

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2009-6 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

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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 August 24, 2009 and was called to order by Mayor Raymond T. Eppinger at 8:30 PM in the Council Chamber of the Criminal Justice Building at 61 Main Street in South River, New Jersey with the following Councilmembers in attendance:

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

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

#### MINUTES

The Minutes of Meeting No. 18 held on August 10, 2009 were submitted to the Council for acceptance and/or amendment.

Councilman Trzeciak moved that the Minutes be approved as presented. Councilman Almeida seconded the motion. So carried

#### PROCLAMATION

Mayor Eppinger read a Proclamation on Organ and Tissue Donation.

#### ORDINANCES – SECOND READING AND PUBLIC HEARING

##### ORD 2009-35

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED “VEHICLES AND TRAFFIC” BY AMENDING SECTION 193-39 SCHEDULE X “LOADING ZONES” THEREOF

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BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 193 of the Code of the Borough of South River entitled “Vehicles and Traffic ” be amended by amending Section 193-39, Schedule X as follows:

##### SECTION 1. Schedule X. LOADING ZONES

Street	Side	Hours	Location
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Elizabeth St.	North	8:00 a.m. to 6:00 p.m. Monday to Friday	110' west from the western curbline of Water St. continuing 65' west
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SECTION 2. If any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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 All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

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

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

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

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

Mayor Eppinger asked if the Councilmembers have any comments. Hearing none, he asked the Clerk to call the roll.

#### ROLL CALL VOTE

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

NAYS: None

#### ORDINANCES - FIRST READING

##### ORD 2009-36

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 124 ENTITLED "CIRCUSES AND CARNIVALS" BY AMENDING SECTION 124-4B" THEREOF

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on September 14, 2009 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Guindi seconded the motion.

ROLL CALL VOTE

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

ORD 2009-37

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 255 ENTITLED "PEDDLING AND SOLICITING" BY AMENDING SECTION 255-3A(9)" THEREOF

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on September 14, 2009 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

ORD 2009-38

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 108 ENTITLED "ANIMALS" BY AMENDING SECTIONS 108-41, 43, 44, 46 AND ADDING NEW SECTIONS 49 AND 50 TO ARTICLE VII "FERAL CATS" THEREOF

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on September 14, 2009 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

BOND ORD 2009-39

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2008-50 ADOPTED ON DECEMBER 23, 2008, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, ROAD IMPROVEMENTS AND VARIOUS OTHER IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE MILLING AND OVERLAY OF ROOSEVELT STREET, AND TO INCREASE THE ALLOCATION OF THE

APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on September 14, 2009 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

PUBLIC COMMENTS (agenda items only)

No comments were made. Councilman Razzano moved to close the public portion. Councilman Guindi seconded the motion. So carried.

RESOLUTIONS

Mayor Eppinger stated that the resolution appointing the Probationary Member to the SR Rescue Squad would be pulled from the agenda.

Councilman Almeida requested that the resolution approving Outdoor Café License for the Portuguese Fisherman be read separately.

RES:2009-302

AUGUST 24, 2009

RESOLUTION

WHEREAS, the year 2009 celebrates the 60<sup>th</sup> Anniversary of The Arc of Middlesex County; and

WHEREAS, in 1949, grassroots efforts by parents of children with developmental disabilities led to the formation of The Arc of Middlesex County; and

WHEREAS, sixty years later, parents and families still play a major role in The Arc, along with volunteers, self-advocates, and the surrounding community, and have contributed to its transformation into one of the most respected organizations working on behalf of individuals with disabilities and their families; and

August 24, 2009

WHEREAS, today The Arc serves over 400 individuals and families in Middlesex County through our residential, vocational, supported employment, family support, advocacy, and recreation programs and

WHEREAS, on October 23, 2009, The Arc of Middlesex County will be holding a celebration in honor of its 60<sup>th</sup> Anniversary; and

WHEREAS, this celebration will not only honor The Arc of Middlesex, but also celebrate those who have been of assistance along the way.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South River hereby congratulates The Arc of Middlesex County and joins in celebrating six decades of hard work and dedication to individuals with developmental and other disabilities.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES. 2009-303

AUGUST 24, 2009

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 an Purchase of Various Pole Mounted Transformers in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on August 11, 2009 and opened and read aloud in public and an examination thereof shows that WESCO Distribution, Inc. was the apparent low bidder thereon with a bid of 25 kba @ \$1,167.00, 37 kba @ 1,518.00 and 50 kba @ \$1,776.00.

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 WESCO Distribution, Inc., as per the bid so submitted.

