

COMPLIANCE WITH CHAPTER 231 OF PUBLIC LAW OF 1975, NOTICE OF THIS MEETING WAS GIVEN BY WAY OF ANNUAL NOTICE FILED WITH THE BOROUGH CLERK, THE HOME NEWS TRIBUNE, THE SENTINEL AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OF SOUTH RIVER MUNICIPAL BUILDING

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 May 23, 2016 and was called to order by Mayor Krenzel at 7:25 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 Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison

Also attending this meeting were Frederick Carr, Borough Administrator and Andrea Wyatt, Borough Attorney.

MINUTES

The Minutes of Meeting No. 11 held May 9, 2016 was submitted to the Council for acceptance and/or amendment.

Councilman Hutchison moved that the Minutes be approved as amended.
Councilman Ciulla seconded the motion.

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

The Closed Session Minutes of May 9, 2016 was submitted to the Council for acceptance and/or amendment.

Councilman Hutchison moved that the Minutes be approved as amended.
Councilman Trenga seconded the motion.

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

ORDINANCES – SECOND READING & PUBLIC HEARING

ORD 2016-5

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MONTGOMERY STREET PHASE II, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$7,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq, and \$250,000 in grant funds expected to be received by the New Jersey Department of Transportation (“NJDOT”). The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$142,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$142,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$400,000, which is equal to the amount of the appropriation herein made

therefor. The excess of the appropriation over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$7,500 down payment for said purposes and \$250,000 in grant funds expected to be received by the NJDOT.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$142,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be

paid or reimbursed with the proceeds of obligations issued pursuant hereto.

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

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

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

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

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

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

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

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

ORD 2016-6

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2010-9 ADOPTED ON APRIL 26, 2010, AS AMENDED BY BOND ORDINANCE NO. 2011-26 ADOPTED ON AUGUST 8, 2011, AS AMENDED BY BOND ORDINANCE NO. 2013-9 ADOPTED ON APRIL 22, 2013, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, ROAD IMPROVEMENTS AND VARIOUS OTHER IMPROVEMENTS IN AND FOR THE BOROUGH OF SOUTH RIVER, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$240,000 FOR A TOTAL APPROPRIATION OF \$3,960,500, AND TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$228,000 FOR A TOTAL DEBT AUTHORIZATION OF \$3,762,000, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of South River, in the County of Middlesex, New Jersey (the "Borough") adopted Bond Ordinance No. 2010-9 on April 26, 2010, as amended by Bond Ordinance No. 2011-26 adopted on August 8, 2011, as amended by Bond Ordinance No. 2013-9 adopted on April 22, 2013 (collectively, the "Prior Ordinance"), authorizing the acquisition of various equipment, road improvements and various other improvements; and

WHEREAS, the Borough has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation and bonds and notes authorized therefor.

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough") and are previously authorized by the Borough by the Prior Ordinance. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$240,000 in addition to the \$3,720,500 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor, including \$295,000 grant funds received or expected to be received from the New Jersey Department of Transportation and including the sum of \$198,500 as down payment, consisting of \$186,500 previously appropriated by the Prior Ordinance and an additional down payment of \$12,000 authorized hereby and now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes, \$228,000 negotiable bonds are hereby authorized to be issued in addition to the \$3,534,000 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$3,762,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purpose, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued consist of the acquisition of various equipment, road improvements and various other improvements, including all other work and materials necessary therefor and incidental thereto, all as according to plans and specifications on file in the Borough Clerk's Office.

(b) Section 3(vii) of the Prior Ordinance is amended to read as follows:

vii) Various Road Improvements, including but not limited to, William Street, Water Street, and Raritan Avenue, with a total appropriation and estimated cost of \$2,290,000, estimated maximum amount of bonds or notes therefor of \$2,175,025, \$295,000 estimated grant funds expected to be received from the New Jersey Department of Transportation, and an average period of usefulness of 20 years;

(c) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$3,762,000 including the \$228,000 authorized herein, as stated in Section 2 hereof.

(d) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,960,500, which is equal to the amount of the \$240,000 supplemental appropriation herein made therefor and the \$3,720,500 appropriation made by the Prior Ordinance.

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

when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15.27 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$228,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

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

Section 9. All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

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

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

PUBLIC COMMENTS (agenda items only)

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

LICENSES

Mobile Retail Food Establishment – Havana LLC, d/b/a The Empanada Guy

Councilman Hutchison moved that the above-referenced license be approved.
Councilman Ciulla seconded the motion.

