

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2013-14 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 March 25, 2013 and was called to order by Council President Vaughn at 9:50 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 Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn

Mayor Krenzel was not present.

Also attending this meeting were Frederick C. Carr, Borough Administrator and Eric Lange, Esq., sitting in for James Nolan, Esq., Borough Attorney.

MINUTES

The Minutes of Meeting No. 8 held March 11, 2013 was submitted to the Council for acceptance and/or amendment.

Councilman Roselli moved that the Minutes be approved as presented. Councilman Guindi seconded the motion. Carried by unanimous vote.

ORDINANCE – PUBLIC HEARING HELD ON 3/11/13 – VOTE TABLED

ORD 2013-7

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 155 ENTITLED “FEES”, BY AMENDING SECTION 155-10.7 “MISCELLANEOUS LICENSES AND FEES”

WHEREAS, the governing body has established a schedule of miscellaneous Licenses and Fees in the Code of the Borough of South River under Chapter 155, Sec. 155-10.7; and

WHEREAS, the governing body incurs and expense for each transaction made by credit and debit cards; and

WHEREAS, the governing body does not want all Borough residents to incur this transaction expense; and

WHEREAS, it has been requested that same be amended to reflect a fee for credit card and debit card charges made to the Borough of South River, and

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Mayor and Borough Council of the Borough of South River, that Ordinance 155-10.7 entitled "Miscellaneous Licenses and Fees" be amended as follows:

SECTION I. ADDITION:

A three percent (3%) fee will be charged on all payments made by credit card and or debit card to the Borough of South River, exclusive of any payments to the Municipal Court.

SECTION II. The various parts, sections, clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION III. Any ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Mr. Carr noted that when a fee is charged on a receipt, it must show as a service charge. He requested that Council adopt the ordinance at this time and when machines are prepared by Provident Bank, the Borough will be ready to implement fee.

Council President Vaughn asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Roselli moved that the ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Guindi seconded the motion.

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

ORDINANCES – SECOND READING & PUBLIC HEARING

ORD 2013-8

Ordinance to Amend Code of Borough of South River, Chapter 174
Entitled "Flood Damage Prevention" by deleting existing Chapter 174
and substituting a new Chapter 174 Entitled "Flood Damage Prevention"

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 Damage Prevention" be amended by deleting existing Chapter 174 and substituting a new Chapter 174 thereof:

SECTION 1.

**CHAPTER 174
FLOOD DAMAGE PREVENTION**

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 public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Council of the Borough of South River of Middlesex County, New Jersey does ordain as follows:

1.2 FINDINGS OF FACT

[1] The flood hazard areas of the Borough of South River of Middlesex County 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, causes damage in other areas. Uses that are inadequately flood proofed, 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 are notified 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 floodplains, 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.

Advisory Base Flood Elevation (ABFE) —The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect ($ABFE = SWEL + \text{wave effect}$) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Advisory Flood Hazard Area (AFHA) —The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

Advisory Flood Hazard Map - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

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 floodplain 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.

Coastal High Hazard Area — An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

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 or, in the case of a building in a Coastal High-Hazard Area, to have the bottom of the lowest

horizontal structural member of the elevated floor, elevated above the base flood elevation 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. In Areas of Coastal High Hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

Erosion — The process of the gradual wearing away of land masses.

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 Rate Map (FIRM) — 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.

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 floodplain 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 floodplain management regulations adopted by the municipality.

Primary Frontal Dune — A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and

waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

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.

Sand Dunes — Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

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 means 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 condition before damage 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 equals or 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 hazards within the jurisdiction of the Borough of South River of 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 of Middlesex County 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(s), 34023C0134F, 34023C142F, 34023C0153F, and 34023C0161F, whose effective date is July 6, 2010.
- c) Advisory Base Flood Elevations and Advisory Flood Hazard Maps New Brunswick NE, South Amboy NW and South Amboy SW, dated December 7, 2012). These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) maps conflict or overlap, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at 48 Washington Street, South River NJ 08882.

3.3 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 as authorized in the Code of the Borough of South River or imprisoned for not more than those days as determined by a duly sworn Municipal Judge, 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 of Middlesex County from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 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 other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 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.

3.6 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 of Middlesex County, 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, including placement of manufactured homes, 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 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 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. If located in the floodway, assure that the encroachment provisions of 5.3 [1] are met.
- [4] Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.
- [5] Review plans for walls to be used to enclose space below the base flood level in accordance with SECTION 5.4-2 [4].

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] In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the provisions of 5.4-2[1] and 5.4-2[2](i) and (ii) are met.
- [4] 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 Zoning Board as established by Mayor and Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- [2] The Zoning Board 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, or any taxpayer, may appeal such decision to the Court of the Borough of South River NJ, or a court as appointed as determined by statute. .
- [4] In passing upon such applications, the Zoning Board shall consider all technical evaluations, 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 floodplain 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 Zoning Board 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 base flood 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, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is 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 to be placed or substantially improved 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 utility 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] For all new construction and substantial improvements the 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 and other proposed new development shall be consistent with the need to minimize flood damage;
- [2] All subdivision proposals and other proposed new development 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 and other proposed new development 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 new 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 registered 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 at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus two feet;
- [2] Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus two feet, whichever is more restrictive. And, require 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 or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus two feet, and
- [2] Require 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 one foot above, the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or
- [3] Be flood proofed so that below the base flood level plus two feet, or advisory base flood elevation plus two feet, the structure is watertight with walls substantially impermeable to the passage of water;
- [4] Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- [5] Be certified by a registered 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 or advisory base flood elevation, plus two feet. .

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] Prohibit encroachments, including fill, new construction, substantial improvements, and other development 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 section 5.0 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.

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.

Council President Vaughn opened the hearing to the public for comments/questions.

No comments were made. Councilman Roselli moved that the public hearing

be closed. Councilman Guindi seconded the motion. So carried.

Council President Vaughn asked if the Councilmembers have any comments.

Councilman Hutchison questioned if adoption of ordinance should be held pending possible changes in elevations. Mr. Carr stated that the ordinance mirrors what has been issued as an Executive Order by the Governor, without ordinance on books, residents cannot apply for aid. Mr. Carr noted that in conversations he has had with FEMA, changes most likely will not affect South River.

Council President Vaughn asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Haussermann moved that the ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Roselli seconded the motion.

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

PRESENTATION OF 2013 MUNICIPAL BUDGET

Mr. Carr gave a PowerPoint presentation on the 2013 Municipal Budget.

Councilman Roselli thanked Mr. Carr and Mr. Zanga for their work. He also thanked Councilman Haussermann and Councilman Vaughn for working on budget. Councilman Roselli noted that the Budget Committee will meet again this week to continue to review the budget. Councilman Roselli discussed the prior year's budget. He commented on the impact Super Storm Sandy had on the Borough. He noted that the final budget adopted will be different than what is introduced and will be better in final form.

PUBLIC COMMENTS-(agenda items only)

Ed Trygar, 44 Ferry St.

- Questioned ordinance on convenience fee for credit card use.

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

LICENSES

Precious Metals License – D'Clase Boutique

Precious Metals License – South River Jewelry & Clock

Mobile Retail Food Establishment License – Frank's Ice and Ice Cream (Jimmy's)

Councilman Guindi moved that the above-referenced licenses be approved.
Councilman Haussermann seconded the motion. Carried by unanimous vote.