August 24, 2009

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: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-304

August 24, 2009

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>
65-999-893-597 CD	MARIA ALVAREZ 9 MARKS PL SOUTH RIVER, NJ 08882	\$174.77
65-999-883-411 CD	CHARLINE CARLUCCI	\$167.47

		138B ROSEWOOD DR KEYPORT, NJ 07735	
65-999-905-400	CD	DENNIS DELANEY 71 RUBIN ST APT C SOUTH RIVER, NJ 08882	\$42.91
65-999-885-787	CD	TAKAHIDE & AKIKO ENDO	\$138.20
65-999-885-787	ELEC CURRENT	9 LITTLE BROOK LN MONROE, NJ 08831	\$44.61
65-999-901-253	CD	BETHANIA JAQUEZ 5026 RORER ST PHILADELPHIA, PA 19120	\$92.31
65-999-998-548	CD	BERNARD LASTRA	\$157.46
65-999-998-548	ELEC CURRENT	2 FRIEDA LN KENDALL PARK, NJ 08824	\$102.73
65-999-980-068	CD	DAVID LAWNICK 53 WILLIAM ST 2 <sup>ND</sup> FL SOUTH RIVER, NJ 08882	\$17.63
65-999-909-283	CD	THERESA MAGLIO 121 JENNIFER DR MONROE TWP, NJ 08831	\$159.75
65-999-956-264	CD	KEVIN MCGONIGLE 36 FERRIS ST SOUTH RIVER, NJ 08882	\$161.56
65-999-977-109	CD	ATEF MIKHAIL COLONIAL VILLAGE APTS 22 TAYLOR AVE APT 18A EAST BRUNSWICK, NJ 08816	\$136.36
65-999-888-174	CD	RICHARD MILAN 94 WINDING WOOD DR APT 6A SAYREVILLE, NJ 08872	\$130.42
65-999-914-233	ELEC PRIOR	WAYNE MISNER	\$193.16
66-999-937-541	WTR PRIOR	10 WAYNE CT EDISON, NJ 08820	\$95.20
65-999-893-069	CD	CELIA & OSMILDO OLIVEIRA P O BOX 323 SOUTH RIVER, NJ 08882	\$100.20
65-999-902-122	CD	JOSE PINHERO 157 WHITEHEAD AVE APT 3H SOUTH RIVER, NJ 08882	\$78.57
65-999-987-856	CD	LEONARDO PUNZALAN	\$50.52

	44 CHERRY HILL LN APT B OLD BRIDGE, NJ 08857	
65-999-889-472 CD	JOSE SANTIAGO 23 WILSON AVE SOUTH RIVER, NJ 08882	\$147.57
65-999-910-284 CD	VALENTYN SEMENOV 8 WINDING WOOD DR APT 2A SAYREVILLE, NJ 08872	\$187.58
65-999-885-820 CD	NICOLE WALKER & BRETT BELL 390 REMSEN AVE 2 <sup>ND</sup> FL NEW BRUNSWICK, NJ 08901	\$77.05

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-305

AUGUST 24, 2009

RESOLUTION

WHEREAS, the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough Council of the Borough of South River further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council of the Borough of South River has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED that the Borough of South River, County of Middlesex, State of New Jersey hereby recognizes the following:

August 24, 2009

1. The Borough Council of the Borough of South River does hereby authorize submission of an application for South River Municipal Alliance grant for calendar year 2010 in the amount of \$15,137.00.
2. The Borough Council of the Borough of South River acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-306

AUGUST 24, 2009

RESOLUTION

WHEREAS, the governing body previously received funding allocations through the Middlesex County Housing and Community Development Agency for Senior Center – computers/cubicles and ADA park improvements; and

WHEREAS, the Borough desires to transfer existing accounts established for such improvements in the amount of \$23,914.00 from Account CD6691 and \$14,750.00 from Account CD8866 into Account CD7770.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the appropriate officials take the necessary action to accomplish the aforesaid transfers for expenditures on new projects for park improvements.

DATED: AUGUST 24, 2009

August 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-307

AUGUST 24, 2009

RESOLUTION

WHEREAS, The Universal Church has submitted an application for a Mercantile License for a proposed business known as The Universal Church to be located at 71 Main Street in the Borough of South River, New Jersey; and

WHEREAS, the nature of the business will be a church; 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 The Universal Church for a business known as The Universal Church to be located at 71 Main Street in the Borough of South River, New Jersey is hereby approved.