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RESOLUTIONS

RES: 2016-174

MAY 23, 2016

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>
65-999-948-080 CD	SANDRA ADELINO 50 JACKSON ST 1 ST FL SOUTH RIVER, NJ 08883	\$97.15
65-999-002-401 CD	MICHELLE BISHOT & COURTNEY WEISSMAN 36 GARDEN VIEW TERR UNIT 6 EAST WINDSOR, NJ 08520	\$122.99
66-999-922-955 WTR PREV	CROWN BANK REALTY HOLDINGS 27 PRINCE ST ELIZABETH, NJ 07798	\$191.77
65-999-882-014 CD	JASON INGSTRUP 8 DEVOE ST SOUTH RIVER, NJ 08882	\$146.45

65-999-970-047	ELEC PREV	JOSEPH & MARY ROCK	\$20.31
66-999-978-351	WTR PREV	C/O STEPHANIE GUTIERREZ – POA 611 SOUTH PARK AVE HIGHLAND PARK, NJ 08904	\$17.65

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-175

MAY 23, 2016

RESOLUTION

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

WHEREAS, said bids were received on May 5, 2016 and opened and read aloud in public and an examination thereof shows that Szebenyi Lawn Care LLC was the apparent low bidder thereon with a bid of \$30.00/man hour as set forth in the bidding documents.

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account 6-01-26-310-211.

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, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to Szebenyi Lawn Care LLC, as per the bid so submitted.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction but only upon submission of all documents

required by the bid specifications and approval of same by the appropriate borough officials.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-177

MAY 23, 2016

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF
REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159.P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provided that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of South River hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget under the caption of:

Miscellaneous Revenues
Public and Private Programs offset with appropriations:

NJDL & PS – Click it or Ticket \$4,000.00

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum be hereby appropriated under the caption of:

Operation: Excluded from Cap
Public and Private Programs offset by revenues

NJDL & PS - Click it or Ticket \$4,000.00

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-178

MAY 23, 2016

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 May 3, 2016 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE:	\$1,201,419.00
RESTORED FUNDS:	
DEBT SERVICE EXPENSE:	_____
TOTAL	\$1,201,419.00

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 June 8, 2016.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-179

MAY 23, 2016

RESOLUTION

WHEREAS, Maria Martinez-Garcia has submitted an application for a Mercantile License for a business known as Floreria y Decoraciones Cristal, to be located at 58 Obert St. in the Borough of South River; and

WHEREAS, the nature of the business is floral decoration, party hall decoration, rental; 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 Maria Martinez-Garcia, for a business known as Floreria y Decoraciones Cristal, to be located at 58 Obert St. in the Borough of South River, New Jersey is hereby approved.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-180

MAY 23, 2016

RESOLUTION

WHEREAS, Chrysostomos Arachovitis has submitted an application for a Mercantile License for a business known as Motor Fuel Station LLC , to be located at 57 Reid St. in the Borough of South River; and

WHEREAS, the nature of the business is a gas station; 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 Chrysostomos Arachovitis, for a business known as Motor Fuel Station LLC, to be located at 57 Reid St. in the Borough of South River, New Jersey is hereby approved.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-181

MAY 23, 2016

RESOLUTION

WHEREAS, Hong Ju Cammarata has submitted an application for a Mercantile License for a business known as Massage Center, to be located at 85 Main St. in the Borough of South River; and

WHEREAS, the nature of the business is a massage therapy practice; 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 Hong Ju Cammarata, for a business known as Massage Center, to be located at 85 Main St. in the Borough of South River, New Jersey is hereby approved.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-182

MAY 23, 2016

RESOLUTION

WHEREAS, Lighthouse Christian Fellowship has requested a Special Events Permit for a Family Festival to be held at St. Mary Coptic School on Saturday, July 30, 2016 from 12:00 p.m. to 4:00 p.m.; and

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 Lighthouse Christian Fellowship to be held on Saturday, July 30, 2016 from 12:00 p.m. to 4:00 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: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-183

MAY 23, 2016

RESOLUTION

WHEREAS, the American Cancer Society located at 2310 Route 34, Manasquan, New Jersey, has applied for a Special Events Permit for a Relay for Life fundraiser to be held at Denny Stadium on Saturday, May 21, 2016 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

21, 2016 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: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-184

MAY 23, 2016

RESOLUTION

I, John M. Krenzel, with the advice and consent of the Council of the Borough of South River, do hereby approve the transfer of Thomas Jansukiemiz from Engine Co. 1 to Summit Engine Co., South River Fire Department of the Borough of South River effective April 29, 2016.

DATED: MAY 23, 2016

/s/ John M. Krenzel
Mayor

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-185

MAY 23, 2016

RESOLUTION

WHEREAS, the governing body has received change order request No. 1 from the Borough Engineer retained for the project known as Improvements to Montgomery Street – Phase I undertaken by Jads Construction; and

WHEREAS, the Engineer has advised that change order request No. 1 allows to revise the contract quantities to allow the addition of supplemental work for the Board of Education for an amount of \$22,097.80; and

WHEREAS, on April 28, 2016, the South River Board of Education authorized the Borough to proceed with the project and will reimburse the Borough for all costs associated with the project including engineering fees.

