

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2008-14 WITH THE REQUEST OF THE HOME NEWS TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING

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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 March 24, 2008 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 Council members in attendance:

Councilmembers Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak

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

MINUTES

The Minutes of Meeting No. 6 held on March 10, 2008 were submitted to the Council for acceptance and/or amendment.

Councilman Krenzel moved that the Minutes be approved as presented. Councilman Hutchison seconded the motion. So carried.

ORDINANCES-SECOND READING AND PUBLIC HEARING

The Clerk announced that pursuant to previous action of the Borough Council and legal advertisement, this is the date, time and place set forth for the Second Reading and Public Hearing prior to Final Passage of the following Ordinances.

The Clerk submitted to the Council proof of publication from the Home News Tribune, a newspaper published in Neptune, New Jersey and circulated in the Borough of South River dated March 15, 2008 giving notice of the Second Reading and Public Hearing of the Ordinances.

ORD: 2008-15

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER BY ADDING A NEW CHAPTER 257 ENTITLED "PRECIOUS METALS" THERETO

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WHEREAS, the governing body desires to regulate the purchase and sale of precious metals as recommended by the police department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that the Code of the Borough of South River be amended by adding a new Chapter 257 entitled "Precious Metals" as follows:

SECTION 1.

257-1. License Required Application Fee, Expiration Date.

No person shall engage in a regulated activity as defined in section 257-2 without having first obtained a license therefore from the Borough Clerk, which license shall bear a number issued by the Borough Clerk and shall be prominently displayed within the

licensed premises.

257-2. Definitions.

A. "Dealer" means any person, partnership or corporation who, through any means, buys or sells gold, silver, precious metals or jewelry, and includes anyone advertising the purchase or sale of any of the aforementioned items.

B. "Minor" is any person under the age of eighteen (18).

C. "Regulated Activity" means the purchase of any item containing gold or silver or gems or any other precious metals, except for coins, for subsequent resale purposes and not for personal use.

257-3. Application Fee, Expiration Fee.

A. An application for such license shall be filed with the Borough Clerk and shall be accompanied by a license fee of two hundred (\$200.00) dollars for the initial application -and twenty-five (\$25.00) dollars for each annual renewal for each premises on which the regulated activity is to be conducted. If on the effective date of this Ordinance a dealer has been in business for a period not less than two (2) years, the fee for initial application shall be twenty-five (\$25.00) dollars and investigation pursuant to Section 257-4 may be waived by the Borough Clerk.

B. Each licensee shall deliver a bond to the Borough Clerk executed by the applicant as principal, with a surety company authorized to do business under the laws of the State of New Jersey as to surety. The bond, to be approved by the Borough Attorney, shall be in the penal sum of Ten Thousand and 00/100 Dollars (\$10,000.00), conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the Borough in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against any person licensed under this chapter by reason of any damage sustained by any such person as having made a sale to such licensee, due to dishonesty, fraud or deceit practiced in effecting the purchase of precious metals.

C. Each license shall expire on December 31 of the year in which it is issued.

257-4. Application Process, Approval, Appeal.

Upon receipt of an application and fee pursuant to Section 257-3A, the Clerk shall refer such application to the Chief of Police, who shall institute such investigation of the applicants moral character and business responsibility as he deems necessary for the protection of the public welfare. Upon completion of the investigation, the Chief of Police shall return the application or a copy thereof to the Clerk, in a reasonable period of time, accompanied by his recommendations as to whether the license should be issued or denied. If the recommendation of the Chief of Police is to deny the license, the grounds for such recommendation shall be stated. Grounds for recommending denial of a license may include information indicating that the applicant is not of good moral character or is of questionable business responsibility, and a recommendation of denial shall be given if the applicant has been convicted of any crime or disorderly persons offense involving dishonesty, fraud, deceit or misrepresentation. Upon receipt of the recommendation of the Chief of Police, the Clerk shall issue or deny the license accordingly. If the license is denied, seventy-five percent (75%) of the fees shall be returned to the applicant, the balance going to offset the cost of the investigation. Any person aggrieved by such denial may appeal to the Borough Council within twenty (20) days of receipt of notice of the denial, which may affirm, reverse or modify the decision of the Clerk.

257-5. Records.