RESOLUTIONS

RES: 2013-152

MARCH 25, 2013

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>
65-999-899-372 CD	VINCENT APICELLA 58 ENSATIAS DR TOMS RIVER, NJ 08757	\$36.41
65-999-861-763 CD	PAUL BROWN 20 JAMES AVE OLD BRIDGE, NJ 08857	\$298.26
65-999-860-828 CD	CARIBBEAN DELI-GROCERY LLC 211 LAWRENCE ST NEW BRUNSWICK, NJ 08901	\$1445.65
65-999-932-218 CD	GILSON QUSIOZ COSTA 11 TERRY AVE SOUTH RIVER, NJ 08882	\$162.36
65-999-000-164 CD	JOHN DOMINECKI	\$279.61
65-999-000-164 ELEC CURRENT	c/o THOMAS DOMINIECKI 41 JOHN ST SOUTH RIVER, NJ 08882	\$33.76
65-999-892-783 CD	MICHAEL GAD 16 VIKING AVE SOMERSET, NJ 08873	\$84.30
65-999-905-609 CD	JERSEY SPORTS CARDS 52 MADELINE AVE	\$235.33

EAST BRUNSWICK, NJ 08816

65-999-963-271	CD	EDWARD LAVERONI 43 DARTMOUTH RD PARLIN, NJ 08859	\$27.54
65-999-965-449	CD	ALICE MATTS 12 CLAREMONT AVE SOUTH RIVER, NJ 08882	\$9.29
65-999-870-640	CD	MAVRA MEDINA & DENIS SEMANA 30 NICHOLAS DR OLD BRIDGE, NJ 08857	\$73.06
65-999-973-853	CD	MANUEL PAUSEIRO 52 WHITEHEAD AVE APT 3 SOUTH RIVER, NJ 08882	\$75.63
65-999-000-015	ELEC CURREN	INES QUINTANA 86 CAUSEWAY SOUTH RIVER, NJ 08882	\$28.58
66-999-918-467	WTR CURRENT	TREAD PROPERTIES C/O MAURICE WOLF 4706 18 TH AVE SUITE 200 BROOKLYN, NY 11204	\$101.04
65-999-883-708	CD	LAURA SAMUELSON RIVERVIEW DR H8 SOUTH RIVER, NJ 08882	\$136.15
65-999-865-470	CD	L SANTOS & L LOPES 22 JEFFRIE AVE SOUTH RIVER, NJ 08882	\$131.27
65-999-976-746	CD	NINA SCARPARI 150-152D WILLETT AVE SOUTH RIVER, NJ 08882	\$38.80
65-999-984-512	CD	V SLENIN C/O ROOSEVELT CARE CENTER 1133 MARLBORO RD OLD BRIDGE, NJ 08857	\$20.21
65-999-958-057	CD	JOSEPH R SLOCUM JR 157 WHITEHEAD AVE APT 3B SOUTH RIVER, NJ 08882	\$91.81
65-999-984-226	CD	YUDIFA SMIRNOVA 291 ABBEY DR SOMERSET, NJ 08873	\$125.23
65-999-860-773	CD	RICHARD TOMKINS 15 LISA DR APT D1B	\$288.76

March 25, 2013

SOUTH RIVER, NJ 08882

65-999-970-256 ELEC PREV YOGENDRA TRIVEDI \$152.95
4 LEVINSON AVE
SOUTH RIVER, NJ 08882

65-999-857-220 CD HUIZHONG ZHANG \$235.29
26 MANHATTAN PL APT 1
CLIFFSIDE PARK, NJ 07010

65-999-892-981 ELEC CURREN ZLATAN & LUBA ZIFOVSKI \$200.00
28 MAIN ST
SOUTH RIVER, NJ 0888

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-153

MARCH 25, 2013

RESOLUTION

WHEREAS, there exists a need for architectural services to assist the Borough of South River with repairs to the Human Services Building, located at 55 Reid Street, Block 90, Lot 8.1 in the Borough of South River; and

WHEREAS, Arcari and Iovino Architects, P.C. have submitted the attached proposal for the design, preparation of documents, bidding and construction phases for the Human Services Building, 55 Reid St. repair project at a cost of \$16,700.00; and

WHEREAS, services above and beyond the services outlined in said proposal will be provided on an hourly basis and printing and shipping costs will be billed to the Borough.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey :

1. That Arcari and Iovino Architects, P.C. is hereby authorized to be retained to provide architectural services aforementioned above for the Human Services Building, 55 Reid Street repair project at a cost of \$16,700.00.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. Notice of this Professional Service contract shall be published in the official newspaper of the Borough of South River within ten (10) days of its passage

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES: 2013-154

MARCH 25, 2013

**RESOLUTION AUTHORIZING THE SALE OF CERTAIN
PROPERTY OWNED BY THE BOROUGH OF SOUTH RIVER,
MIDDLESEX COUNTY, NEW JERSEY AND NOT REQUIRED
FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A: 12-13(a) ET SEQ.**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A12-13(a) authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Borough of South River is the owner of certain real property not needed for public use, and the Municipal Council has determined that it is in the best interest of the Borough to sell the property in an effort to put it back on the active tax rolls;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF SOUTH RIVER, County of Middlesex, State of New Jersey, that the property set forth in Exhibit "A" annexed hereto, shall be offered in accordance with N.J.S.A. 40A: 12-13(a), for the minimum bid price shown on Exhibit "A" as follows:

1. There shall be a public sale at auction on April 17, 2013, at 11:00 a.m., at the Municipal Offices of the Borough of South River, 48 Washington Street, South River, New Jersey, where property shall be offered to the highest bidder pursuant to N.J.S.A. 40A: 12-13(a) for the minimum price(s) shown on Exhibit "A" annexed hereto.

Said auction shall be in accordance with the terms and conditions set forth in the remainder of this Resolution. Notwithstanding anything to the contrary contained herein, including but not limited to situations where the highest bid exceeds the minimum bid as set forth in Exhibit A, the Borough of South River reserves the right to reject all bids.

2. The successful bidder shall be required to deposit ten (10%) percent of his or her bid with the Borough at the time of the auction. This deposit shall be made by a certified check, money order or cash in an amount equal to at least ten (10%) percent of the minimum price set by the Borough for the sale of the property as stated in Exhibit A. Should the bidding at auction increase the selling price to an amount greater than the minimum price, the Borough will accept ten (10%) percent of the difference between the selling price and the minimum price in the form of cash or personal check, dated the date of the bid. The combined form of deposit must equal ten (10%) percent of the total sale price. All monies so received will be credited to the total sale price.
3. Except as provided in paragraph 13 of this Resolution, the deposit made by the purchaser is non-refundable. The purchaser is not entitled to a refund of this deposit in any case except where the Borough is unable to convey marketable title. **The risk of loss is on the purchaser.**
4. All bidders must appear in person at the auction and upon becoming the successful bidder must present identifying credentials in compliance with the following:
 - a. A person bidding on behalf of a corporation, upon becoming the successful bidder, must present a copy of the Certificate of Incorporation and a letter of authorization from the corporation.