WHEREAS, the verge in the sidewalk will be eliminated and waiver is granted by the governing body to eliminate said verge.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that change order request No. 1 be approved.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-186

MAY 23, 2016

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF
SOUTH RIVER FOR APPROVING APPLICATION WITH THE
USDA RURAL DEVELOPMENT COMMUNITY FACILITIES
LOAN/GRANT PROGRAM (“THE PROGRAM”) FOR THE
FINANCING OF THE CONSTRUCTION OF A NEW
FIREHOUSE IN THE BOROUGH

WHEREAS, the Governing Body of the Borough of South River (“Borough”), in the County of Middlesex, New Jersey has determined the inadequacy of the George Street firehouse and the need to upgrade the volunteer fire department facilities which are outdated; and

WHEREAS, the Borough has after several years of discussions and research found that most financially responsible action with regard to the existing George Street facility is to authorize the construction of a new 21,000 square foot facility; and

WHEREAS, a contract for construction of the new firehouse was awarded in the Spring of 2015 and construction is underway; and

WHEREAS, it seems that considering the type and magnitude of asset being built (firehouse) that a more favorable financial arrangement would minimize the tax impact to existing Borough residents; and

WHEREAS, the Borough is a municipal corporation in the State of New Jersey and has very limited financial resources; and

WHEREAS, on February 8, 2016, the Borough filed a Pre-application for the program; and

WHEREAS, on March 7, 2016 the Borough was notified that the new Firehouse is eligible for the program; and

WHEREAS, subsequently further discussions have been held with representatives of the Borough and the USDA; and

WHEREAS, the Borough desires to proceed further by applying to the USDA Rural Development Community Facilities Loan/Grant Program for the next level of approval for funding in order to finance the construction, with either grants partially or in full or longer repayment terms and better interest rates than in the current municipal bond markets;

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby in all respects approved the submission of the application and be it further resolved that the Borough's Business Administrator Frederick Carr, Borough Chief Financial Officer Joseph Zanga, Borough Attorney George Gilmore/Andrea Wyatt of Gilmore and Monahan, Borough Engineer Bruce Koch of CME Associates, Borough Architect Bob Mitchell and the Borough Auditor Gerard Stankiewicz are hereby authorized to execute all documents associated with the Application for USDA Rural Development Funding through the Community Facilities Loan/Grant Program for the construction of a new firehouse.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-187

MAY 23, 2016

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 Gerard Stankiewicz, Borough Auditor, is authorized to provide services in connection with the USDA Rural Development Community Facilities Loan/Grant Program for the financing of the construction of a new firehouse at a cost not to exceed \$9,000.00.

BE IT FURTHER RESOLVED THAT the Chief Financial Officer of the Borough has certified the availability of funds in account 6-01-20-130-205.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-188

MAY 23, 2016

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 Gilmore and Monahan, Borough Attorney, is authorized to provide legal services in connection with the USDA Rural Development Community Facilities Loan/Grant Program for the financing of the construction of a new firehouse at a cost not to exceed \$17,500.00.

BE IT FURTHER RESOLVED THAT the Chief Financial Officer of the Borough has certified the availability of funds in account 6-01-20-155-205.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison

NAYS: None

RES: 2016-189

MAY 23, 2016

RESOLUTION

WHEREAS, on April 11, 2016 by Resolution 2016-152, the Governing Body approved an Agreement with United Service Workers Union, IUJAT, Local 255 with regard to a final negotiated settlement of a new contract for the period of January 1, 2016 to December 31, 2018; and

WHEREAS, said agreement was not ratified by the United Service Workers Union, IUJAT, Local 255.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that Resolution 2016-152 approving said agreement is hereby rescinded.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-190

MAY 23, 2016

RESOLUTION

I, John M. Krenzel, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint John Imbriano to the permanent position of Laborer "A" in the Sanitation Dept. of the Department of Public Works of the Borough of South River effective as of May 9, 2016.

DATED: MAY 23, 2016

/s/ John M. Krenzel
Mayor

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

RES: 2016-191

MAY 23, 2016

RESOLUTION

WHEREAS, a vacancy exists in the South River Court and there exists a continuing need for a Deputy Court Administrator; and

WHEREAS, the Borough of South River has openly advertised for the position and has conducted extensive interviews along with the Administrative Office of the Courts and in conjunction with the Presiding Judge of Middlesex County; and

WHEREAS, Margaret Zajac-Guindi has accepted the position with the Borough of South River as a Full Time Clerk in the South River Court; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council that the salary to be paid to Margaret Zajac-Guindi commencing on May 24, 2016 shall be at the base salary of \$27,158.24 as specified in the 1/1/13-12/31/15 Salary Guide; and

BE IT FURTHER RESOLVED that upon completion and passing of required certifications and having attained the probationary certification as required by the AOC Margaret Zajac-Guindi shall be entitled to receive the salary as a Deputy Court Administrator as specified in the salary guide for 2015 - \$34,140.80.