DATED: AUGUST 24, 2008

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

RES: 2009-308

AUGUST 24, 2009

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 Cleaning and Closed Circuit Television Inspection of Sanitary Sewer Mains in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on August 5, 2009 and opened and read aloud in public and an examination thereof shows that D&D Utility Contractors, was the apparent low bidder thereon with a bid of \$23,622.80 as noted in the report of the borough engineer dated August 10, 2009 and the opinion letter of the borough attorney dated August 17, 2009; and

WHEREAS, both the Borough Engineer and the Borough Attorney have noted that the bid of the apparent low bidder included deviations from the bid specifications that were only minor departures which the Borough may waive.

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account C-06-08-025-108.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to D&D Utility Contractors, as per the bid so submitted subject to the contractor completing the bid document forms for contractor/subcontractor and corporation forms in the bidding documents.

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 1) a legible copy of the contractor's certification showing visible registration and expiration date, 2) initialed documents as set for in the opinion letter of the Borough Attorney, and report of the Borough Engineer, 3) insertion of all missing dates in the contract documents and 4) all documents required by the bid specifications and approval of same by the appropriate borough officials.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-309

AUGUST 24, 2009

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Nuno Zango to the position of Probationary Member of the Reliable Fire Company, South River Fire Department of the Borough of South River effective July 27, 2009.

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/ Raymond T. Eppinger  
Mayor

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-310

AUGUST 24, 2009

RESOLUTION

WHEREAS, the South River Fire Department has requested permission to hold the Fire Prevention Truck Show on Thursday, October 8, 2009; and

WHEREAS, in conjunction with the Fire Prevention Truck Show, the South River Fire Department has requested permission to close the following streets from 6:00 p.m. to 9:00 p.m.:

Main Street from Reid Street to Gordon Street along with connecting streets leading to Main Street - Obert Street, Thomas Street, and Stephen Street

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

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that upon approval from Middlesex County, Main Street from Reid Street to Gordon Street along with connecting streets leading to Main Street - Obert Street, Thomas Street, and Stephen Street shall be closed between the hours of 6:00 p.m. to 9:00 p.m. on Thursday, October 8, 2009.

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

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

August 24, 2009

RES:2009-311

AUGUST 24, 2009

RESOLUTION

WHEREAS, the governing body previously accepted a bid from MetroPCS New York, LLC for the lease of water tower space on Block 225, Lot 1 for the installation of communications equipment; and

WHEREAS, the Borough Attorney and MetroPCS New York, LLC have negotiated the attached lease pursuant to the specifications for the site.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the attached lease agreement between the Borough of South River and MetroPCS New York, LLC is hereby approved and the appropriate Borough officials are authorized to execute the lease agreement.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-312

AUGUST 24, 2009

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 Water System Improvements in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on August 5, 2009 and opened and read aloud in public and an examination thereof shows that Allied Construction Group, Inc., was the apparent low bidder thereon with a

bid of \$989,800.00 as noted in the report of the borough engineer dated August 10, 2009 and the opinion letter of the borough attorney dated August 19, 2009; and

WHEREAS, both the Borough Engineer and the Borough Attorney have noted that the bid of the apparent low bidder included deviations from the bid specifications that were only minor departures which the Borough may waive.

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account W-07-08-028-101.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to Allied Construction Group, Inc., as per the bid so submitted subject to the contractor completing the bid document forms for contractor/subcontractor and corporation forms in the bidding documents.

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 the contractor correcting the multiplication error for item 13, initialing same and submitting all other documents required by the specifications and approval of same by the appropriate borough officials.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

NAYS: None

The Clerk read Resolution No. 2009-313 into the record.

Councilman Almeida stated that he is a proponent of the outdoor café license, but would abstain on voting on this resolution because his family and the owners of the Portuguese Fisherman are good friends.

The Clerk read Resolution 2009-313 separately into the record.

Councilman Almeida stated that he requested this resolution be read separately because he was going to abstain from voting since he is a friend of the owners of the Portuguese Fishman. He noted that he was a proponent of outdoor cafes.

RES:2009-313

AUGUST 24, 2009

RESOLUTION

WHEREAS, Fisherman's Cove Corporation, t/a Portuguese Fisherman, located at 11 Jackson Street, South River, New Jersey has made application for an Outdoor Café/Restaurant License; and

WHEREAS, said application is requesting outdoor seating for four (4) tables to be utilized seven days a week from 11:00 a.m. to 10:00 p.m.;

WHEREAS, the Outdoor Café/Restaurant 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 Outdoor Café/Restaurant License Application for Fisherman's Cove Corporation, t/a Portuguese Fisherman, located at 11 Jackson Street, South River, New Jersey is hereby approved subject to the following conditions:

- a) No alcohol shall be consumed on outdoor premises without approval of a Place to Place Transfer from the New Jersey Division of Alcoholic Beverage Control.
- b) The outdoor café shall be established as per plans submitted (Front / A-side of building only).
- c) An unobstructed exit aisle with a width of 36" shall be maintained within all exit areas.
- d) Approved cigarette disposal units shall be supplied within the outdoor café area.
- e) Additional approval for umbrellas/canopies shall be secured before installation/use (if applicable).
- f) Pursuant to Borough Code Section 241-4, no less than five feet of unobstructed sidewalk, measured from the street curb, shall be opened and maintained for pedestrians.
- g) Applicant shall comply with the lighting requirements of Section 241-5 of the Borough Code.
- h) The Borough and Middlesex County shall be named as an additional insured on all Public Liability Policies in which the sidewalk café or restaurant shall operate in amounts set forth in Borough Code 241-6.
- i) Pursuant to Borough Code 241-6, the outdoor café and restaurant shall be allowed to operate from May 1 through November 1, inclusive in any calendar year from 10:00 a.m. to 10:00 p.m.
- j) Applicant shall comply with any other local, county, state or federal regulations.

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ Jim Hutchison  
Councilmember

ROLL CALL VOTE

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

RES: 2009-314

AUGUST 24, 2009

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 \$185,274.95 and previously paid claims in the amount of \$829,944.57, 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.

08/21/09  
Page No: 1  
11:19:23

Borough of South River  
Bill List By Vendor Id

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount
71107	ROWE, CHRISTOPHER					
		09-02115	07/29/09	Wildwood Convention Delegate	Open	600.00
						0.00
76044	MATTS, CHARLES J. III					
		09-02111	07/29/09	Wildwood Convention Delegate	Open	250.00
						0.00

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76087	MURPHY, GERARD		
09-02114	07/29/09 Wildwood Convention Delegate	Open	250.00
0.00			
76098	MAGAW, JOHNATHAN D.		
09-02113	07/29/09 Wildwood Convention Delegate	Open	250.00
0.00			
A0010	AAIT		
09-01305	05/07/09 Infrared Thermographic Survey	Open	890.00
0.00			
A0128	ADVANCED GENERATOR EXCHANGE		
09-01957	07/10/09 Alternator / AC Repairs	Open	378.00
0.00			
A0262	ALL AMERICAN GAME CO.		
09-02136	07/29/09 INFLATABLE RIDES	Open	1,700.00
0.00			
A0345	AMERICAN POWERNET MGMT. LP		
09-02276	08/07/09 Management Fee - July 2009	Open	3,330.00
0.00			
A0434	ANDERSON HOYT IRRIGATION CO, I		
09-02078	07/23/09 Daileys Field-Repair Sprinkler	Open	1,249.70
0.00			
A0576	ATLANTIC TACTICAL OF NJ		
08-03587	12/31/08 New Dispatcher Badges	Open	132.95
0.00			
09-00033	01/15/09 Police Tie Bars	Open	320.00
0.00			
			-----
			452.95
A601	APRUZZESE MCDERMOTT MASTRO &		
09-02162	08/05/09 April 30-June 30-2009-Ayers	Open	37.00
0.00			
AM001	AMERICAN PAPER OPTICS, LLC.		
09-01664	06/12/09 3D fireworks glasses	Open	272.00
0.00			
APE01	A PEST PLUS, LLC.		
09-02154	08/05/09 Pest-Control August	Open	201.50
0.00			
B0876	KIM BELL		
09-02281	08/11/09 Reimburse misc. supplies	Open	165.02
0.00			
B0978	ROBERT BLANDA, ESQ.		

09-02252 08/07/09 alternate prosecutor	Open	350.00
0.00		

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-----  
Vendor # Name  
  PO #   PO Date  Description          Status      Amount  
Void Amount  Contract PO Type  
-----  
-----  
C1300    CARROT TOP INDUSTRIES  
  09-01479 05/22/09 Flags for Boro Buildings  Open        836.83  
0.00  
  
C1326    CENTRAL JERSEY WASTE &  
  09-02156 08/05/09 August Collection Fee   Open      3,678.84  
0.00  
  
C1652    CUSTOM BANDAG INC  
  09-02068 07/23/09 Tires for Asst. Chief Vehicle  Open        447.72  
0.00  
  09-02069 07/23/09 Tires for Police Dept. Cars   Open      1,552.00  
0.00  
  09-02070 07/23/09 Tire & Rim for #752          Open        506.72  
0.00  
  09-02071 07/23/09 Tires for Truck #9           Open        683.80  
0.00  
-----  
3,190.24  
  
D1780    DELL COMPUTER CORPORATION  
  09-01980 07/16/09 PRINTER CARTRIDGES        Open        999.92  
0.00  
  
D1911    DOOR TO DOOR DUMBBELLS  
  09-02214 08/05/09 July Exercise Classes      Open        245.00  
0.00  
  
