in substantially the form attached hereto as Exhibit B is hereby approved, and the Mayor or Chief Financial Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the Borough in substantially such form, with such insertions and changes therein as the Mayor or Chief Financial Officer may approve, such approval to be evidenced by his execution thereof.

Section 12. The Refunding Bonds are being issued to effectuate the Refunding Plan.

Section 13. The Bank of New York Mellon, is hereby appointed as Escrow Agent for the Refunded Bonds.

Section 14. To effectuate the Refunding Plan, the Borough hereby approves the preparation and the execution of an escrow agreement by and between the Borough and the Escrow Agent, said escrow agreement to be in substantially the form attached hereto as Exhibit C (the "Escrow Agreement"), which is hereby approved, and the Mayor or Chief Financial Officer is hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the Borough in substantially such form, with such insertions and changes therein as the Mayor or Chief Financial Officer may approve, such approval to be evidenced by his execution thereof. If necessary, the Escrow Agent is hereby authorized to purchase United States Treasury Securities - State and Local Government Series with the proceeds of the Refunding Bonds in accordance with the Escrow Deposit Agreement. The Underwriter, the Borough Financial Advisor, Auditor, and the Escrow Agent are each authorized to submit applications for such investments.

Section 15. The Mayor or Chief Financial Officer is hereby authorized and directed to appoint a Verification Agent who shall verify the mathematical computations performed initially by the Underwriter and related to the Refunding Bonds, the Refunded Bonds and the investment of certain funds in accordance with the terms of the Escrow Agreement.

Section 16. The Mayor, the Chief Financial Officer, the Clerk and other appropriate representatives of the Borough are hereby authorized to take all steps necessary to provide for the issuance of the Refunding Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Borough and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 17. This resolution shall take effect immediately.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Rui Almeida
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES: 2010-162

APRIL 26, 2010

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for Installation of Improvements to William Street in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on March 16, 2010 and opened and read aloud in public and an examination thereof shows that S. Brothers, Inc. was the apparent low bidder thereon with a bid of \$218,808.36 as noted in the report of the Borough Engineer dated March 17, 2010 and the opinion letter of the Borough Attorney dated March 18, 2010; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to S. Brothers, Inc. as per the bid so submitted on condition that approval is received from the New Jersey Department of Transportation and that shall be availability of sufficient funds.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction upon submission of the above as well as all documents required by the specifications.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES: 2010-163

APRIL 26, 2010

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-988-516 ELEC CURRENT	ROBERTA D ABODE 37 JUNE ST SOUTH RIVER, NJ 08882	\$79.17
65-999-949-576 ELEC CURRENT	JOHN ALLGAIR 228 MAIN ST SOUTH RIVER, NJ 08882	\$184.25
65-999-986-019 ELEC CURRENT	RUBEN ALVES 56 W 45 TH ST SUITE 1103 NEW YORK, NY 10036	\$88.62
65-999-988-527 CD	MARILYN BLANCHARD 9 SUMMIT RD C8A SOUTH RIVER, NJ 08882	\$134.52
65-999-883-565 ELEC CURRENT	DARRYL BYRD & CHRISTINE GIANNOTTO 14 COLE ST	\$18.78

	SOUTH RIVER, NJ 08882	
65-999-889-175 CD	CATHOLIC CHARITIES ATTN: MARIA HUNTER 288 RUES LANE EAST BRUNSWICK, NJ 08816	\$191.48
65-999-883-323 CD	GLEITON DIAS 4 WILLIAM ST APT A LEFT SOUTH RIVER, NJ 08882	\$103.14
66-999-927-949 WTR CURRENT	FIELD ASSET SERVICE INC 101 LOUIS HENNA BLVD SUITE 400 AUSTIN, TX 78728	\$163.00
65-999-878-780 CD	ERKAN & TULIN GUNER 338 PARKER AVE APT 1 1 ST FL SOUTH AMBOY, NJ 08879	\$144.05
66-999-928-081 WTR PREV	NELLY LIPS 34 WILCOX AVE SOUTH RIVER, NJ 08882	\$87.92
65-999-999-208 CD	ROBERT MARTIN 13 CIVIC CENTER DR EAST BRUNSWICK, NJ 08816	\$52.38
65-999-889-175 ELEC CURRENT	M'SEX CTY BOARD OF SOCIAL SVCS P O BOX 509 NEW BRUNSWICK, NJ 08903	\$74.89
65-999-885-699 CD	A NAYLOR & M EASTMAN 112 WHITEHEAD AVE APT 4 SOUTH RIVER, NJ 08882	\$43.02
65-999-896-952 CD	DOMINGO REYES 56 MAIN ST APT 5 SOUTH RIVER, NJ	\$144.43
66-999-999-075 WTR PREV	JOSEPH SPRINGER P O BOX 401 OLD BRIDGE, NJ 08857	\$406.17
65-999-987-438 CD	RICHARD TOMPKINS 120 LEONARDINE AVE B2A SOUTH RIVER, NJ 08882	\$102.01
65-999-952-315 ELEC PREV	BERNADINE TOTH C/O DOLORES LUTZKO 54 RIDGE RD SOUTH RIVER, NJ 08882	\$14.98
65-999-913-034 ELEC PREV	JOSE TRUJILLO 106 PHELPS AVE APT 106	\$40.49

NEW BRUNSWICK, NJ 08901

65-999-997-525 ELEC CURRENT

JOSEPHINE VETRO
24 SADOWSKI DR
OLD BRIDGE, NJ 08857

\$20.00

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-164

APRIL 26, 2010

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Thomas Blust, Jr. to the position of Probationary Member in the Rescue Squad of the Borough of South River effective as of this date.