BE IT FURTHER RESOLVED that upon ratification of the United Service Worker's Union, Local 255, IUJAT contract, salary will be adjusted as specified in the new agreement.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Michael Trenga
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

Councilman Jones requested that Res. 2016-176 be read separately into the record.

RES: 2016-176

MAY 23, 2016

RESOLUTION

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

WHEREAS, said bids were received on May 12, 2016 and opened and read aloud in public and an examination thereof shows that Opsolve LLC was the sole bidder thereon with a bid of \$1.54 plus postage per piece for each written water and/or electric invoice or delinquent water and/or electric invoice; and

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account 6-02-55-502-205 and 6-03-55-502-205.

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, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to Opsolve LLC, as per the bid so submitted.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction but only upon submission of all documents required by the bid specifications and approval of same by the appropriate borough officials.

DATED: MAY 23, 2016

/s/ James Hutchison
Councilmember

/s/ Tony Ciulla
Councilmember

Councilman Jones commented that at the beginning of the year he had spoken about implementing an automatic bill pay to have a more user-friendly system for utility billing. He would have liked to have had input before the bid specifications went out to see if we could obtain this service. Councilman Jones stated he would be voting no on the resolution. Mr. Carr advised that he is talking to Opsolve and Bank of America about setting this service up. Mayor Krenzel stated if all parties are in agreement, the contract can be amended at a future time.

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Trenga, Hutchison
NAYS: Jones

RES: 2016-192

MAY 23, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$1,279,969.85 and previously paid claims in the amount of \$1,646,741.20, 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: MAY 23, 2016