A. Each dealer shall record in a bound book, non-looseleaf form, with all pages numbered in sequence, entries of receipts and disbursements to be made in pen or ink. There shall be no space between entries and each entry shall be numbered in sequence. All such ledgers shall be made available for

inspection by any law enforcement official of the Borough of South River upon request and shall contain the following information:

(1) In the case of purchase:

- a. The name and address of the seller of the item.
- b. Signature of seller.
- c. A complete description of each item bought.
- d. The date and amount of the purchase.
- e. Identification used and number; such as driver's license, credit card.

B. These records shall be retained by the dealer for a period of one (1) year and shall be subject to the inspection of any authorized police officer of the Borough of South River.

**257-6. Notification to the Police Department.**

Upon completion of the sale of precious metals, a completed copy of a "South River Police, Record of Sale or Trade of Precious Metals" form, along with a photocopy of the identification utilized by the seller, shall be delivered to the South River Police Department within 24 hours of the transaction.

**257-7. Restrictions.**

- A. Each dealer shall retain within the Borough all merchandise in the form in which it was purchased for a period of at least seventy-two (72) hours
- B. No transaction may be made with any minor as herein above defined.
- C. Each dealer must require two (2) forms of identification of the person with whom it is transacting business.

**257-8. Penalty.**

Any person as defined above who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment for a term not exceeding ninety (90) days, or both, within the discretion of the Municipal Judge. A separate offense shall be deemed committed in each day during or on which a violation occurred or continues.

**SECTION 2.** If any section, paragraph, subdivision, clause or 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.

Edward Trygar expressed concerns about copper and how items in the Borough such as copper tubing, piping, etc. are taken for cash.

Joe D'Esposito (owner of store formerly Greco's Jewelers) expressed concerns about the

grandfather clause and the 72-hour hold time on precious metals. State Law requires 48 hours hold. He stated that this is a very volatile market and a 72 hour hold would be a hardship.

There being no further comments, Councilman Razzano moved that the public hearing be closed. Councilman Trzeciak seconded the motion. So carried.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Razzano moved that this Ordinance be tabled. Councilman Trzeciak seconded the motion and the ordinance was tabled to be considered at a future meeting after further deliberation.

Mayor Eppinger asked if the Councilmembers have any comments.

Council President Krenzel asked what we are studying ? What are considered precious metals?

Borough Attorney Gary Schwartz advised that there are two concerns: One is the definition of precious metals, the other is what applies to gold and silver. And now, based on the public hearing, the required 72 hour hold - the time a merchant retains gold before it is resold.

Borough Administrator Andrew Salerno explained that public safety requested the 72 hour hold, 2 ID's and signatures. He stated that he would raise these issues with Public Safety at his staff meeting.

Council President Krenzel asked what exactly is it that you want regulated? Gold, silver, computer parts containing gold or silver? Would this also apply to Mary & Paul's Religious Shop? He suggested that we put this on the side to discuss further.

Hearing no further comments, Mayor Eppinger asked the Deputy Clerk to call the roll.

ROLL CALL VOTE TO TABLE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

ORD:2008-16.

AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF SOUTH RIVER, CHAPTER 155 ENTITLED  
"FEES" BY AMENDING SECTION 155-17 THEREOF

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that Chapter 155 of the Code of the Borough of South River entitled "Fees" be amended by amending Section 155-17, as follows:

SECTION 1.

155-17. Chapter 241. Outdoor Cafés and Restaurants.

Any person submitting an application for an outdoor café or restaurant license shall submit an application fee in the amount of \$100 with said application. Should an application be approved by the Mayor and Council of the Borough by resolution as specified herein, the applicant shall pay a licensing fee in the amount of \$100 plus \$7 per square foot of sidewalk utilized for said outdoor café or restaurant; provided, further, that the applicant seeking renewal of said licenses shall pay an annual licensing fee in the second and all subsequent years in the amount of \$100 per year plus \$7 per square foot of outdoor area utilized for the outdoor café or restaurant.

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.

Edward Trygar of Trygar's Hardware, Ferry Street expressed his displeasure at having to pay \$7.00/sq. ft. to use the sidewalk as stated in the Ordinance. He requested that the fee be dropped to have an Outdoor Café, etc. and see how it works out for one year.