DIA001   TERESA DIAS  
  09-02284 08/11/09 RETURN OF MAINT. BOND-DUMPSTER  Open        200.00  
0.00  
  
DIL001   DILWORTH PAXTON LLP.  
  09-02236 08/06/09 BOND ORDINANCE ADDS & AMENDS  Open      1,800.00  
0.00  
  
E2025    REINA TIRE SERVICE INC  
  09-01810 07/01/09 Tire Repairs - July        Open        122.00  
0.00  
  
F2807    FIREONE  
  09-01601 06/04/09 Annual Testing             Open      2,878.00  
0.00
```

F2811	FIRST DUE EMERGENCY SUPPLY CO.		
09-01929	07/14/09 T4 WITH TRUCK CHARGER	Open	32,946.81
0.00			
F2835	FIRE FIGHTERS EQUIPMENT CO.		
09-02116	07/29/09 #90503 Survivor Led w/AC DC	Open	1,250.00
0.00			
F2851	FLAGHOUSE, INC.		
09-01737	06/18/09 equipment for adult fitness	Open	467.37
0.00			
F2911	FRANKLIN PRODUCTS		
09-01970	07/10/09 Leath-PB Black Shield	Open	1,335.65
0.00			
F2926	FREDS TOWING & RECOVERY		
09-01906	07/10/09 Tow Baker #1 - 6/11/09	Open	110.00
0.00			
09-02076	07/23/09 Tow Baker #2 5/21/09	Open	110.00
0.00			
			-----
			220.00
G3038	GARDEN STATE LABORATORIES, INC		
09-02167	08/05/09 Coliform Analysis	Open	280.00
0.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
Void Amount	Contract	PO Type				
G3179	GOFFCO INDUSTRIES, INC					
0.00	09-02107	07/29/09	summons books	Open	519.00	
H3456	HARPER INTERNATIONAL, INC.					
0.00	09-02075	07/23/09	Pressure Relief Control Valve	Open	398.00	
H3511	HARRY HAUSHALTER-ATTY AT LAW					
0.00	09-02211	08/05/09	LEGAL SVCS. TAX CNCL. 6/09	Open	522.00	
H3522	HEARTLAND SERVICES, INC.					
0.00	09-02207	08/05/09	PARTS AND SERVICE LAPTOP-FIRE	Open	243.80	
H3708	HOME DEPOT					
0.00	09-01713	06/18/09	Various Supplies	Open	669.15	
H3719	HOME NEWS TRIBUNE					
0.00	09-02143	07/29/09	Bid-Willett Av Elec Substatn	Open	45.82	
0.00	09-02158	08/05/09	Bond Ord. 2009-28 - Final	Open	212.86	
0.00	09-02159	08/05/09	Bid-Pole Mounted Transformer	Open	33.06	
0.00	09-02161	08/05/09	Bid-Videoand Monitor -Police	Open	33.64	
0.00	09-02205	08/05/09	Betts & Holt reso award	Open	38.86	
						----- 364.24
H3824	SUNSET PRODUCTION, INC.					
0.00	09-02279	08/11/09	Balance Lunch Theater 9/9/09	Open	930.00	
HIM001	HIMELMAN WERTHEIM & GELLER llc					
0.00	09-02274	08/07/09	Municipal Law - July 2009	Open	1,747.27	
I4236	INSTRUMENT TECH. SERV. (I.T.S)					

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09-02126	07/29/09	Troubleshoot #6 Well	Open	364.00
0.00				
09-02135	07/29/09	Troubleshoot Appleby Tank	Open	516.00
0.00				
09-02164	08/05/09	Troubleshoot Chemical Feed	Open	272.00
0.00				
				-----
				1,152.00
I4239		ITS, INC.		
09-02283	08/11/09	EMERG.WATER SYSTEM COMM. REPAI	Open	8,031.50
0.00		B		
I4290		IRON MOUNTAIN		
09-02101	07/29/09	Shredding Bins maintenance Fee	Open	93.76
0.00				
J4545		SAMI JAIN		
09-02170	08/05/09	tennis refund	Open	75.00
0.00				
J4694		JOHNNY ON THE SPOT, INC.		
09-02002	07/16/09	June rentals	Open	387.51
0.00				
JOH100		JOHNNY'S LANDSCAPING SERVICE		
09-02212	08/05/09	Property Maintenance	Open	750.00
0.00				
L5187		LEE'S AUTO PARTS INC.		

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Vendor # Name  
PO # PO Date Description Status Amount  
Void Amount Contract PO Type  
-----  
09-01809 07/01/09 Auto Parts - July Open 7,254.88  
0.00  
  
L5252 LIGHTHOUSE ELECTRIC OF CENTRAL  
09-02230 08/06/09 Wiring for new a/c unit - PD Open 925.00  
0.00  
  
L5361 DR. MAREK R. LUPICKI  
09-02298 08/17/09 FD. Physical-NUNO ZARGO Open 95.00  
0.00  
  
M5421 W.B.MASON CO.  
09-02105 07/29/09 Office Supplies Open 805.11  
0.00  
  
M5429 MAGAW, MATTHEW  
09-02112 07/29/09 Wildwood Concvention Delegate Open 250.00  
0.00  
  
M5697 MGL PRINTING SOLUTIONS  
09-01935 07/10/09 500 MANUAL PR CHECKS Open 213.00  