BE IT FURTHER RESOLVED that said appointment is subject to the successful completion of:

1. Police background and fingerprint investigation
2. Physical examination
3. Drug/alcohol testing

Raymond T. Eppinger
Mayor

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-165

APRIL 26, 2010

RESOLUTION

WHEREAS, the South River Little League Organization has requested permission to conduct a Coin Toss/Canning fundraiser at the corners of Old Bridge Turnpike and Main Street, Hillside Ave. and Main Street and Old Bridge Turnpike and Prospect Street on Saturday, May 22, 2010 from 9:00 a.m. to 3:00 p.m.; and

WHEREAS, the South River Little League is a not for profit organization and the proceeds from the Coin Toss Fundraiser will be for the benefit of the organization; and

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the South River Little League Organization has permission to conduct a Coin Toss/Canning fundraiser at the intersections of Old Bridge Turnpike and Main Street, Hillside Ave. and Main Street and Old Bridge Turnpike and Prospect Street on Saturday, May 22, 2010 from 9:00 a.m. to 3:00 p.m. subject to the following:

1. That the individuals conducting the Coin Toss fundraiser shall wear a reflective safety vest while coin tossing.
2. That there will be no interference with the flow of traffic on the roadway.
3. All fundraising shall be conducted by individuals having attained at least the age of eighteen (18) years.

DATED: APRIL 26, 2010

/s/ John Krenzel

Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-166

APRIL 26, 2010

RESOLUTION

WHEREAS, the governing body has received a change order request for the project known as Upgrading an Existing Video Recording System at the South River Police Department by NetEyes Security, LLC; and

WHEREAS, the change order reflects increases and decreases in contract quantities and supplementary items required to satisfactorily complete the aforesaid project due to field conditions encountered which resulted in modifications of items originally included in the contract or additional quantities required, all of which calls for an overall decrease in the original contract amount of \$691.43; and

WHEREAS, the change order reflects unforeseeable conditions determined during the project and the change in quantities or supplemental items still provides improved municipal services to the residents of the borough; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the change order #2 request of NetEyes Security LLC for the aforesaid project is hereby approved.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-167

APRIL 26, 2010

RESOLUTION

WHEREAS, the Economic Development Commission has recommended that the borough's annual Cruise Night event be held on Thursday June 17, 2010 and Thursday, July 15, 2010 with a rain date of Thursday, August 19, 2010; and

WHEREAS, in conjunction with said Cruise Night the governing body would like to close/detour traffic on Main Street, a county road, from Reid Street to Gordon Street (but allowing a right-hand turn from Ferry Street onto Main Street); and

WHEREAS, on Cruise Night, various residents from the Borough of South River and individuals from other towns socialize in the downtown area which benefits merchants located in that area; and

WHEREAS, correspondence has been or will be forwarded to the County of Middlesex requesting the temporary closing/detour of traffic on Main Street for this event.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that Cruise Night may occur on Thursday, June 17, 2010 and Thursday, July 15, 2010 with a rain date of Thursday, August 19, 2010 on the designated area of Main Street on condition that approval is obtained from Middlesex County for the required county road closure.

BE IT FURTHER RESOLVED that upon approval from Middlesex County, Main Street from Reid Street to Gordon Street shall be closed between the hours of 5:00 p.m. to 9:00 p.m. on Thursday, June 17, 2010 and Thursday, July 15, 2010 with a rain date of Thursday, August 19, 2010 although traffic shall be permitted to make a right-hand turn only upon exiting Ferry Street onto Main Street.

BE IT FURTHER RESOLVED that the Borough acknowledges to Middlesex County that it shall be responsible for providing motorists with posted detour routes and providing sufficient personnel for traffic control purposes and shall assume liability for damages or claims for damages to persons or property which may arise from the closure of such County road.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-168

APRIL 26, 2010

RESOLUTION

WHEREAS, Rite Aid Pharmacy located at 231 Prospect Street has requested permission to conduct a Canning fundraiser at the corner of Old Bridge Turnpike and Prospect Street on Saturday, May 8 and Saturday, May 15, 2010 from 10:00 a.m. to 3:00 p.m.; and

WHEREAS, Rite Aid Pharmacy is teaming up with the Children's Miracle Network to raise money for children's hospitals nationwide; and

WHEREAS, all proceeds will go to the Children's Miracle Network and will be distributed to the closest Children's Miracle Network hospital in the community.

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that Rite Aid Pharmacy has permission to conduct a Canning fundraiser at the intersection of Old Bridge Turnpike and Prospect Street on Saturday, May 8 and Saturday, May 15, 2010 from 10:00 a.m. to 3:00 p.m. subject to the following:

4. That the individuals conducting the Canning fundraiser shall wear a reflective safety vest while canning.
5. That there will be no interference with the flow of traffic on the roadway.
6. All fundraising shall be conducted by individuals having attained at least the age of eighteen (18) years.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES:2010-169

APRIL 26, 2010

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Robert Baker to the position of Water Treatment Plant Operator of the Water Utility of the Borough of South River at a salary of \$31.26/per hour, retroactively as of April 19, 2010.