- b. A person bidding on behalf of a partnership or using a trade name, upon becoming the successful bidder, must submit a copy of the Certificate of Trade Name (partnership) and a letter of authorization from the other partner(s).
 - c. No other bidder may submit a bid on behalf of another, except that a husband or wife may bid on behalf of both.
5. The successful bidder shall not sell or otherwise transfer title to the premises, or any part thereof, to a non-profit or non-taxable organization for a period of five (5) years.
6. The successful bidder shall provide the Borough with the right of prior first refusal before any proposed sale of the premises, or any part thereof.
7. The successful bidder shall be required to pay, at the time of closing of title, the cost of legal advertising of the sale of this property which is the subject of this auction plus their proportionate cost of the transcript, if applicable.
8. The successful bidder shall bear the cost of the recording of deeds and agree that deeds shall be recorded on behalf of the purchaser by the Law Department of the Borough of South River or by an attorney representing the successful bidder. The successful bidder, prior to closing of title, will not be permitted to assign his or her bid nor any right, title or interest in the property on which the bid was made.
9. The successful bidder shall close within sixty (60) days of the Municipal Council's acceptance of the bid. **NO POSTPONEMENT OF CLOSING IS PERMITTED UNLESS** the Borough's title is unmarketable in which event the Borough shall be allowed a reasonable time to perfect title and to close. If the unmarketability of title relates to a valid encumbrance against the property, the Borough, after being timely notified of this defect by the purchaser, will endeavor to obtain within a reasonable time after such notification a release or discharge of such lien. If the Borough is not successful in this regard, then part of the consideration to be paid by the purchaser for the property shall be in the form of a certified check payable to the lienor for the amount to be paid for such release or discharge.

10. All conveyances shall be by deed of bargain and sale from the Borough of South River to the successful bidder, to be dated on the date of closing of title.
11. The sale price, as may result from this auction sale, may not be used before any County Board of Taxation, State Tax Court or in any other court of this State to challenge the assessment with respect to the subject property nor may same be used as a comparable sale to challenge the assessment with regard to other properties.
12. This sale is also subject to the further condition that if the State of New Jersey or any upland owner has any rights or claims to the land being sold herein by reason of a riparian interest or otherwise, any charges which are levied or are to be so levied by the State of New Jersey or upland owner for said riparian interest or otherwise are to be borne by the purchaser, in addition to the sale price bid for said property.
13. All successful bidders are required to conduct all required title searches at their expense prior to the date of closing. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment to the purchaser of the amount of his or her deposit and any other portion of the purchase price paid without any further cost, expense, damage or claim. Notice of any alleged defect in title or claim of unmarketability shall be given to the Borough in writing no later than ten (10) days after the date of confirmation of the sale by the governing body of the Borough of South River ; failure to give such notice shall be deemed conclusive evidence that the purchaser accepts title in its then present condition.
14. All prospective purchasers are put on notice that no employee, agent or officer of the Borough of South River has authority to waive, modify or amend any of the conditions of sale.
15. If the successful bidder was the sole or part owner of the property to be sold at the time the Borough acquired title by tax foreclosure, said bidder may not reacquire the property directly or indirectly without complying with the following conditions: The successful bidder of any property at this auction, by making such bid, thereby agrees to pay the Borough at closing of title the difference, if any, between the total amount of taxes, plus interest and penalties due at the time of the judgment of foreclosure was entered and the amount of the successful bid.
16. It is conclusively presumed that a bidder prior to making his or her bid has done the following: (a) checked the exact location, including the

correct street address and lot size of the property on the Official Tax Maps which are available at the Assessor's Office; (b) checked the zoning restrictions to ascertain the legal use of property (this information can be obtained from the Borough Zoning Office); and (c) made a personal inspection of the property prior to bidding on a piece of property. Responsibility for failure to comply with the abovementioned conditions and guidelines will be fully assumed by the purchaser.

17. A failure by the purchaser to fully comply with the terms, conditions, requirements and regulations of sale as herein contained shall be considered, at the option of the Borough of South River, as a material breach of the conditions of sale whereupon the Borough of South River may declare said contract or purchase terminated and at an end. All monies paid on behalf of the purchase price, by way of deposit or otherwise, may be retained by the Borough as its liquidated damages and it may thereafter resell said property and/or pursue such other and further legal and/or equitable remedies as it may have and the defaulting purchaser shall continue to remain liable for all damages and losses sustained by the Borough of South River by reason of any such default.
18. Any descriptions of the properties published by the Borough are intended as a general guide only and may not be accurate. **NO REPRESENTATIONS OF ANY KIND ARE MADE BY THE BOROUGH OF SOUTH RIVER AS TO THE CONDITION OF THE PROPERTY, SAID PREMISES ARE BEING SOLD IN THEIR PRESENT "AS IS" CONDITION.**
19. The sale is made subject to such state of facts as an accurate survey may disclose, existing tenancies, rights of persons in possession, easements, conditions, covenants and restrictions and any other encumbrances of title which the Borough Council may impose on any parcel at the time of the sale, including but not limited to, restrictions on the use to be made of such real property, capital improvements or personal property and any conditions of sale as to buildings or structures, or as to the type, size or other specifications of buildings or structures to be constructed thereon, or as to demolition, repair or reconstruction of buildings or structures, and the time within such conditions shall be operative, or any other conditions of sale in like manner and to the same extent as by any other vendor. All properties are being sold "AS IS".
20. The prospective purchaser acknowledges that a permanent structure may only be built on this parcel with the obtaining of such permits as may be

required, along with the approvals from the Zoning Board of Adjustment and/or Planning Board and/or Zoning Officer.

21. The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Borough of South River.
22. The Borough, its administrators and the Director of Law of the Borough of South River, are hereby authorized to enter into a contract to sell the property described on Exhibit A and to make reasonable expenditures necessary in connection with the sale.
23. The Municipal Engineer, as well as the Director of Law of the Borough of South River, are hereby authorized and directed to perform all acts necessary to sell the property on behalf of the Borough of South River; including, but not limited to, paying any nominal sums necessary to sell the above property, which sum shall be recovered from the purchase price.
24. Successful bidder(s) agree to the following conditions:
 - a. To pay prorated real estate taxes for the balance of the current year, as of the date of closing.
 - b. To abide by all appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support a challenge of the existing assessment of the subject property, nor shall the purchase price be used as a comparable sale to challenge assessments with regard to other properties.
 - c. That the failure to close title as agreed shall forfeit to the Borough of South River any and all money deposited with the Borough.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn

NAYS: None

EXHIBIT "A"

<u>BLOCK/LOT</u>	<u>SIZE</u>	<u>MINIMUM BID</u>
38 / 18.01 AND 10 Lincoln School Site 85 Prospect Street & 8-10 Maple Avenue	49,258+ Square Feet	\$400,000.00

NOTICE OF PUBLIC SALE

BE ADVISED that a public sale of Borough property will be held in the Borough Hall, 48 Washington Street, South River, New Jersey on April 17, 2013 at 11:00 a.m. Property is known as Block 38, Lots 18.01 and 10, 85 Prospect Street and 8-10 Maple Avenue, South River, New Jersey. The minimum bid is \$400,000.00. The Borough of South River reserves the right to reject all bids. Terms and conditions are available in the Office of the Municipal Clerk.