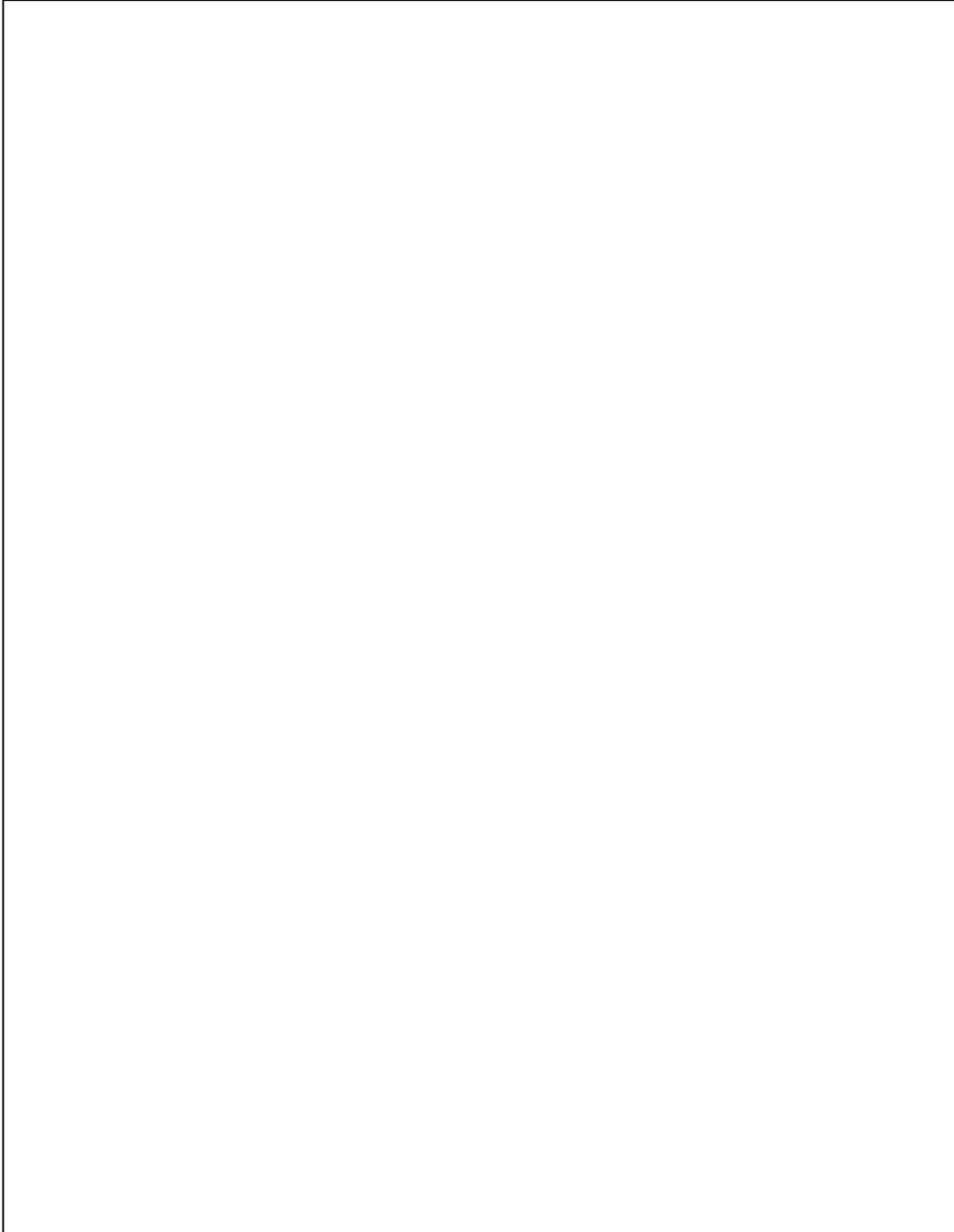
/s/ James Hutchison
Councilmember

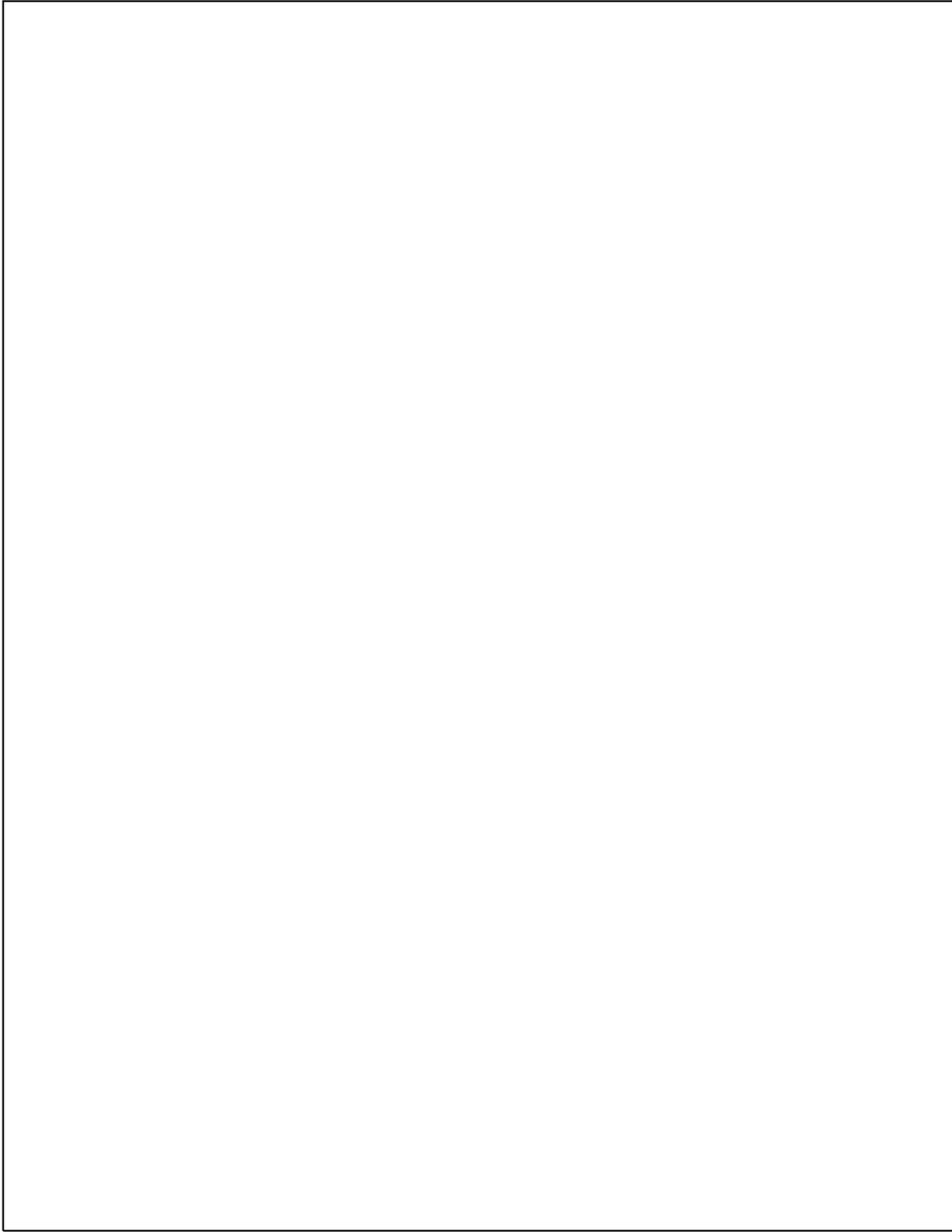
/s/ Tony Ciulla