BE IT FURTHER RESOLVED that said appointment is subject to the successful completion of:

1. Police background and fingerprint investigation
2. Physical examination
3. Drug/alcohol testing

Raymond T. Eppinger
Mayor

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison

Councilmember

ROLL CALL VOTE

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

RES:2010-170

APRIL 26, 2010

RESOLUTION

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Letter of Resignation submitted by Carla Sitze, Crossing Guard, is hereby accepted.

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

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

RES:2010-171

APRIL 26, 2010

RESOLUTION

I, Raymond T. Eppinger, Mayor of the Borough of South River, with the advise and consent of the Council of South River, do hereby appoint Nancy Matthews as a permanent Crossing Guard effective April 26, 2010 and authorize replacement of a substitute crossing guard position.

Raymond T. Eppinger
Mayor

DATED: APRIL 26, 2010

/s/ John Krenzel
Councilmember

/s/ Jim Hutchison
Councilmember

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Krenzel, Trenga, Trzeciak

NAYS: None

RES: 2010-172

APRIL 26, 2010

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$1,828,649.02 and previously paid claims in the amount of \$410,522.47 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

Page No: 1
15:02:56
Vendor Id
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↑-----

Bill List By

P.O. Type: All
Open: N Rcvd: Y Paid: N
€ Range: First to Last
Held: Y Aprv: N Void: N
€ Format: Condensed
Bid: Y State: Y Other: Y

↑=====

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Vendor #	Name	PO #	PO Date	Description	Status
Amount	Void Amount	Contract	PO Type		

Vendor #					
A0006	THE GREAT A&P TEA CO. / METRO				
00-38661	03/16/10	Food Bank Reimbursement		Open	
187.94	0.00				
00-38803	03/25/10	Food Bank Reimbursement		Open	
103.38	0.00				
00-38896	04/09/10	Food Bank Reimbursements		Open	
177.89	0.00				

Vendor #					
469.21					
Vendor #					
A0031	ACM MID-ATLANTIC REGION				
00-38855	04/09/10	A.LONDENSKY 5/13-5/14 ACCESS		Open	
200.00	0.00				
Vendor #					
A009	ABR VAN SERVICE, INC.				
00-38529	03/02/10	REFUND OF ESCROW DEPOSIT#1279		Open	
141.00	0.00				
Vendor #					
A0305	ALLIED OIL COMPANY LLC				
00-38800	03/25/10	Fuel Delivered 3/19/10		Open	
5,006.37	0.00				
00-38905	04/09/10	Fuel Del 3/17/10		Open	
4,217.66	0.00				

Vendor #					
9,224.03					
Vendor #					
A0345	AMERICAN POWERNET MGMT. LP				
00-38773	03/25/10	Management Fee for March 2010		Open	
3,330.00	0.00				
Vendor #					
A0493	APPROVED FIRE PROTECTION				
00-38842	04/09/10	SCBA repairs		Open	
434.94	0.00				
Vendor #					
ABOD01	ROBERTA D. ABODE				
00-38984	04/20/10	ELECT CURR REFUND		Open	
79.17	0.00				
Vendor #					
ALF001A	ALFREY, THOMAS				
00-38836	03/29/10	2010 Clothing Allowance		Open	
560.00	0.00				
Vendor #					
ALG002	JOHN ALLGAIR				
00-38985	04/20/10	ELECT CURR REFUND		Open	
184.25	0.00				

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¿û□

¿û)ALV003 RUBEN ALVES

¿ûj 00-38986 04/20/10 ELECT CURR REFUND Open
88.62 0.00

¿û□

¿û)B0750 B & W CONSTRUCTION CO

¿ûj 00-38910 04/09/10 EMERGENCY PIPE COLLAPSE REPAIR Open
48,423.68 0.00

¿û□

¿û)B0890 BEN FRANKLIN LOCK & KEY

¿ûj 00-38374 02/12/10 Repair Keypad - Police Dept Open
490.00 0.00

¿û□

¿û)B0893 BENECARD SERVICES, INC.

¿ûj 00-39008 04/20/10 PRESCRIPTION FOR 4/10 Open
34,582.44 0.00

¿û□

¿û)B0904 BEST WESTERN ANNAPOLIS

¿ûj 00-39057 04/20/10 Spring Break hotel 6/7-6/9 Open
1,627.20 0.00

¿û□

04/22/10
South River
15:02:56
Vendor Id

Borough of
Page No: 2
Bill List By

Vendor #	Name	PO #	PO Date	Description	Status
Amount	Void Amount	Contract	PO Type		

0952	BIGNELL PLANNING CONSULTANTS				
00-38957	ZARZYCKI, A . #1280	04/12/10			Open
87.50	0.00				
00-39053	MASTER PLAN	04/20/10			Open
5,000.00	0.00				
00-39054	PLANNING SVCS. FOR 3/10	04/20/10			Open
400.00	0.00				
00-39055	CHARLES, IVAN JEAN #1274	04/20/10			Open
50.00	0.00				
00-39059	SANTOS, DANIEL #1292	04/20/10			Open
421.25	0.00				
00-39060	WAWA/OBT COMMERCIAL PK #714	04/20/10			Open
687.50	0.00				