James P. Nolan, Jr.
Director of Law

RES:2013-155

MARCH 25, 2013

RESOLUTION

WHEREAS, pursuant to the applicable Statutes of the State of New Jersey, the Local School District is required to requisition funds for Operating Expense and Debt Service Expense from the Borough; and

WHEREAS, a requisition dated March 1, 2013 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE:	\$1,069,479.00
RESTORED FUNDS:	
DEBT SERVICE EXPENSE:	<u>\$ 481,492.00</u>
TOTAL	\$1,069,479.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by March 8, 2013.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

Res. 2013-156 was pulled from the agenda

RES: 2013-157

MARCH 25, 2013

RESOLUTION

WHEREAS, the Borough of South River currently has an agreement (hereinafter the "Agreement") with the South River Rescue Squad, Inc. as well as with South River Emergency Medical Services, Inc. for the provision of emergency medical services to the Borough of South River; and

WHEREAS, incorporated by reference into the Agreement is a Lease that further defines the terms of the agreement between the parties to the Agreement; and

WHEREAS, the Agreement and Lease call for the lease of a 2003 Ford ambulance and a 1998 Ford ambulance, on a shared basis, from the Borough to South River Emergency Medical Services, Inc.; and

WHEREAS, the parties hereto have agreed that the 1998 Ford ambulance will be removed from the Agreement and Lease and replaced with a 2007 Ford ambulance;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey:

1. The Agreement and Lease between the Borough of South River and South River Emergency Medical Services, Inc. is hereby modified to remove the 1998 Ford ambulance from the Agreement and Lease. This vehicle will be replaced in both the Agreement and Lease by the 2007 Ford ambulance.
2. The 1998 Ford ambulance referenced in the preceding paragraph will hereinafter serve as a back-up ambulance for the primary use of South River Rescue Squad, Inc., and will be so designated on the exterior of the ambulance

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-158

MARCH 25, 2013

RESOLUTION

WHEREAS, the Governing Body has reached an Agreement with South River Sewer and Water Association with regard to a final negotiated settlement of a new contract for the period of January 1, 2013 to December 31, 2015 between said union and the Borough of South River.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the said Memorandum of Agreement with South River Sewer and Water Association for the period of January 1, 2013 to December 31, 2015 is approved.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to execute the same on behalf of the Borough of South River.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-159

MARCH 25, 2013

RESOLUTION

WHEREAS, the Governing Body has reached an Agreement with International Brotherhood of Electrical Workers, Local Union 1303 with regard to a final negotiated settlement of a new contract for the period of January 1, 2013 to December 31, 2015 between said union and the Borough of South River.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the said Memorandum of Agreement with International Brotherhood of Electrical Workers, Local Union 1303 for the period of January 1, 2013 to December 31, 2015 is approved.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to execute the same on behalf of the Borough of South River.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-160

MARCH 25, 2013

RESOLUTION

WHEREAS, the American Cancer Society located at 2600 U.S. Highway 1, North Brunswick, New Jersey, has applied for a Special Events Permit for a Relay for Life fundraiser to be held at Denny Stadium on Saturday, May 18, 2013 from 7:00 a.m. to 11:00 p.m.; and

WHEREAS, the event has been approved by the South River Board of Education for the use of Denny Stadium.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the American Cancer Society for a Relay for Life fundraiser to be held on Saturday, May 18, 2013 from 7:00 a.m. to 11:00 p.m. is hereby approved contingent upon the following:

1. Proof of Liability Insurance provided to the Borough of South River.
2. Said event must follow all applicable laws and ordinances of State, County and Local Government.
3. Applicant shall comply with any and all conditions recommended by the South River Police Department.
4. Applicant shall comply with any and all conditions recommended by the South River Rescue Squad.

BE IT FURTHER RESOLVED that submission of the guarantee performance bond and filing fee are hereby waived.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn

NAYS: None

RES:2013-161

MARCH 25, 2013

RESOLUTION

WHEREAS, Fatima Santos has submitted an application for a Mercantile License for a business known as Trendz Hair Salon, previously located at 17 Jackson Street, to relocate to 1 Ferry Street, in the Borough of South River; and

WHEREAS, the nature of the business is a hair salon; and

WHEREAS, the Mercantile License application was distributed to the appropriate agencies as provided by Code of the Borough of South River; and

WHEREAS, recommendations for approval have been submitted by all departments investigating same.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Mercantile License Application submitted by Fatima Santos for a business known as Trendz Hair Salon, to be located at 1 Ferry Street, in the Borough of South River, New Jersey is hereby approved.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-162

MARCH 25, 2013

RESOLUTION

WHEREAS, Sylvia Meira Cirino has submitted an application for a Mercantile License to change the name of the business from Café Sical to Café Cirino, located at 56 Obert Street, in the Borough of South River; and

WHEREAS, the nature of the business is a restaurant; and

WHEREAS, the Mercantile License application was distributed to the appropriate agencies as provided by Code of the Borough of South River; and

WHEREAS, recommendations for approval have been submitted by all departments investigating same.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Mercantile License Application submitted by Sylvia Meira Cirino to change the name of the business to Café Cirino, located at 56 Obert Street, in the Borough of South River, New Jersey is hereby approved.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-163

MARCH 25, 2013

RESOLUTION

I, John M. Krenzel, with the advice and consent of the Council of the Borough of South River, do hereby appoint Raymond Brown as a Probationary Member of the Reliable Fire Company, South River Fire Department of the Borough of South River effective March 1, 2013.

/s/ John M. Krenzel
Mayor

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES:2013-164

MARCH 25, 2013

RESOLUTION

I, John M. Krenzel, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following to the position of Probationary Member in the Rescue Squad of the Borough of South River effective as of this date.

- Taran Sayal

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

/s/ John M. Krenzel
Mayor

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES: 2013-165

MARCH 25, 2013

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the membership status of Charles Matts, Jr. is hereby changed from Regular Member to Life Member of Summit Engine Company of the South River Fire Department.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES: 2013-166

MARCH 25, 2013

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the membership status of Brandon Collick is hereby changed from Regular Member to Auxiliary Member of Summit Engine Company of the South River Fire Department.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn
NAYS: None

RES: 2013-167

MARCH 25, 2013

RESOLUTION

WHEREAS, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

WHEREAS, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

WHEREAS, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

WHEREAS, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters

starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

WHEREAS, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

WHEREAS, these bills would increase costs to municipalities, including overtime pay for workers; and

WHEREAS, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

WHEREAS, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

NOW, THEREFORE, BE IT RESOLVED that governing body of the Borough of South River in the County of Middlesex does hereby oppose S2364 and A3553; and

BE IT FURTHER RESOLVED, the governing body of the Borough of South River does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Office of the Governor, Senate President Sweeney, Senators Gill and Whelan, sponsors of S2364, Speaker Oliver, Assemblymen Wisniewski, Diegnan, Benson, Conaway, and Coughlin, sponsors of A3553, our State Senator and Assembly representatives, the County Board of Elections, and the New Jersey League of Municipalities.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Peter Guindi
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn

NAYS: None

RES: 2013-168

MARCH 25, 2013

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 \$711,828.89 and previously paid claims in the amount of \$551,483.83, 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.

DATED: MARCH 25, 2013

/s/ Thomas Roselli
Councilmember

/s/ Shawn Haussermann
Councilmember

ROLL CALL VOTE

YEAS: Guindi, Haussermann, Hutchison, Jones, Roselli, Vaughn

NAYS: None

Note: Item 8381, Tesso Inc., - \$9,926.12 was removed from bill list.