0.00  
  
M5758 MIRACLE CHEMICAL CO.  
09-01954 07/10/09 Hypochlorite Solution Delivery Open 738.00  
0.00  
  
M5856 MOTOROLA  
09-01421 05/20/09 NICD 1500 MAH, 7.5V Battery Open 198.00  
0.00  
09-01721 06/18/09 XTS 2500 CHANNEL RADIOS Open 57,638.40  
0.00  
-----  
57,836.40  
  
M5860 MOTOROLA  
09-01274 05/05/09 NEW Board for walkie/PMCN6153B Open 393.00  
0.00  
  
M5868 MOTOROLA  
09-01671 06/12/09 PORTABLE RADIO, MIC & BATTERY Open 4,356.60  
0.00
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August 24, 2009

N6190	THOMAS J. NOTO, P.E.		
09-02208	08/05/09 SVCS. FOR 7/09	Open	5,500.00
0.00			
P6985	PENTATEK SOLUTIONS INC		
09-02286	08/11/09 VARIOUS COMPUTER UPDATES/WORK	Open	407.50
0.00			
P7104	PLANET BIKE		
09-02054	07/23/09 Patrol Bicycle Repair	Open	42.00
0.00			
R7313	RAB CORPORATION T/A		
09-02231	08/06/09 Fuel - July - Truck #24	Open	929.11
0.00			
09-02233	08/06/09 Fuel-July-Sweeper	Open	825.66
0.00			
			-----
			1,754.77
R7327	RAZOR PRINTING, INC.		
09-02241	08/06/09 Name Plates and Stamp	Open	52.00
0.00			
R7329	V E RALPH & SON INC		
09-01829	07/01/09 Portable Suction Equipment	Open	735.00
0.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
Void Amount	Contract	PO Type				
R7421	RESIDENTIAL FLAG					
0.00			09-02087 07/29/09	Flag Pole and Installation	Open	2,685.00
S603	SAYREVILLE PET ADOPTION CENTER					
0.00			09-01163 04/24/09	Shelter Services for March 09	Open	848.00
S7718	SAYREVILLE SPORTSMEN					
0.00			09-02095 07/29/09	prizes - annual fishing derby	Open	575.00
S7720	SAYREVILLE, BORO OF					
0.00			09-02166 08/05/09	Standby 7/10 to 7/23/09	Open	2,052.00
S7877	SAKER SHOPRITES INC					
0.00			09-01938 07/10/09	cool cooking supplies	Open	197.69
S8094	SPRING BROOK WATER					
0.00			09-02122 07/29/09	Hot-Cold Cooler Rental	Open	30.00
S8096	STA-SEAL INC.					
0.00			09-01981 07/16/09	Asphalt	Open	365.94
S8251	SWIFT ELECTRICAL SUPPLY CO.					
0.00			09-01334 05/15/09	Electrical Supplies	Open	180.64
0.00			09-02080 07/23/09	Elec Supplies for 2 events	Open	1,392.86
						----- 1,573.50
STA004	GERARD STANKIEWICZ C.P.A.					
0.00			08-03441 12/23/08	professional services	Open	1,500.00
T8300	T BLUMIG / KENNELS, INC.					
0.00			09-02248 08/06/09	Inv. 1139 7/09 Animal Control	Open	1,040.00

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August 24, 2009

T8314	TANK INDUSTRY CONSULTANTS		
09-01129	04/22/09 REHAB TO APPLEBY AVE.	Open	800.00
0.00	B		
T8324	TAYLOR OIL CO INC.		
09-02165	08/05/09 Fuel Delivered 7/22/09	Open	2,302.31
0.00			
T8387	TELVUE CORPORATION		
09-00703	03/12/09 VIDEO ACTIVES TRIAL - EVALUATI	Open	1,000.00
0.00			
T8538	TRYGAR & SONS HARDWARE, INC.		
09-01201	04/29/09 hardware supplies	Open	386.30
0.00			
09-02234	08/06/09 Pro Series Padlocks	Open	217.10
0.00			
			-----
			603.40
TW001	T W SERVICES CORP.		
09-02141	07/29/09 PCB Testing	Open	874.00
0.00			
USA001	USA MOBILITY WIRELESS, INC.		
09-01024	04/09/09 Pager Service 4/1 to 4/30/09	Open	416.43
0.00			

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Borough of South River  
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Vendor #	Name	PO #	PO Date	Description	Status	Amount
Void Amount	Contract	PO Type				
V9010	VERIZON					
09-02227	08/06/09	Verizon Frame Relays	Open	1,596.00		
0.00						
W9299	WELCO-CGI GAS TECH, LLC.					
09-01837	07/06/09	Oxygen Tanks - 5 "K" Tanks	Open	152.40		
0.00						
W9328	WESCO DISTRIBUTION, INC.					
09-01165	04/24/09	Electrical Supplies	Open	6,783.75		
0.00						
Y9684	YARDVILLE SUPPLY CO. INC.					
09-02120	07/29/09	Hydrated Chemical Lime	Open	1,667.50		
0.00						
Z9998	ZLATEN ZIFOVSKI					
09-01811	07/01/09	Supplies - July	Open	143.71		