6,646.25					

0955	BIO SHINE, INC.				
00-38553	Premier Ice Melter #BS1398	03/02/10			Open
606.40	0.00				
0960	BLUE CROSS/BLUE SHIELD OF NJ				
00-39010	DENTAL INS. 5/10	04/20/10			Open
8,470.24	0.00				
0960	BROWN & BROWN INSURANCE				
00-39006	VOL.FIRE SICK & ACCIDENT	04/20/10			Open
11,447.00	0.00				
00-39007	VOL.FIRE COMP. POLICY	04/20/10			Open
3,999.68	0.00				

15,446.68					

001	MARILYN BLANCHARD				
00-38987	CD REFUND	04/20/10			Open
134.52	0.00				
002	PATRICIA BONGIOVI				

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¿ûj	00-38864	04/09/10	REIMB. FOR MEALS- STORM 3/13	Open
	140.00		0.00	
¿û□				
¿û)BYR001			DARRYL BYRD & CHRISTINE	
¿ûj	00-38988	04/20/10	ELECT CURR REFUND	Open
	18.78		0.00	
¿û□				
¿û)C1326			CENTRAL JERSEY WASTE &	
¿ûj	00-38799	03/25/10	April Collection	Open
	3,752.42		0.00	
¿û□				
¿û)C1336			CENTRAL JERSEY SECURITY	
¿ûj	00-38796	03/25/10	2nd Qtr 2010 Alarm Monitoring	Open
	2,697.87		0.00	
¿ûj	00-38929	04/09/10	Install Dome Cameras-Municipal	Open
	1,200.00		0.00	
¿ûj	00-38930	04/09/10	Install Hold Up Buttons	Open
	300.00		0.00	
¿û†				-----

¿ûK				
	4,197.87			
¿û□				
¿û)C1482			CME ASSOCIATES	
¿ûj	00-38923	04/09/10	UTILITY MEETING 2009 MILLING	Open
	280.00		0.00	
¿ûj	00-38959	04/12/10	ZARZYCKI,A. #1280	Open
	47.00		0.00	
¿û†				-----

¿ûK				
	327.00			
¿û□				
¿û)C1518			CONNEY SAFETY PRODUCTS, LLC.	
¿ûj	00-38607	03/12/10	Safety Glasses	Open
	309.16		0.00	
¿û□				
¿û)C1528			CONSOLIDATED RAIL CORP	
¿ûj	00-38848	04/09/10	LEASE PIPE WHITEHEAD 1-12/10	Open
	208.78		0.00	
¿û□				

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¿û□
¿û)E2040 TOWNSHIP OF EAST BRUNSWICK
¿ûj 00-39084 04/22/10 RADIO COMMUNICATION 5/10 Open
2,784.13 0.00

¿û□
¿û)E2305 ELSTER ELECTRICITY, LLC
¿ûj 09-02577 09/16/09 ELECTRIC METERS Open
45,175.00 0.00 B

¿û□
¿û)E2600 EZ PASS
¿ûj 00-39040 04/20/10 REPLENISH TOLLS Open
100.00 0.00

¿û□
¿û)F2751 FARWEST LINE SPECIALTIES, LLC.
¿ûj 00-38717 03/22/10 Supplies Open
799.79 0.00

¿û□
¿û)F2771 FBI NATIONAL ACAD ASSOC NJ CHA
¿ûj 00-38936 04/12/10 2010 CONFERENCE REGISTRATION Open
210.00 0.00

¿û□
¿û)F2786 FIORELLO LANDSCAPING, INC.
¿ûj 00-38788 03/25/10 Early Spring Fert. Application Open
1,740.00 0.00

¿û□
¿û)F2835 FIRE FIGHTERS EQUIPMENT CO.
¿ûj 00-38664 03/16/10 Accountability Tag Stakes Open
412.00 0.00

¿û□
¿û)F2849 FLEETWASH, INC.
¿û□

04/22/10
South River
15:02:56
Vendor Id

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Bill List By

Vendor #	Name	PO #	PO Date	Description	Status
Amount	Void Amount	Contract	PO Type		
00-38015	Wash Boro Trucks	01/15/10	560.00	0.00	Open
FIELD001	FIELD ASSET SERVICE INC				
00-38991	WTR CURRENT REFUND	04/20/10	163.00	0.00	Open
G3242	GRASSEY EQUIPMENT				
00-38457	Install Parts on Sweeper	02/24/10	295.40	0.00	Open
GLEI001	GLEITON DIAS				
00-38990	CD REFUND	04/20/10	103.14	0.00	Open
GRADL01	PATRICIA GRADL				
00-38845	Food Bank Reimbursement	04/09/10	108.21	0.00	Open
GUNE01	ERKAN & TULIN GUNER				
00-38992	CD REFUND	04/20/10	144.05	0.00	Open
H3521	FELICIA GUGLIUZZA				
00-39044	Spring Fling Entertainment 6/4	04/20/10	400.00	0.00	Open
H3523	EDWARD HERMAN				
00-39005	ALTERNATE-SIT-IN 4/13/10	04/20/10	350.00	0.00	Open
H3584	HERMSTEDT, ANITA M.				
00-38817	Reimbursement Banana Shpeel	03/29/10	22.00	0.00	Open
H3605	HEWLETT-PACKARD CO				
00-38552	2 LAPTOPS QUOTE#4816346	03/02/10	2,742.00	0.00	Open
H3708	HOME DEPOT				
00-38673	Various Supplies	03/16/10	565.32	0.00	Open