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

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
76068 RUZICKI, STANLEY	13-00808	03/19/13	MISCELLANEOUS - EYEGASSES	Open	516.00	0.00		
A0128 ADVANCED GENERATOR EXCHANGE	13-00484	02/19/13	A/C / Alternator Repairs	Open	875.50	0.00		
	13-00571	02/22/13	#760-Starter & Compressor	Open	<u>856.10</u>	0.00		
					1,731.60			
A0305 ALLIED OIL COMPANY LLC	13-00687	03/08/13	Fuel Del 2/27/13	Open	11,246.45	0.00		
A0364 AMEC ELECTRIC LLC	13-00114	01/17/13	LABOR & MATERIAL PROJ. SCREEN	Open	475.00	0.00		
A0487 APPLIED CONCEPTS INC	13-00641	03/05/13	Radar Dash Mount	Open	175.00	0.00		
A0550 ASSOCIATION OF NJ RECYCLERS	13-00578	02/22/13	Annual Meeting	Open	65.00	0.00		
A0561 ATLANTIC SALT INC	13-00402	02/08/13	Treated Rock Salt	Open	7,985.13	0.00		
ADP001 ADP, INC.	13-00615	02/28/13	SERVICE FOR P.E.2/14/13	Open	72.34	0.00		
	13-00648	03/06/13	SERVICE FOR P.E. 2/24/13	Open	<u>499.03</u>	0.00		
					571.37			
ALF001A ALFREY, THOMAS	13-00509	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
APIC02 VINCENT APICELLA	13-00694	03/08/13	CD REFUND	Open	36.41	0.00		
ASTARITA DANIEL ASTARITA	13-00453	02/15/13	Basketball Referee	Open	35.00	0.00		
	13-00598	02/26/13	Basketball Referee	Open	35.00	0.00		
	13-00633	03/05/13	Basketball Referee	Open	<u>70.00</u>	0.00		
					140.00			
B0750 B & W CONSTRUCTION CO	12-03652	12/31/12	RENTAL OF PUMPS AT JACKSON ST.	Open	6,160.58	0.00		B
B0806 BANNISTER CO	12-00255	01/30/12	Name Plates - Various	Open	74.00	0.00		
B0896 BENTLEY REALTY GROUP, INC.	13-00876	03/21/13	RETURN OF CASH MAINT.BOND#1234	Open	170.49	0.00		

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B0903 C BENTLEY'S CAR WASH	13-00631	03/05/13	CAR WASH MONTHLY MAINTENANCE	Open	84.00	0.00		
B0922 BETTINA DURMASKIN SHOLK	13-00877	03/21/13	REAL ESTATE APPRAISAL SVC.	Open	4,000.00	0.00		
B0925 BEYER WARNOCK FLEET	12-02431	09/07/12	CONVERT PATROL CAR TO UNMARKED	Open	931.00	0.00		
B0952 BIGNELL PLANNING CONSULTANTS	13-00792	03/15/13	PLANNING SVCS. FOR 2/13	Open	400.00	0.00		
	13-00793	03/15/13	SUCHICKI, W. #1424	Open	83.75	0.00		
	13-00794	03/15/13	MATVIYISHYN, Y. #1423	Open	83.75	0.00		
	13-00795	03/15/13	E. ANDRE REALTY #1402	Open	282.50	0.00		
	13-00799	03/18/13	MAZZEI, C. #1430	Open	83.75	0.00		
	13-00814	03/19/13	TECO, A. #1406	Open	181.25	0.00		
					1,115.00			
B0955 BIO SHINE, INC.	13-00362	02/08/13	Premier Ice Melter #BS1398	Open	653.20	0.00		
	13-00441	02/14/13	Premier Ice Melter #BS1398	Open	950.32	0.00		
					1,603.52			
B0960 BLUE CROSS/BLUE SHIELD OF NJ	13-00787	03/14/13	DENTAL INS. FOR 4/13	Open	8,022.18	0.00		
B1014 ROBERT BODAK	13-00519	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
B1022 STEPHEN BOLDIZAR	13-00507	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
B1029 BORGATA HOTEL, CASINO & SPA	13-00760	03/14/13	NJ Conf. of Mayors - Lodging	Open	228.00	0.00		
B1202 BYRAM LABORATORIES	13-00728	03/08/13	AMI READS FOR 3/13	Open	3,080.85	0.00		
BROW02 PAUL BROWN	13-00695	03/08/13	CD REFUND	Open	298.26	0.00		
C1268 MARRIOTT, CALLAHAN, BLAIR &	13-00722	03/08/13	MANUKIAN # 1413	Open	373.50	0.00		
C1375 CERTIFIED LABORATORIES	13-00680	03/08/13	Mile-Hi RTU	Open	364.56	0.00		
C1391 CHANDO, ROBERT	13-00520	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
C1441 CIRCLE JANITORIAL SUPPLY	13-00540	02/22/13	Janitorial Supplies	Open	947.06	0.00		

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C1482 CME ASSOCIATES								
	13-00354	02/06/13	PRELIMINARY ASSESS.BL264.1 LT1	Open	1,120.00	0.00		B
	13-00813	03/19/13	TECO VARIANCE #1406	Open	84.00	0.00		
	13-00840	03/21/13	T-MOBILE (OMNIPOINT)	Open	18.50	0.00		
	13-00871	03/21/13	SIMOES #1433	Open	294.00	0.00		
	13-00872	03/21/13	LOURENCO #1355	Open	35.00	0.00		
	13-00873	03/21/13	ZONING BOARD MEETING 2/26/13	Open	140.00	0.00		
	13-00874	03/21/13	HCD REP. SERVICES	Open	350.00	0.00		
	13-00875	03/21/13	BENTLEY #1234	Open	463.50	0.00		
					<u>2,505.00</u>			
C1510 COMCAST								
	13-00786	03/14/13	SERVICE FOR 3/16-4/15/13	Open	67.44	0.00		
	13-00801	03/18/13	SERVICE FOR 3/15-4/14/13	Open	216.90	0.00		
					<u>284.34</u>			
C1528 CONSOLIDATED RAIL CORP								
	13-00740	03/14/13	LEASE OF PIPE 3/1/13-2/28/14	Open	2,100.00	0.00		
C1538 CONTINENTAL FIRE & SAFETY INC								
	13-00466	02/15/13	EQUIPMENT MAINTENANCE	Open	1,659.00	0.00		
C1605 CREATIVE PRODUCT SOURCING, INC.								
	13-00623	03/01/13	DARE Graduation April 3013	Open	1,039.13	0.00		
	13-00674	03/06/13	2013 DARE T- SHIRTS	Open	1,656.25	0.00		
					<u>2,695.38</u>			
CARRIB10 CARRIBBEAN DELI-GROCERY LLC								
	13-00696	03/08/13	CD REFUND	Open	1,445.65	0.00		
CAS001A CASALE, ALDEN								
	13-00504	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
CIE001A CIER, CINDY								
	13-00859	03/21/13	Annual Clothing Allowance	Open	275.00	0.00		
D1789 DELL MARKETING LP								
	13-00198	01/24/13	Yellow Toner Printer Cartridge	Open	133.49	0.00		
	13-00861	03/21/13	Black Toner Printer Cartridge	Open	120.82	0.00		
	13-00862	03/21/13	20,000 Page Toner Cartridge	Open	524.38	0.00		
					<u>778.69</u>			
DOM001A DOMINIK, JOHN								
	13-00521	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
DOMIN02 JOHN DOMINECKI								
	13-00698	03/08/13	CD & ELECT. CURR.YR. REFUNDS	Open	313.37	0.00		
E2025 REINA TIRE SERVICE INC								
	13-00286	01/30/13	Flat Repairs-February	Open	890.43	0.00		
	13-00587	02/26/13	Repairs to Truck #26-Rear	Open	1,695.72	0.00		