Councilmember

ROLL CALL VOTE

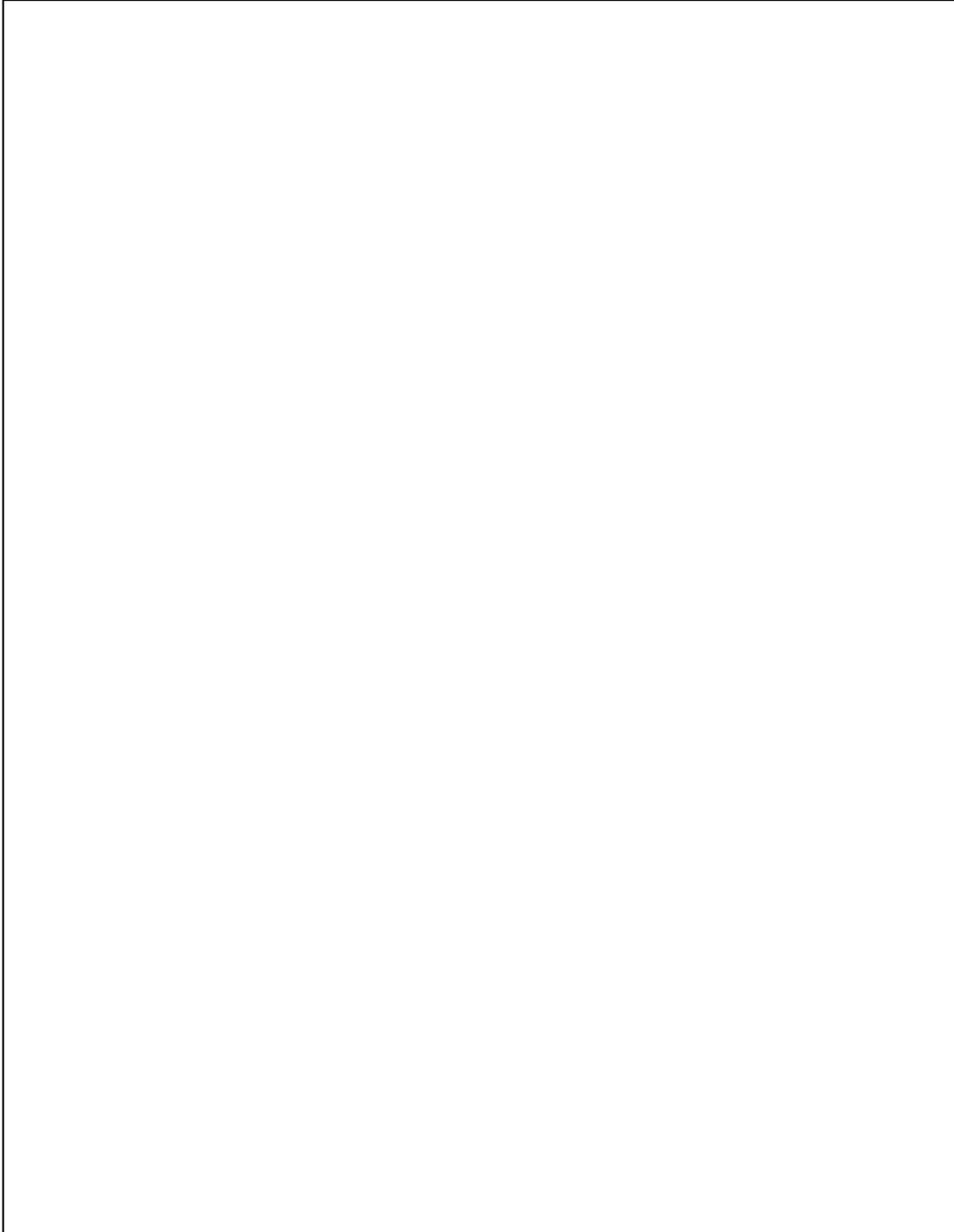
YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