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␣
␣)H3719 HOME NEWS TRIBUNE
␣j 00-38793 03/25/10 Cap Ord 2010-7 Final Open
116.37 0.00
␣j 00-38922 04/09/10 DEC. OF ZONING BD. MEET. 3/30 Open
17.28 0.00
␣† -----

␣K
133.65
␣
␣)I4239 ITS, INC.
␣j 09-02283 08/11/09 EMERG.WATER SYSTEM COMM. REPAI Open
14,206.50 0.00 B
␣
␣)J4536 JBL ELECTRIC, INC.
␣j 09-02045 07/23/09 INSTALL OF BOTTOM FED METERS Open
60,847.88 0.00 B
␣
␣)J4660 JOE'S HEATING INC
␣j 00-38744 03/22/10 2nd Qtr-HVAC Maint Open
1,660.00 0.00
␣
␣)J4709 JONES, DEBRA A
␣j 00-39072 04/21/10 Various Reimbursements Open
83.23 0.00
␣
␣)K4917 LAW OFFICE OF JAMES KINNEALLY
␣j 00-38958 04/12/10 ZARZYCKI,A. #1280 Open
299.00 0.00
␣
␣

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Vendor # Name
PO # PO Date Description Status
Amount Void Amount Contract PO Type

L5252 LIGHTHOUSE ELECTRIC OF CENTRAL
00-38789 03/25/10 Electrical wiring - AC @ PD Open
950.00 0.00

L5401 LYNDHURST
00-38899 04/09/10 Lyndhurst Tour 5/14 - balance Open
150.00 0.00

LIPS001 NELLY LIPS
00-38993 04/20/10 WATER PRIOR REFUND Open
87.92 0.00

M5697 MGL PRINTING SOLUTIONS
00-38921 04/09/10 WORK ORDERS Open
442.00 0.00

M5712 MIDDLESEX COUNTY TREASURER
00-38702 03/18/10 2ND QTR. 2010 COUNTY TAXES Open
1,116,621.80 0.00

M5719 MIDDLESEX CTY FIRE ACADEMY
00-38393 02/19/10 Pump Operator Class Open
225.00 0.00
00-38644 03/12/10 TRAINING 4/17,6/19,9/8,10/23 Open
1,100.00 0.00

K
1,325.00

M5741 MIDDLESEX COUNTY MUNICIPAL JIF
00-39051 04/20/10 2010 INSURANCE ASSESSMENT Open
148,178.25 0.00

M5775 L-3 COM MOBILE VISION, INC.
00-38840 04/09/10 Baker 1 MVR Open
496.25 0.00

M5788 MIDDLESEX COUNTY TREASURER
00-38701 03/18/10 CTY OPEN SPACE & FARMLAND Open
126,644.63 0.00

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¿û)M5792 MOTORS FLEET
¿ûj 00-38785 03/25/10 DECALS ON 2010 FORD F150 Open
550.00 0.00
¿û□
¿û)MART002 ROBERT MARTIN
¿ûj 00-38994 04/20/10 CD REFUND Open
52.38 0.00
¿û□
¿û)MC001 M.C.FIRE PREVENTION &
¿ûj 00-38860 04/09/10 2010 MEMBERSHIP DUES Open
125.00 0.00
¿û□
¿û)MCB001 M.C. BOARD OF SOCIAL SVCS
¿ûj 00-38995 04/20/10 ELECT CURR REFUND Open
74.89 0.00
¿û□
¿û)MERI001 MERIDIAN OCCUPATIONAL HEALTH
¿ûj 00-38863 04/09/10 Heb B 1st shot R/S Gonzalez Open
68.00 0.00
¿û□
¿û)N6064 NETEYES SECURITY, LLC
¿ûj 09-03406 12/01/09 VIDEO RECORD/MONITOR-POLICE ST Open
42,487.70 0.00 B
¿û□
¿û)N6180 NORCIA CORP.
¿ûj 00-38647 03/16/10 Spare Wheels for Snow Plows Open
925.02 0.00
¿û□
¿û)N6182 SANDRA D. NICOSIA
¿ûj 00-38924 04/09/10 SERVICES FOR 3/22/10-4/7/10 Open
822.50 0.00
¿û□

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Amount	Void Amount	Contract	PO Type		
00-39105	SERVICES FOR 4/8/10 - 4/21/10		04/22/10		Open
1,172.50	0.00				
00-38887	Elec Eng Services-March		04/09/10		Open
4,600.00	0.00				
00-38996	CD REFUND		04/20/10		Open
43.02	0.00				
00-39052	NYPA Billing for Demand 3/2010		04/20/10		Open
13,798.24	0.00				
00-39036	4/16 PETTY CASH REIMB.		04/20/10		Open
367.72	0.00				
00-38709	Emergency Sampling 3/14/10		03/22/10		Open
258.00	0.00				
00-38894	Coliform Samples-January		04/09/10		Open
258.00	0.00				
00-38822	Reimbursement Banana Shpeel		03/29/10		Open
11.00	0.00				
00-38731	Letterhead, Env., and Magnets		03/22/10		Open
989.00	0.00				
00-38729	V E RALPH & SON INC				