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E2025 REINA TIRE SERVICE INC								
	13-00591	02/26/13	ER Repairs to Truck #27	Open	<u>1,165.41</u> 3,751.56	0.00		
E2027 E & G EXTERMINATORS INC								
	13-00281	01/30/13	Pest Control-February	Open	162.00	0.00		
E2044 EAST COAST CUSTOM, LLC.								
	13-00630	03/05/13	SLEO I ACADEMY GEAR	Open	70.00	0.00		
E2046 EAST COAST EMERGENCY LIGHTING								
	12-03208	11/29/12	LIGHT PACKAGE FOR BRUSH TRUCK	Open	3,203.76	0.00		
E2366 EMERGENCY SERVICES SYSTEMS, INC								
	13-00538	02/22/13	OSHA - FIRE SCENE SAFETY	Open	1,261.00	0.00		
	13-00626	03/04/13	ELECTRONIC EQ. INSTALLATION	Open	<u>475.00</u> 1,736.00	0.00		
E2367 EMERGENCY EQUIPMENT SALES LLC								
	12-02532	09/25/12	leather helmet referb	Open	125.00	0.00		
E2600 EZ PASS								
	13-00811	03/19/13	REPLENISH TOLLS	Open	500.00	0.00		
F2777 RICKY FENTON								
	13-00522	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
G3027 GAMETIME INC.								
	13-00367	02/08/13	Bolts for installing swing	Open	34.16	0.00		
GAD01 MICHAEL GAD								
	13-00699	03/08/13	CD REFUND	Open	84.30	0.00		
GER001A GERENZA, GERALD								
	13-00506	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
GILS01 GILSON QUSIOZ COSTA								
	13-00697	03/08/13	CD REFUND	Open	162.36	0.00		
H3461 ZAYDA HARRIS								
	13-00759	03/14/13	Zumba	Open	70.00	0.00		
H3545 HELMETTA REGIONAL ANIMAL SHELTER								
	13-00731	03/08/13	Shelter Services-February 2013	Open	600.00	0.00		
H3719 HOME NEWS TRIBUNE								
	13-00767	03/14/13	Ord. 2013-3 - final	Open	81.12	0.00		
H3739 HOSE SHOP								
	13-00543	02/22/13	Hose Repairs for Vehicles	Open	53.59	0.00		
HEIND001 H.E INDUSTRIES LLC								
	13-00763	03/14/13	SUPPLIES - BATTERIES	Open	852.48	0.00		

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I4233			INSTITUTE FOR FORENSIC PSYCH.					
	13-00326	02/06/13	Fitness For Duty Examination	Open	1,500.00	0.00		
J4609			JET VAC INC.					
	12-03319	12/07/12	Inverter for Camera	Open	495.99	0.00		
J4660			JOE'S HEATING INC					
	13-00066	01/17/13	1st Qtr HVAC Maint	Open	1,775.00	0.00		
	13-00688	03/08/13	Replace Blower Motor-PD	Open	442.00	0.00		
					<u>2,217.00</u>			
J4694			JOHNNY ON THE SPOT, INC.					
	13-00673	03/06/13	Porter John-Grekoski 3/13	Open	480.50	0.00		
JAC001A			JACKSON, CALVIN					
	13-00510	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
JAN001A			JANOSKO, WILLIAM					
	13-00523	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
JERS02			JERSEY SPORTS CARDS					
	13-00700	03/08/13	CD REFUND	Open	235.33	0.00		
JOH100			JOHNNY'S LANDSCAPING SERVICE					
	13-00806	03/19/13	Property Maintenance	Open	1,290.00	0.00		
JOHN002			MICHAEL JOHNSON					
	13-00527	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
KIT001			DEVON KITCHENS					
	13-00635	03/05/13	Basketball Referee	Open	35.00	0.00		
KNO001A			GARY KNOBLOCK					
	13-00524	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
L5211			JOHN J LEWIS					
	13-00436	02/14/13	DEPARTMENTAL TRAINING DRILL	Open	450.00	0.00		
L5256			LINCOLN FINANCIAL GROUP					
	13-00796	03/15/13	GTD, LIFE & ADD FOR 4/13	Open	1,871.23	0.00		
L5310			LOMBARDI & LOMBARDI PA					
	13-00744	03/14/13	E ANDRE REALTY #1402	Open	112.00	0.00		
	13-00745	03/14/13	F. BANOR #1429	Open	14.00	0.00		
	13-00746	03/14/13	MAZZEI #1430	Open	14.00	0.00		
	13-00747	03/14/13	POLISH ARMY VETS #1431	Open	98.00	0.00		
	13-00748	03/14/13	LOURENCO #1355	Open	70.00	0.00		
	13-00749	03/14/13	SIMOES, J. #1433	Open	56.00	0.00		
	13-00750	03/14/13	PLANNING BD MEET. 2/19	Open	300.00	0.00		
					<u>664.00</u>			
LAP001			WILLIAM LAPTOSH					
	13-00517	02/19/13	2013 Shoe Allowance	Open	245.00	0.00		

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LAVE02 EDWARD LAVERONI	13-00701	03/08/13	CD REFUND	Open	27.54	0.00		
M5111 MCMANIMON, SCOTLAND & BAUMANN	13-00778	03/14/13	General Labor Matters 1/2013	Open	5,652.50	0.00		
M5421 W.B.MASON CO.	13-00334	02/06/13	Office Supplies	Open	770.18	0.00		
	13-00528	02/19/13	office supplies	Open	405.88	0.00		
					1,176.06			
M5473 PEDRO MARQUES	13-00525	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
M5697 MGL PRINTING SOLUTIONS	13-00613	02/28/13	4 PT. PURCHASE ORDERS - 4000	Open	942.00	0.00		
M5698 MIDD CTY UTILITY AUTHORITY	13-00692	03/08/13	Landfill Charges-Feb. 2013	Open	34,111.82	0.00		
M5708 MIDDLESEX COUNTY TREASURER	13-00087	01/17/13	2013 HEALTH AID	Open	14,671.46	0.00		
M5713 MIDD.CTY.IMPROVEMENT AUTHORITY	13-00684	03/08/13	Commingle Collection-January	Open	11,289.96	0.00		
	13-00685	03/08/13	Yardwaste Collection-January	Open	382.34	0.00		
					11,672.30			
M5758 MIRACLE CHEMICAL CO.	13-00284	01/30/13	15% Sodium Hypochlorite	Open	852.75	0.00		
M5819 MORPHOTRACK, INC.	13-00639	03/05/13	Yearly Maintenance Agreement	Open	4,495.00	0.00		
M5822 MIDDLESEX COUNTY TREASURER	13-00642	03/05/13	County Firearms Range Fee	Open	200.00	0.00		
M5854 MOTOROLA SOLUTIONS C/O	12-03274	12/04/12	UPGRADES TO RADIO COMMUNITONS	Open	407,435.87	0.00		B
M5924 MUN ASSESSORS ASSN OF MIDD CTY	13-00671	03/06/13	2013 AMANJ & M.C.ASSOC.DUES	Open	150.00	0.00		
M5936 MUSCO SPORTS LIGHTING LLC	13-00456	02/15/13	GREKOSKI PARK LIGHTING	Open	3,800.00	0.00		
MATTS01 ALICE MATTS	13-00702	03/08/13	CD REFUND	Open	9.29	0.00		
MC0002 HEDWIG L & WARREN B MCHOSE	13-00355	02/08/13	REFUND OF CONSTRUCTION FEES	Open	82.00	0.00		