Borough Attorney Gary Schwartz stated that the sidewalks in front of all the businesses are public sidewalks. If you use them, you must pay a fee to do so. The town takes care of any needed sidewalk repairs, but the business owners must keep them free of snow, ice, etc.

Mr. Racin also requested that the Borough drop the \$7.00 fee

Hearing no further comments, Councilman Razzano moved that the public hearing be closed. Councilman Krenznel seconded the motion. So carried.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Hutchison moved that the Ordinance be tabled. Councilman Trzeciak seconded the motion.

Councilman Hutchison commented that after listening to the public comments he has some concerns.

Councilman Trenga has some concerns on the amount of space needed and the \$7 sq. ft. fee.

Borough Administrator Andrew Salerno indicated that one of the issues brought up by this Ordinance was that stores need a clear path for people to walk by safely. The issues brought up by Mr. Trygar had also been discussed. You cannot use private property for profit without some type of compensation going back.

Mayor Eppinger asked, "How many businesses have enough space to conform to this Ordinance?"

Councilwoman Buffalino commented that sample ordinances were distributed previously and that \$5.00 to \$10.00 per square foot were used in other towns in order to use public property to run a business and earn money. She also asked if this ordinance would mean that you cannot simply put a park bench outside your store.

Attorney Gary Schwartz commented that other ordinances may regulate here. This ordinance only regulates sidewalk cafés.

Councilman Razzano asked if this ordinance would allow businesses to display wheelbarrows, new trash cans, etc. in front of the stores.

Attorney Gary Schwartz commented that this ordinance does not affect that.

Councilman Trzeciak asked if this was just for cafés. Mayor Eppinger confirmed.

Council President Krenzel was against tabling the matter stating, "Let's see if it can work."

ROLL CALL VOTE TO TABLE

YEAS: Hutchison, Trzeciak  
NAYS: Buffalino, Krenzel, Razzano, Trenga

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Council President Krenzel moved to pass the Ordinance. Councilwoman Buffalino seconded the motion.

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

ROLL CALL VOTE

YEAS: Buffalino, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None  
ABSTAIN: Hutchison

ORD: 2008-17.

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH  
OF SOUTH RIVER, CHAPTER 241 ENTITLED "OUTDOOR  
CAFÉS AND RESTAURANTS" BY AMENDING SECTION 241-4  
THEREOF

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that Chapter 241 of the Code of the Borough of South River entitled "Outdoor Cafés and Restaurants" be amended by amending Section 241-4 and 241-6A, as follows:

SECTION 1.

241-4. Application; Investigation; Issuance or Denial of License.

Application for an outdoor café or restaurant license shall be made to the Borough Clerk upon forms provided by the Clerk, and such application shall be accompanied by a sketch plat setting forth a specific location for the proposed outdoor café and/or restaurant. Once the completed application is received by the Clerk with the appropriate fee, it shall be forwarded to the Chief of Police, Fire Prevention official and Zoning Officer who shall conduct an investigation of the data contained in the application. Upon completion of the investigation by the above stated individuals, the Mayor and Council of the Borough will examine the application along with the reports and recommendations of the above stated individuals. The Mayor and Council shall issue or deny the license as in their discretion they deem appropriate. The Mayor and Council shall take into consideration the location, potential interference with pedestrian or vehicular traffic, appropriateness of design, the business record of the applicant, any proposed structures to be erected on public sidewalks, and general public safety, health and welfare concerns; provided, however, that no less than five feet of unobstructed sidewalk measured from the street curb shall be opened and maintained for pedestrians. No license or renewal of a license shall be issued until a resolution of the Mayor and Council of the Borough authorizing the issuance of a license shall have been adopted.

SECTION 2. If any section, paragraph, subdivision, clause or 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.

Edward Trygar of Trygar's Hardware, Ferry Street questioned the four-foot line limitations in front of any business wishing to make use of an outdoor café/restaurant and asked if it could be extended to five feet instead due to parking meters and planters that are placed in front of the businesses by the town. He asked to lift the restriction at seasonal times and make it available all year round. This ordinance is more restrictive.

Attorney Gary Schartz suggested that Mr. Trygar look into the ordinances of other towns.