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%j 00-38648 03/16/10 Pads for Defibrillator 138.60 0.00	Open
%	
%R7501 ROBERT WOOD JOHNSON UNIV. HOSP	
%j 00-39009 04/20/10 ACCT.# 1 300583829 3/1/10 114.52 0.00	Open
%	
%R7548 THE RODGERS GROUP,LLC.	
%j 00-39035 04/20/10 POLICE DEPT.CALEA & NJSACOP 2,833.33 0.00	Open
%	
%R7560 RON'S OFFICE MAINTENANCE	
%j 00-39043 04/20/10 CLEANING RESTROOMS 4/10 2,600.00 0.00	Open
%	
%R7598 ROYAL TRANSMISSIONS INC.	
%j 00-38667 03/16/10 Repair Transmission Sign Bus 2,776.25 0.00	Open
%j 00-38897 04/09/10 Troubleshoot Baker #4 788.60 0.00	Open
%t	-----

%K	
3,564.85	
%	
%R7630 JENEEN RUTAR	
%j 00-38792 03/25/10 REIMB. FOR DEP.ON TOUR 200.00 0.00	Open
%	
%REG100 REGISTRAR'S ASS'N OF NJ	
%j 00-38563 03/05/10 Spring Meeting 80.00 0.00	Open
%	
%REYE02 DOMINGO REYES	
%	

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Vendor #	Name	PO #	PO Date	Description	Status
Amount	Void Amount	Contract	PO Type		
00-38997	CD REFUND	04/20/10			Open
144.43	0.00				
S7690	SAMS CLUB				
00-38852	OOA, REC and Food Bank Supplie	04/09/10			Open
630.45	0.00				
S7720	SAYREVILLE, BORO OF				
00-38801	Standby 2/28-3/20/10	03/25/10			Open
3,529.32	0.00				
S7722	SAYREBROOK VETERINARY				
00-38847	Vet services - Injuries	04/09/10			Open
226.10	0.00				
S8193	STEWART BUSINESS SYSTEMES, INC.				
00-38928	Copy Block Program DPW	04/09/10			Open
1,014.00	0.00				
S8200	STEVEN WINTER ASSOCIATES, INC.				
00-38858	LOCAL ENERGY AUDIT	04/09/10			Open
26,029.00	0.00				
SAL001	SALERNO, ANDREW J				
00-39070	Mileage Reimbursement	04/21/10			Open
92.10	0.00				
00-39073	Petty Cash Reimbursement	04/21/10			Open
289.10	0.00				
K					
381.20					
SAMZ01	SAMZIE'S LTD, INC.				
00-38264	SHOULDER EMBLEMS	02/03/10			Open
387.00	0.00				
SPR002	JOSEPH SPRINGER				
00-38998	WATER PRIOR REFUND	04/20/10			Open
406.17	0.00				
T8369	TELX INC				

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¿ûj	00-38956	04/12/10	MAINTENANCE	4/1-6/30/10	Open
	3,096.00		0.00		
¿û□					
¿û)T8387			TELVUE CORPORATION		
¿ûj	00-38920	04/09/10	WEBUS MO. SUPPORT	4/1-6/30/10	Open
	600.00		0.00		
¿û□					
¿û)T8447			THYSSENKRUPP ELEVATOR CORP.		
¿ûj	00-38900	04/09/10	Elev. Maint	4/1-6/30/10-OOA	Open
	859.06		0.00		
¿ûj	00-38901	04/09/10	Elev. Maint	4/1-6/30/10-P.D.	Open
	769.14		0.00		
¿û†					-----

¿ûK					
	1,628.20				
¿û□					
¿û)TOMP01			RICHARD TOMPKINS		
¿ûj	00-38999	04/20/10	CD REFUND		Open
	102.01		0.00		
¿û□					
¿û)TOTH001			BERNADINE TOTH		
¿ûj	00-39000	04/20/10	ELECT PRIOR REFUND		Open
	14.98		0.00		
¿û□					
¿û)TRU001			JOSE TRUJILLO		
¿ûj	00-39001	04/20/10	ELECT PRIOR REFUND		Open
	40.49		0.00		
¿û□					
¿û)U8802			UNIFIRST CORPORATION		
¿ûj	00-38889	04/09/10	Uniform Rental	3/30/10	Open
	81.99		0.00		
¿ûj	00-38892	04/09/10	Uniform Rental	3/23/10	Open
	69.99		0.00		
¿û□					

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Vendor #	Name	PO #	PO Date	Description	Status	
Amount	Void Amount	Contract	PO Type			
00-38909	Uniform Rental	4/6/10	04/09/10	150.99	0.00	Open
00-38558	JET DIRECT & LABOR		03/05/10	115.00	0.00	Open
00-38954	MAINTENANCE FOR	4/10	04/12/10	1,600.00	0.00	Open
00-38955	SERVICE AT OOA	3/24/10	04/12/10	168.75	0.00	Open
U8909	UTILITY BILLING SERVICES INC					
00-38866	BILLING FOR	3/10	04/09/10	5,740.73	0.00	Open
00-38867	BILLING FOR	3/10	04/09/10	12,046.07	0.00	Open
U8910	UTILITY BILLING SERVICES INC					
00-38868	BOUNCED CHECKS & FEES	3/10	04/09/10	1,101.07	0.00	Open
00-38869	BOUNCED CHECKS AND FEES	3/10	04/09/10	475.18	0.00	Open
V8977	VAULTLOGIX, LLC.					
00-39026	STORAGE - POLICE	3/1-3/31	04/20/10	364.00	0.00	Open