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MCG001A MCGOUGH, MARTIN	13-00503	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
MCG002 JUSTIN MCGOUGH	13-00518	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
MEDIN01 MAVRA MEDINA & DENIS SEMANA	13-00703	03/08/13	CD REFUND	Open	73.06	0.00		
MODE01 MODERN HANDLING EQUIP.CO.OF	12-02750	10/11/12	Rep Electronic Control Unit	Open	3,267.38	0.00		
N5654 DIANE NALE	13-00860	03/21/13	Annual Clothing Allowance	Open	275.00	0.00		
N5655 NATIONAL ASSOCIATION OF TOWN	13-00780	03/14/13	2013 NATW - Membership	Open	35.00	0.00		
N6008 NJ SHADE TREE FEDERATION	13-00313	02/01/13	MUN. MEMBERSHIP 2013	Open	95.00	0.00		
N6102 NJ STATE ASSN CHIEFS OF POLICE	12-03598	12/31/12	ENTRANCE EXAM - NEW HIRE	Open	2,400.00	0.00		
N6180 NORCIA CORP.	13-00260	01/28/13	Sewer Jet-Light Bar	Open	349.90	0.00		
	13-00438	02/14/13	Cylinder-Truck #7 Plow	Open	99.80	0.00		
	13-00450	02/15/13	Truck #27 Rep Hydraulic Pump	Open	260.00	0.00		
	13-00472	02/19/13	Repair Spreader-Truck #16 MVA	Open	360.00	0.00		
					1,069.70			
N6184 JAMES P. NOLAN AND ASSOCIATES	13-00693	03/08/13	LEGAL SVCS/MONTH RETAINER 2/13	Open	5,662.50	0.00		
N6190 THOMAS J. NOTO, P.E.	13-00690	03/08/13	Elect. Eng Services-February	Open	5,750.00	0.00		
NEVI001 SHERYL NEVIN	13-00817	03/19/13	Renewa of RMC Certification	Open	50.00	0.00		
O6521 OPSOLVE, LLC.	13-00723	03/08/13	RETURNED CHECKS/FEEES FOR 2/13	Open	62.88	0.00		
	13-00724	03/08/13	RETURNED CHECKS/FEEES FOR 2/13	Open	5,049.06	0.00		
					5,111.94			
O6522 OPSOLVE, LLC.	13-00725	03/08/13	BILLING FOR 2/13	Open	3,492.26	0.00		
	13-00726	03/08/13	BILLING FOR 2/13	Open	13,722.81	0.00		
					17,215.07			
O6523 ORSILLO CONSTRUCTION, LLC	13-00741	03/14/13	RETURN OF MAINT BOND #1284	Open	1,000.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
06648 ORIENTAL TRADING CO.	13-00779	03/14/13	Bunny Costume	Open	196.99	0.00		
P7011 PERTH AMBOY SPRING	13-00650	03/06/13	BRACKET & LABOR FOR VEHICLE	Open	324.80	0.00		
P7092 WILLIAM PIRRO	13-00512	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
P7162 PRESCRIPTION CORP.OF AMERICA	13-00729	03/08/13	PRESCRIPTION INS. FOR 4/13	Open	43,951.26	0.00		
P7209 PUBLIC SERVICE ELECTRIC & GAS	13-00720	03/08/13	SERVICE FOR 2/13	Open	8,674.63	0.00		
P7232 PUBLIC POWER ASSN OF N.J.	13-00790	03/15/13	NYPA Billing	Open	16,266.78	0.00		
PAP100 PAPER MILL PLAYHOUSE	13-00777	03/14/13	Thoroughly Modern Millie 4/25	Open	564.20	0.00		
PAUS01 MANUEL PAUSEIRO	13-00704	03/08/13	CD REFUND	Open	75.63	0.00		
PET002A PETRIK, MARTIN	13-00511	02/19/13	2013 Shoe Allowance	Open	245.00	0.00		
PETTY-FI PETTY CASH - FINANCE	13-00809	03/19/13	PETTY CASH REIMBURSEMENT	Open	340.97	0.00		
PINT013 DENNIS PINTO	13-00634	03/05/13	Basketball Referee	Open	70.00	0.00		
PIR001A THOMAS PIRRO	13-00516	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
PIS001A PISCITELLI, ALAN	13-00526	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
POLI001 BILL POLICASTRO	13-00632	03/05/13	Basketball Referee	Open	35.00	0.00		
POR001A JOHN PORAMBO	13-00513	02/19/13	2013 Clothing Allowance	Open	245.00	0.00		
QUIN01 INES QUINTANA	13-00705	03/08/13	ELECT. CURR.YR. REFUND	Open	28.58	0.00		
R7453 RICOH CORPORATION	12-03446	12/17/12	OVERAGE FOR FINANCE COPIER	Open	495.54	0.00		
	13-00732	03/08/13	OVERAGE FOR FINANCE COPIER	Open	573.51	0.00		
					<u>1,069.05</u>			