0.00						

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Total Purchase Orders: 96 Total P.O. Line Items: 225 Total List Amount:  
185,274.95 Total Void Amount: 0.00

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-----						
Fund Description				Fund	Budget Rcvd	Budget
Held	Budget Total	Revenue Total				
-----						
CURRENT FUND				8-01	952.95	
0.00	952.95	0.00				
WATER UTILITY	GL			8-02	500.00	
0.00	500.00	0.00				
ELECTRIC UTILITY				8-03	500.00	
0.00	500.00	0.00				
-----						
		Year Total:			1,952.95	
0.00	1,952.95	0.00				
CURRENT FUND				9-01	104,166.59	
0.00	104,166.59	0.00				
WATER UTILITY	GL			9-02	6,882.51	
0.00	6,882.51	0.00				
ELECTRIC UTILITY				9-03	15,605.99	
0.00	15,605.99	0.00				
-----						
		Year Total:			126,655.09	
0.00	126,655.09	0.00				
GENERAL CAPITAL				C-06	41,788.41	
0.00	41,788.41	0.00				
ESCROW ACCOUNT				E-17	200.00	
0.00	200.00	0.00				
ELECTRIC CAPITAL				L-08	5,500.00	
0.00	5,500.00	0.00				
OTHER TRUST ACCOUNTS				T-05	347.00	
0.00	347.00	0.00				
WATER CAPITAL				W-07	8,831.50	
0.00	8,831.50	0.00				
=====						
=====						

		Total Of All Funds:	185,274.95
0.00	185,274.95	0.00	

Previously paid charges for 8/24/09:

<u>Date</u>	<u>To</u>	<u>Amount</u>	<u>Comment</u>
8/13/09	PJM Interconnection	\$ 25,732.97	Monthly Electric payment
8/13/09	PJM Interconnection	38,164.81	Weekly Electric payment
8/14/09	State of NJ Pensions & Benefits	41,574.39	Health ins. Retired 8/09
8/14/09	State of NJ Pensions & Benefits	81,699.96	Health ins. Active 8/09
8/18/09	NextEra Energy Power Mktg LLC	413,380.27	Monthly pool costs for electric dist.
8/18/09	DTE Energy Trading Inc.	177,350.60	July 2009 invoice
8/13/09	PJM Interconnection	52,041.77	Weekly electric payment
	<b>Total</b>	<b>\$829,944.57</b>	

DATED: AUGUST 24, 2009

/s/ Peter Guindi  
Councilmember

/s/ John Trzeciak  
Councilmember

### COUNCIL COMMENTS

#### Councilman Almeida

- Congratulations to EDC on successful Cruise Night
- Attended Board of Health meeting held on 8/19/09 - \$10,000 collected for Food Bank
- Looking forward to Special Meeting on 8/31 appointing John Bouthillette as Police Chief and honoring Wes Bomba
- Senior Mobility Workshop – 10/24/09

#### Councilman Guindi

- Cruise Night was a success; next Cruise Night on 9/17/09
- Special Meeting – 8/31/09 – swearing in new chief and honoring Wes Bomba
- 9/11 Ceremony – 6:30 p.m. at Daley's Pond
- 10/8/09 – Fire Apparatus Truck Show on Main St. at 6:00 p.m.
- 9/4/09 – First day of school – drive carefully

#### Councilman Hutchison

- AEC – meet once a month on Tuesdays; commended AEC on presentation given at tonight’s business meeting; different possibilities of options Borough can consider in future – natural gas, biofuel, geothermal, wind, solar; presentation available on TV 35
- ESTC – met on 8/13; working on 9/26/09 cleanup event; possible changes to ordinance regarding curb trees
- Congratulations to EDC on successful Cruise Night
- Parking Authority meeting in September
- Recreation meeting – 9/1/09
- 9/11 Memorial – cannot forget the tragedy – hopes all attend
- 8/31/09 – John Bouthillette will be sworn in as Police Chief; honor Wes Bomba for 42 years of service
- Mosquito Problem – contact John Kranz at Middlesex County – information on website

Councilman Razzano

- National Night Out – 1,500 to 2,000 people attended; outstanding event; thanked Police Department – John Bouthillette, Sgt. Gartner, Det. Novak, volunteer Police Officers, Laura Lipkin and other members of Municipal Alliance for their efforts.