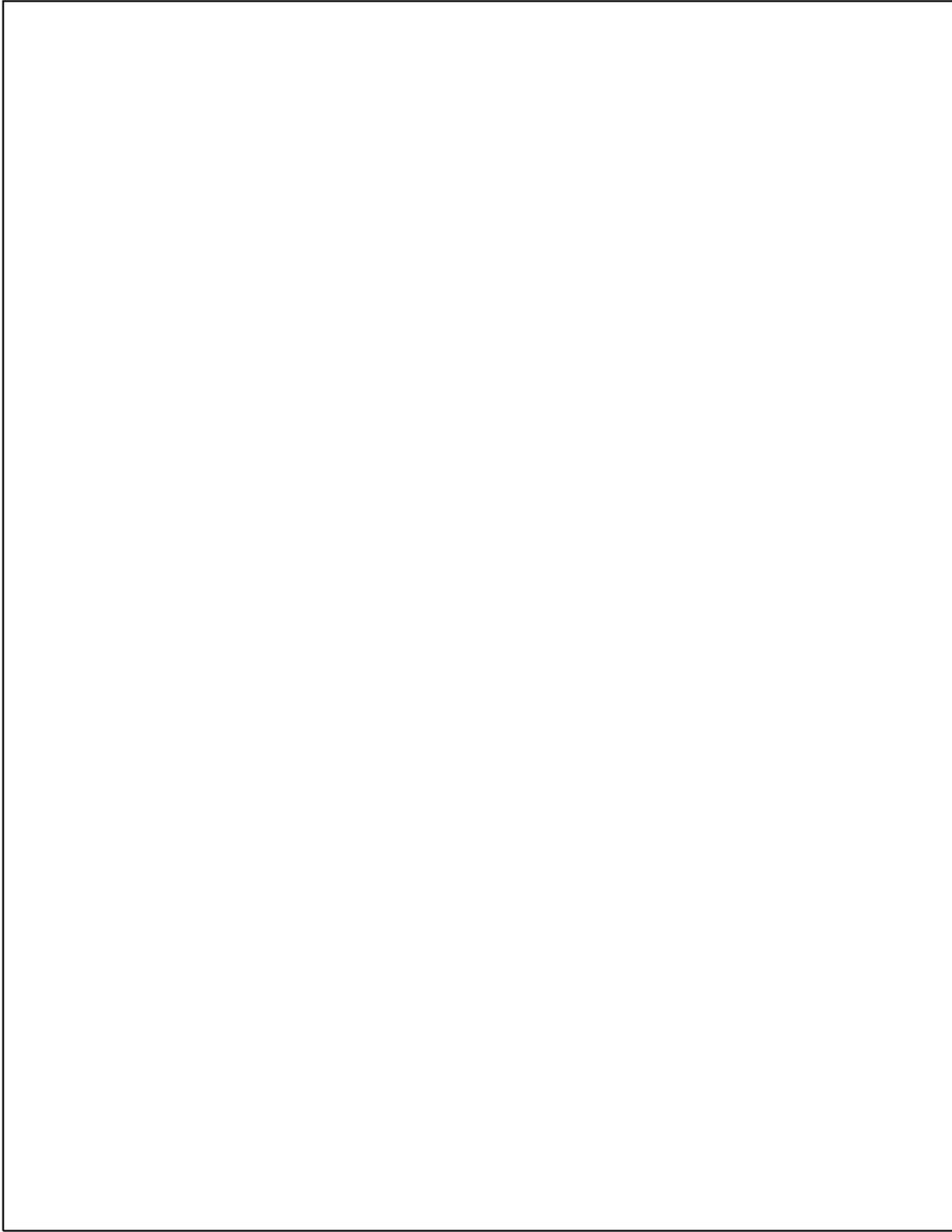


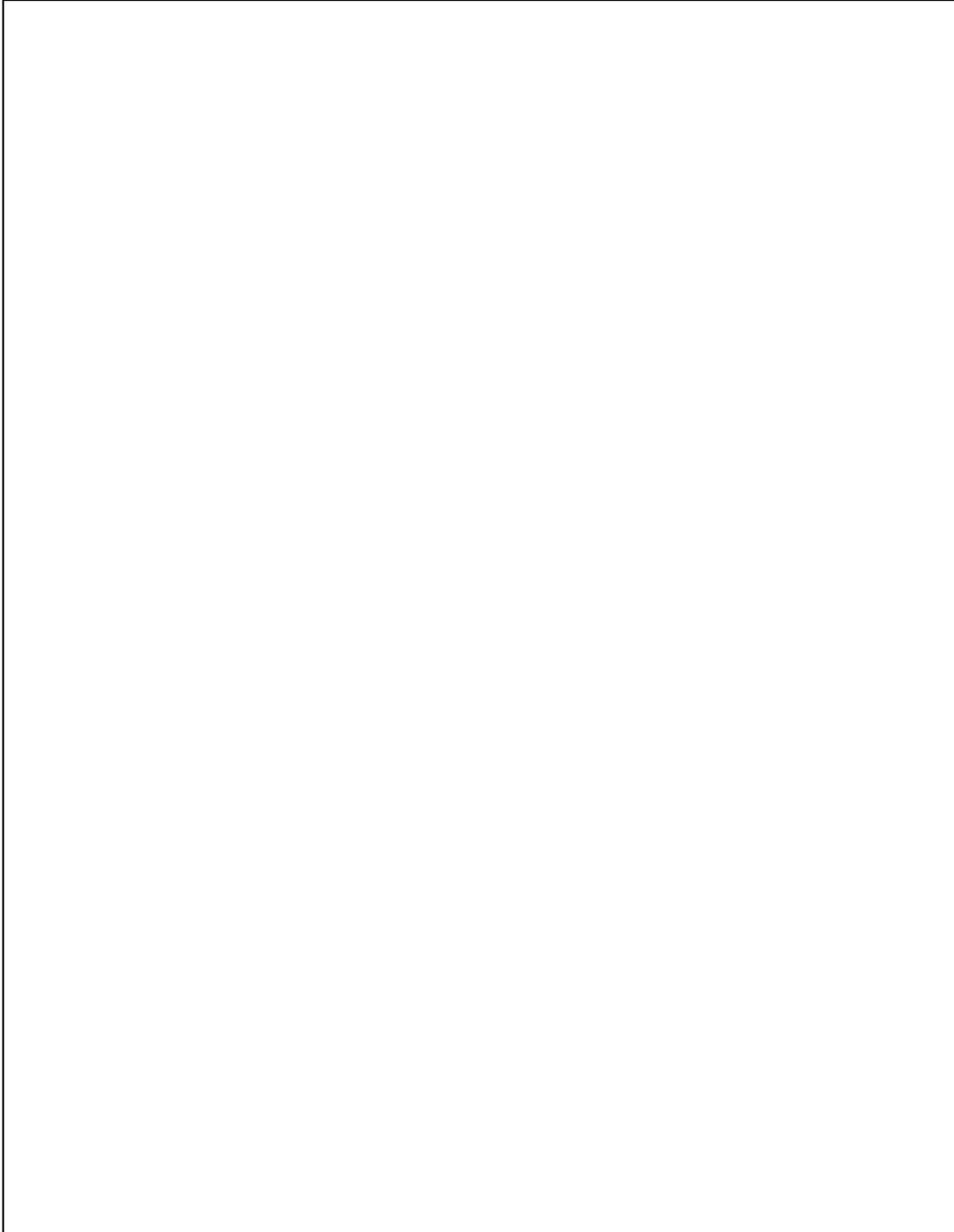
















COUNCIL COMMENTS

Councilman Haussermann

- No comment

Councilman Gurchensky

- Memorial Day Parade 5/30
- Check Borough website – lots of activities
- Thanked the Police, Fire and DPW for great job they do

Councilman Jones

- ACS Relay for Life – great event; emotional; encouraged people to attend in future
- Recreation programs – fall registration on-line
- 6/4 – Bike Rodeo
- 6/11 – Fishing Derby

Councilman Ciulla

- 6/4 – Bike Rodeo – 9:00 a.m. to 1:00 p.m. at SR High School
- 6/11 – Car Show at Denny Stadium, 10:00 a.m. to 2:00 p.m.; 6/12 rain date
- Junior Police Academy for 6th, 7th, and 8th graders from 7/12 to 7/21; applications will be going out 6/15
- 6/5 – March for Mara – 3K walkathon; road closures that day
- 6/5 – Sharing Network – walk/race for donating organs – North Jersey; check website; great cause
- Memorial Day Parade – road closures
- 6/18 – Girl Scouts Fun Day

Councilman Trenga

- Thanked employees and volunteers for work they do
- Attended Board of Education meeting – PARC test results – South River has No. 1 English scores in Middlesex County; test scores are better than charter school in East Brunswick
- Memorial Day – remember people who served our country
- Recommended people visit Mexican restaurant, Antojitos, on Main St.; great food; support our businesses
- Attended ACS Relay for Life; great cause

Councilman Hutchison

- Attended meeting of Mayor's Advisory Committee for Persons with Disabilities on 5/11; Amy Smith, attorney, spoke on elder care and did a wonderful job
- Post Office Food Drive on 5/14; thanked Joan Pisuk for manning Food Bank; thanked all for donations
- Attended Board of Health meeting on 5/17; Paint Night in September; 40 limit; contact Debbie Jones for tickets