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00-39027	04/20/10	STORAGE - POLICE 2/1-2/28/10	Open
378.00	0.00		
00-39028	04/20/10	STORAGE - BORO HALL 3/1-3/31	Open
238.00	0.00		

980.00			
00-39002 JOSEPHINE VETRO			
00-39002	04/20/10	ELECT CURR REFUND	Open
20.00	0.00		
00-38854 WHISKERS RESCUE, INC.			
00-38854	04/09/10	TNR - Various Locations	Open
1,370.00	0.00		
00-38055 WESCO DISTRIBUTION, INC.			
00-38055	01/15/10	Electrical Supplies	Open
10,167.50	0.00		
00-38102	01/19/10	Electrical Supplies	Open
5,684.00	0.00		
00-38594	03/12/10	Electrical Supplies	Open
339.00	0.00		
09-02367	08/21/09	Supplies	Open
759.30	0.00		

16,949.80			
00-38838 YUHAS PLUMBING & HEATING, INC.			
00-38838	03/29/10	Repair Urinal - P.D.	Open
138.00	0.00		
00-38895 LESLIE ZELANKO			
00-38895	04/09/10	Food Bank Reimbursements	Open
157.78	0.00		
00-38410 ZLATEN ZIFOVSKI			
00-38410	02/19/10	Supplies - February	Open
106.74	0.00		

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Vendor # Name
PO # PO Date Description Status
Amount Void Amount Contract PO Type

Total Purchase Orders: 147 Total P.O. Line Items: 279 Total
List Amount: 1,828,649.02 Total Void Amount: 0.00

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Fund Description	Budget Held	Budget Total	Revenue Total	Fund	Budget Rcvd
CURRENT FUND	0.00	1,403,695.58	0.00	0-01	1,403,695.58
WATER UTILITY	0.00	54,438.78	0.00	0-02	54,438.78
ELECTRIC UTILITY	0.00	144,018.76	0.00	0-03	144,018.76
	0.00	1,370.00	0.00	0-12	1,370.00
	0.00	2,833.33	0.00	0-14	2,833.33
	0.00	915.03	0.00	0-15	915.03

	0.00	1,607,271.48	0.00	Year Total:	1,607,271.48
ELECTRIC UTILITY	0.00	759.30	0.00	9-03	759.30
GENERAL CAPITAL	0.00	93,653.38	0.00	C-06	93,653.38
ESCROW ACCOUNT	0.00	1,733.25	0.00	E-17	1,733.25
ELECTRIC CAPITAL	0.00	106,022.88	0.00	L-08	106,022.88
OTHER TRUST ACCOUNTS	0.00	5,002.23	0.00	T-05	5,002.23
WATER CAPITAL	0.00	14,206.50	0.00	W-07	14,206.50
				=====	

0.00		Total Of All Funds:		1,828,649.02
	1,828,649.02		0.00	

Previously paid bills for bill list of 4/26/10

Date	From	Amount	To	Amount	Comment
4/13/10	PNC Curr	\$ 130.20	BOA Dog Lic acc	\$ 130.20	dog license report
4/13/10	PNC Curr	\$ 9.64	State of NJ PWT	\$ 9.64	Pub.Comm. water tax 1 st 2010
4/14/10	PNC Water	\$ 18,810.62	PNC Curr	\$ 18,810.62	Medical ins. active 4/10
4/14/10	PNC Elec	\$ 28,215.93	PNC Curr	\$ 28,215.93	Medical ins. active 4/10
4/14/10	PNC Water	\$ 9,374.34	PNC Curr	\$ 9,374.34	Medical ins. retired
4/14/10	PNC Elec	\$ 14,061.52	PNC Curr	\$ 14,061.52	Medical ins. retired
4/14/10	PNC Curr	\$ 300.00	PNC Trust- Other	\$ 300.00	Raritan bus service 3/16 trip
4/15/10	PNC Elec Util	\$ 42,401.00	PJM Interc	\$ 42,401.00	wkly elec pymt 4/1- 4/7/10
4/20/10	PNC Elec Util	\$189,017.40	NextEra Power mktg.	\$189,017.40	monthly pool costs for elec dist.
4/20/10	PNC Elec Util	\$108,201.82	DTE Energy Trading	\$108,201.82	March 2010 nvoice
	Total	\$410,522.47		\$410,522.47	

DATED: APRIL 26, 2010

/s/ Peter Guindi
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

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

COUNCIL COMMENTS

Councilman Almeida

- Attended Flood Commission county meeting two weeks ago; discussed remediation of flooding
- Memorial Day Parade – May 31 at 1:00 p.m.; Mrs. Buffalino has everything on schedule; application for participating in parade are posted on website; he will be helping out with the parade and will meet with Cultural Arts and heritage Commission after parade.
- Cultural Arts and Heritage Commission meeting – 4/27 at 7:00 p.m. at SR Library
- Municipal Alliance met; discussed National Night Out – August 3, looking for big turnout
- DARE graduation – 4/28 at 7:00 p.m. – Middle School
- Darul Arqam DARE graduation – 5/5
- Bike Rodeo – 6/12 – 9:00 a.m. to 1:00 p.m.
- Junior Police Academy – 7/7 to 7/16; orientation for parents 7/6; open to 6th, 7th, and 8th graders, signup at Police Station.
- Attended the Academia do Bacalhau of New Jersey 10th anniversary dinner at the South River Portuguese Club; thanked the organization for inviting members of the governing body of South River, including the Mayor and himself; the Academia is a social organization that promotes friendship, cooperation, and philanthropy amongst Portuguese nationals.
- Congratulated family members on births of children