- Received letter from Karen Monteverdi who worked at St. Stephen’s Carnival – started choking; commended Sgt. Ron Uler, of Special Emergency unit of Police for coming to her aid; received letter from Capt. Synek commending Police Officers Roselli, Sanches and Yorek on their quick action in initiating CPR.
- Emergency notification system – up and running – thanked OEM
- Commended Mr. Benn for update on Hurricane Bill
- 9/11 Memorial – 6:30 p.m. at Daley’s Pond – rain or shine
- 9/4/09 – schools open – be careful
- Thanked AEC for wonderful presentation
- 8/31/09 – celebrating Wes Bomba’s service – turned a great Police Department into an outstanding department; appointing John Bouthillette as new Police Chief; both men took bullets for South River

Councilman Trenga

- Thanked employees and volunteers for their hard work
- Thanked EDC for a successful Cruise Night
- Attended Board of Health meeting – working on feral cat issue
- Congratulations to Wes Bomba on his service; confident that John Bouthillette will continue to do great work
- AEC – great presentation
- 9/11 Memorial – is a survivor; tragedy should never be forgotten; hopes residents will attend ceremony

Councilman Trzeciak

- Attended Fishing Derby on 8/15/09 at Bissett Park; Recreation did a great job
- Cruise Night - great turnout

- Library – many great events going on; closed on Labor Day; Board of Trustee meeting on 9/21/09
- 8/31/09 – looking forward to swearing in John Bouthillette as new Police Chief and honoring Wes Bomba on his retirement
- Commended Special Police Officer Ron Uler
- 9/11 Ceremony – Bag pipers, Boy Scouts and Girl Scouts will be present
- Streets being paved
- Labor Day – have a safe holiday

#### Mayor's Comments

- Aside from 8/31/09 Special Meeting, next Council meeting is 9/14/09
- Thanked Dept. of Public Works on its work on the line painting/sign safety program
- Commended AEC on presentation – PowerPoint presentation will be on website
- Commended various committees for doing a great job
- Meeting with Mr. Salerno, Mr. Bignell, Planner and Planning Board Chairman next week on Master Plan review
- Contract for electric meters being wrapped up
- Sgt. Uler – commendation letter will be placed in his file
- 8/31/09 – special meeting – celebrating outgoing Police Chief and incoming Police Chief; both gentlemen almost made ultimate sacrifice
- Varga Park - \$20,000 in repairs to that facility – trying to make it safer
- 9/18/09 – Senior Picnic at Byelorussian Center
- 9/23/09 – Senior health and fitness walk

#### Public Comment (for good and welfare of borough)

##### Michael Marder, 2 Fifth St.

- Spoke about a campership for the YMCA at Frost Valley, New York next summer. Would like to do a fund raiser for the children in South River. Information is posted on the borough website; encouraged businesses to donate money for cause; information can also be obtained at [srcampership@comcast.net](mailto:srcampership@comcast.net)

#### Executive Session

Motion made by Councilman Trzeciak to go into executive session at 9:45 p.m.  
Councilman Hutchison seconded the motion.

#### Resume Regular Meeting

Councilman Almeida stated he would like to have report on meeting with Fire Department and architect at next meeting. Councilman Razzano stated he will have a report.

Motion made by Councilman Guindi to go back into open meeting at 10:15 p.m.  
Councilman Hutchison seconded the motion.

Adjournment

Councilman Razzano moved that this meeting be adjourned at 10:20 p.m. Councilman Guindi seconded the motion. So carried.

Respectfully submitted on  
September 11, 2009.

Patricia O'Connor, RMC  
Borough Clerk

Approved at the regular meeting  
held on September 14, 2009