- ACS Relay on 5/21 – unfortunately was unable to attend; family member out in California was diagnosed with pancreatic cancer
- 5/30 - Memorial Day Parade at 1:00 p.m.; Teresa Hutchison worked very hard in planning parade; keep cars off of Hillside; urged businesses/residents to fly American Flag; show support for those who served our country and made ultimate sacrifice; thanked all of the sponsors of parade
- 6/7 – Primary – go out and vote

Mayor Krenzel

- No information from State about public meeting on revaluation
- Took action to officially apply for USDA loan for new firehouse
- Many great things going on in South River; ACS Relay on 5/21 – very emotional opening ceremony; Bike Rodeo, Tricky Tray at Corpus Christi
- 6/7 - Primary Day
- 5/30 – Memorial Day Parade – come out and support; moving ceremony; remember those who have passed away

PUBLIC COMMENTS-(good and welfare of Borough)

Sue Olsen, 9 Albert St.

- Thanked Borough for putting up Curb your Dog signs
- Thanked Council for getting firehouse started
- Questioned status of Puerto Rican Action Board payment of electric bills for residents

John Scala, 440 Old Bridge Turnpike

- Unhappy with recycling company throwing containers into street; never had problem with other recycling company; Mayor Krenzel asked Mr. Carr to write a letter to county on concerns about the recycling company
- Questioned Councilman Jones on his comments regarding county roads during last Council meeting
- Happy Memorial Day

Adjournment

Councilman Ciulla moved that this meeting be adjourned at 8:15 p.m.
Councilman Hutchison seconded the motion. So carried.

Respectfully submitted on
June 10, 2016

Patricia O'Connor, RMC
Borough Clerk

Approved at the regular meeting
held on June 13, 2016