Councilman Guindi

- Offered condolences to the family of John Jesus, who died of a heart attack at the age of 32.
- Cruise Nights – 6/17, 7/15, rain date 8/19 – 5:00 p.m. to 9:00 p.m.; any questions, contact Skeeter Spitaleri or himself.
- Congratulations to Board of Education members Cynthia Urbanik, Kevin Neilsen and Vera Adelino.
- Bike Rodeo – 6/12
- Board of Health and Project Graduation Fund raiser – Fish Fry – 5/21 at Sts. Peter and Paul
- Drive slowly – children are out in streets.

Councilman Hutchison

- Congratulations to Board of Education members Cynthia Urbanik, Kevin Neilsen and Vera Adelino.
- Congratulations to Teresa Hutchison on good presentation on Senior mobility workshop.
- Alternative Energy Committee – met on 4/13; discussed smart meter project; Joe Hranowski very helpful.
- Parking Authority – met on 4/15
- Environmental/Shade Tree – met on 4/18; celebrated Earth Day/Arbor Day at Cannon Park cleanup; two trees were planted.
- Attended Chicken festival at American Legion on 4/18.
- Attended Annual March of Dimes walk on 4/25; food was left over from the walk and he brought it to the South River Food Bank.
- Public Safety Committee met tonight; Board of Education now has two-way radios with to communicate with the Police Department.
- Will attend DARE graduations at Middle School and Darul Arqam.
- Happy Mothers Day to his Mom.

Councilman Trenga

- Thanked all Borough employees and volunteers for their hard work.
- Attended Board of Education reorganization meeting tonight; congratulations to winners.
- Attended Board of Health trip to Atlantic City last Saturday; had great time at Showboat; kudos to Debbie Jones and Paul Zelanko.
- Board of Health Fish Fry – 5/21 – 5:00 p.m. to 7:00 p.m. – Sts. Peter and Paul; supports Operation RAM and 2010 Project Graduation.
- Mayor’s Council on Handicapped and Disabled –meeting 4/28.
- Senior mobility study – met with County to see if we can obtain funding.
- Attended Chicken festival at American Legion.

Councilman Trzeciak

- Board of Health Fish Fry – 5/21 – 5:00 p.m. to 7:00 p.m. – Sts. Peter and Paul; supports Operation RAM and 2010 Project Graduation.
- 5/1 – Car wash at Elks Lodge for Project Graduation.
- Attended Chicken festival at American Legion – very good.
- Disaster assistance is available – flyers at Boro hall.
- Commended Teresa Hutchison on good presentation on Senior walkability.
- Attended Public Safety meeting tonight – great team approach; Police Department working on obtaining accreditation – Rodgers Group impressed by relationship that Borough Council and the Police Department have; old two-way radios are now in public school to communicate with SRPD.
- DARE graduation – annual event

- As Fire Dept. Commissioner, get monthly report – 69 calls in March; kudos to Fire Dept.; thanked the Fire Dept. for helmet and badge given to him this evening, will be a privilege and honor to wear them.

Councilman Krenzel

- Thanked Clm. Hutchison for bringing extra food that was left over from the March of Dimes walk to the South River Food Bank; encouraged residents to donate food to the Food Bank.
- Budget – public hearing on 5/10 at 8:00 p.m.; business meeting will begin at 6:30 p.m. to for budget questions. Budget will not be adopted until it is approved by the State.

Mayor's Comments

- Congratulations to Board of Education winners; thanked residents for passing school budget; 23% turnout – good vote of confidence to Board of Education.
- Operation RAM is still in effect and urged residents to support program
- Attended Chicken festival at American Legion.
- Attended Shared Services meeting sponsored by CME; starting dialogue on how we can share services with other towns.
- Bond ordinances passed tonight; had meeting in March 2008 regarding long range planning; doing various projects around town; improvement of infrastructure is important; Borough Council is working together; promised residents of Water St. and Raritan St. that problems will be addressed; upgrade water system improvements.
- Received letter from County on various roads that will be milled and paved in 2010; asked the Borough Engineer to contact the county on status.
- Will have new command vehicle for OEM; thanked Charlie Benn for his patience.

Public Comment (for good and welfare of borough)

Marilyn Meloni, 53 Kamm Ave.

- Commented that we needed new flags in town. Mr. Salerno stated that he would check into it.
- Asked that the county be contacted to replace the American flag on the bridge as it is disrepair.
- Asked if we can get a town flag. Chief Bouthillette stated hat he is looking at getting a Police flag and will look at one for the town as well.

Art Londensky, Fire Prevention Official

- New decals for Tot Finders are available for public at town hall.

No further comments were made. Councilman Guindi closed the public portion. Councilman Trenga seconded the motion. So carried.

Adjournment

Councilman Hutchison moved that this meeting be adjourned at 9:55 p.m. Councilman Guindi seconded the motion. So carried.

Respectfully submitted on
May 7, 2010.

Patricia O'Connor, RMC
Borough Clerk

Approved at the regular meeting
held on May 24, 2010