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R7454 RICOH AMERICA'S CORPORATION	12-03321	12/07/12	COPY MACHINE QUARTERLY MAINTEN	Open	297.50	0.00		
R7548 THE RODGERS GROUP,LLC.	11-00008	01/13/11	CUSTOMIZED TRAINING MODULE	Open	448.00	0.00		B
R7560 RON'S OFFICE MAINTENANCE	13-00800	03/18/13	CLEANING SVCS. FOR 3/13	Open	1,690.00	0.00		
R7607 ROUTE 18 AUTO GROUP	13-00603	02/28/13	Repairs to FD Chief Vehicle	Open	115.00	0.00		
R7641 RUTGERS,THE STATE UNIVERSITY	13-00082	01/17/13	Roadside/Right-of-way Veg.	Open	195.00	0.00		
	13-00083	01/17/13	Instrumentation for Water	Open	275.00	0.00		
	13-00295	01/30/13	Recycling Seminar	Open	45.00	0.00		
					515.00			
READ01 READ PROPERTIES	13-00706	03/08/13	WATER CURR.YR. REFUND	Open	101.04	0.00		
S7693 SAFETY KLEEN CORP.	13-00675	03/08/13	Parts washer Solvent	Open	496.85	0.00		
S7756 GARY M. SCHWARTZ, ESQ.	13-00756	03/14/13	S.R. MUN.FAC. BOND ORD.2/28	Open	475.00	0.00		
S7803 SENSUS TECHNOLOGIES INC.	13-00357	02/08/13	Water Meters	Open	2,761.50	0.00		
S7877 SAKER SHOPPRITES INC	13-00649	03/06/13	Food Bank Reimbursements	Open	521.84	0.00		
S7879 SILVA PROPERTIES, LLC.	13-00625	03/04/13	RETURN OF ESCROW BAL. #726	Open	663.20	0.00		
S7902 RAZOR PRINTING	12-02804	10/18/12	Full Color "No Parking" Poster	Open	348.00	0.00		
S8094 CATSKILL SPRING WATER CO.,INC	13-00601	02/28/13	Cooler Rental 1/12-04/12/13	Open	30.00	0.00		
S8187 STS AUTO CENTER	13-00576	02/22/13	Front End Alignments	Open	59.15	0.00		
SACH01 LAWRENCE B. SACHS, ESQ.	13-00718	03/08/13	PROSECUTOR SVCS. FOR 3/13	Open	1,240.67	0.00		
SAMU01 LAURA SAMUELSON	13-00707	03/08/13	CD REFUND	Open	136.15	0.00		
SANT020 L. SANTOS & L. LOPES	13-00708	03/08/13	CD REFUND	Open	131.27	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SCARP01 NINA SCARPARI	13-00709	03/08/13	CD REFUND	Open	38.80	0.00		
SIT001A SITZE, GREG	13-00514	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
SLEN01 V SLENIN	13-00710	03/08/13	CD REFUND	Open	20.21	0.00		
SLOC01 JOSEPH R. SLOCUM JR.	13-00711	03/08/13	CD REFUND	Open	91.81	0.00		
SMIR01 YUDIFA SMIRNOVA	13-00712	03/08/13	CD REFUND	Open	125.23	0.00		
STAP01 STAPLES PRINT SOLUTIONS	13-00460	02/15/13	notice/maiers	Open	552.18	0.00		
T8381 TESSCO, INC.	12-03444	12/17/12	VARIOUS ANTENNA MATERIALS	Open	9,926.12	0.00		
TK1 TK1 SOLUTIONS	13-00730	03/08/13	IT SVCS. FOR 3/13	Open	2,300.00	0.00		
TOMK01 RICHARD TOMKINS	13-00713	03/08/13	CD REFUND	Open	288.76	0.00		
TRIV01 YOGENDRA TRIVEDI	13-00714	03/08/13	ELECT. PREV.YR. REFUND	Open	152.95	0.00		
TYL001A TYLICKI, DAVID	13-00515	02/19/13	2013 Clothing Allowance	Open	560.00	0.00		
U8802 UNIFIRST CORPORATION	13-00498	02/19/13	Uniform Rental 03-05-13	Open	112.13	0.00		
	13-00499	02/19/13	Uniform Rental 03-12-13	Open	<u>112.13</u>	0.00		
					224.26			
U8832 US BANK CORP.PRO CAPITAL 1 LLC	13-00837	03/21/13	REFUND TAX PREMIUM-11-00016	Open	200.00	0.00		
W9190 WALTERS AUTO BODY	12-03142	11/19/12	REPAIRS TO OEM VEHICLE	Open	442.55	0.00		
W9328 WESCO DISTRIBUTION, INC.	13-00293	01/30/13	Cluster Mounts-Aluminum	Open	2,478.00	0.00		
	13-00363	02/08/13	Street Light Arms	Open	<u>930.00</u>	0.00		
					3,408.00			
W9466 WISNIEWSKI & ASSOCIATES, LLC	13-00742	03/14/13	PROPERTY TAX APPEALS-GENERAL	Open	17.78	0.00		

Previously paid bills for 3/25/13

Date	From	Amount	To	Amount	Comment
3/12/2013	PNC Electric Utility Account	\$ 323.54	Hewlett-Packard	\$ 323.54	Purchase of computer tower
3/14/2013	PNC Electric Utility Account	\$ 18,779.98	PJM Settlement Inc.	\$ 18,779.98	PJM Monthly Elect. Pymt. 2/13
3/14/2013	PNC Electric Utility Account	\$ 35,253.64	PJM Settlement Inc.	\$ 35,253.64	Weekly elect. Pymt. 2/28-3/06/13
3/15/2013	PNC Payroll Account	\$ 75,357.86	State of NJ – Division of Pensions	\$ 75,357.86	Medical insurance – Retired – 3/13
3/15/2013	PNC Payroll Account	\$ 121,193.43	State of NJ – Division of Pensions	\$ 121,193.43	Medical insurance – Active – 3/13
3/20/2013	PNC Electric Utility Account	\$ 171,701.85	PSE&G Energy Resources	\$ 171,701.85	Montly Elec. Paymt. 2/13
3/20/2013	PNC Electric Utility Account	\$ 95,264.00	Nextera Energy Power Marketing	\$ 95,264.00	Monthly pool costs for elec. dist. 2/13
3/21/2013	PNC Electric Utility Account	\$ 33,609.53	PJM Settlement Inc.	\$ 33,609.53	Weekly Elect. Pymt. 3/07-3/13/13
		\$ 551,483.83		\$ 551,483.83	

Public Comment (for good and welfare of borough)

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

COUNCIL COMMENTS

Councilman Hutchison

- Extended condolences to John Dolan and family on passing of sister
- Extended condolences to Ken Kokoszka on his mother’s passing
- Meeting at Ria Mar with adjusters went well; thanked Rui Baptista
- 3/14 – Municipal Alliance meeting was not held due to lack of quorum; hopes to have quorum for next meeting
- Board of Education – Cristiane San Miguel was sworn in as new Board member; Special Ed PTA looking for volunteers; first day of school 2013-14 school year is September 9; Joseph Zargo, fifth grader, State Wrestling Champ; Elmira Campbell selected as finalist in music competition
- 3/23 – Attended Belarusian flag raising, fitting tribute
- 3/27 – Cultural Arts and Heritage meeting
- 4/4 – DARE graduation
- 4/27 – SRPD – Operation Take Back 10:00 a.m. to 2:00 p.m., dispose of medicines
- 5/9 – St. Stephen’s – Blessing of emergency vehicles

Councilman Haussermann

- Budget presented tonight is not final budget; hope to improve
- Working on getting business meetings televised
- Feinstein Foundation – during March and April, any donations given to Food Bank, will help increase share of money received from foundation; urged residents to contribute this month
- Food Bank transportation – adding bus service
- Hometown hero – Chris Rafano was sworn in today as Superior Court Judge, someone to be proud of

Councilman Jones

- 2013 Spring Hydrant Flushing – April 14 to May 9
- Rush Holt will be present at 48 Washington St. this Thursday to answer residents' questions
- Met with Congressman Pallone along with Mayor and Mr. Carr at Middlesex Fire Academy, commented on meeting regarding flood mitigation problems
- Asked residents to pick up newspapers wrapped in plastic from driveways; tidy up town
- Trush Wash Pad for DPW – work is in process
- Library opening – well attended; Congressman Holt present; discussed Army Corps of Engineer project on flood remediation with him
- Extended condolences to family of firefighter Thomas Bove on his passing

Councilman Roselli

- 2013 Sidewalk Program is under way – contact Borough Administrator
- Congratulations to Hon. Chris Rafano and family on his appointment as Superior Court
- Last Saturday – Easter Egg hunt
- Happy Greek Independence Day
- Attended Belarusian flag raising
- Have a joyous Passover and Happy Easter

Councilman Guindi

- 4/1 – EDC meeting – 7:30 p.m.; meeting will be held on first Monday of every month
- Happy Holiday

Councilman Vaughn

- Has information relating to services for veterans; asked Borough Administrator to post on website
- Attended Freeholder meeting last week; commented on Sandy damaged homes in South River

- 3/25 – Greek Independence Day
- Congratulations to Chris Rafano on being sworn in as Superior Court Judge; attended swearing in; Mayor also present; best wishes and good luck

Adjournment

Councilman Roselli moved that this meeting be adjourned at 11:00 p.m.
Councilman Guindi seconded the motion. So carried.

Respectfully submitted on
April 5, 2013.

Patricia O'Connor, RMC
Borough Clerk

Approved at the regular meeting
held on April 8, 2013