Mayor Eppinger commented that the Code Enforcement Officer recommended 5 feet; all of the professional staff looked at this ordinance and that is how the 5 ft. was derived.

Councilwoman Buffalino commented that the measurement of footage is curb to café.

There being no further comments, Councilman Razzano moved that the public hearing be closed. Councilman Hutchison seconded the motion. So carried.

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

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

**ROLL CALL VOTE**

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

**ORDINANCE-FIRST READING BY TITLE ONLY**

**ORD: 2008-18.**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH  
OF SOUTH RIVER, CHAPTER 155 ENTITLED "FEES" BY  
AMENDING SECTION 19.1, "PARKS AND RECREATION FEES"  
THEREOF**

Councilman Razzano 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 April 14, 2008 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilwoman Buffalino seconded the motion.

**ROLL CALL VOTE**

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

**PROCLAMATION**

Belarusian Independence Day

**PUBLIC COMMENTS (agenda items only)**

No comments were made. Councilman Trenga moved that this part of the meeting be closed. Councilman Hutchison seconded the motion. So carried.

MARCH 24, 2008

RESOLUTIONS

RES:2008-235

MARCH 24, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor of the Borough of South River, do hereby appoint Michael Beck to the position of Class 4 Planning Board Member in the Borough of South River.

DATED: MARCH 24, 2008

/s/ Raymond T. Eppinger  
Mayor

RES:2008-236

MARCH 24, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor of the Borough of South River, do hereby appoint Gordon Anthony to the position of Class 4 Alternate 2 Member of the Planning Board in the Borough of South River.

DATED: MARCH 24, 2008

/s/ Raymond T. Eppinger  
Mayor

RES:2008-237

MARCH 24, 2008

RESOLUTION

WHEREAS, pursuant to N.J.S.A.40A:11-5(2), the Borough of South River may contract with the County of Middlesex for the performance of any work or the furnishing of any material or supplies without public advertising for bids; and

WHEREAS, the County of Middlesex has received from the State of New Jersey a grant to be used for alcoholism and drug prevention and education services to municipal residents under the Municipal Alliance Activities Program; and

WHEREAS, the County has agreed to provide a sum of \$16,537.00 to the Borough which will require a \$16,537.00 grant match in cash and/or in-kind services from the Borough; and

WHEREAS, the Borough of South River has advised the County that it wants to continue to provide said services for the year of 2008; and

WHEREAS, the County requires the entering into an agreement setting forth the terms under which the funding will be provided.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the attached agreement for funding of the continuance of the services for alcoholism and drug abuse prevention and education to the

residents of the Borough under the Municipal Alliance Activities Program for the year of 2008 is approved.

BE IT AND IT IS HEREBY FURTHER RESOLVED that the appropriate Borough officials are hereby authorized to affix their signatures to any and all documentation with respect to grant agreement.

DATED: MARCH 24, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-238

MARCH 24, 2008

RESOLUTION

WHEREAS, Assembly Bill 1645 and Senate Bill 770 mandate that each municipality employ a "qualified purchasing agent"; and

WHEREAS, said bill places the overall administrative responsibilities for purchasing be assigned to the purchasing agent; and

WHEREAS, said bill requires that the purchasing agent be appointed by the governing body; and

WHEREAS, this bill if passed will amend state statutes and result in an unfunded state mandate.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that we oppose Assembly Bill 1645 and Senate Bill 770.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-239

MARCH 24, 2008

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Council of the Borough of South River

that the resignation of Walter Kulik from his appointment as Class 4 member of the Planning Board is received and accepted.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-240

MARCH 24, 2008

RESOLUTION

WHEREAS, there exists a need for retaining a special counsel to represent the borough in a tax appeal entitled "LIT Northend, LLC vs. Borough of South River"; and

WHEREAS, the Chief Financial Officer of the Borough has certified in writing as to the availability of funds.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River as follows:

1. That Harry Haushalter, Esq. is hereby authorized to represent the Borough of South River as Special Counsel in the tax appeal matter of "LIT Northend, LLC vs. Borough of South River" at an hourly fee of \$150 not to exceed \$5,000.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this Resolution shall be published in the official newspaper of the Borough of South River within ten (10) days of its passage.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-241

MARCH 25, 2008

RESOLUTION

WHEREAS, there exists a need for an appraiser to make an appraisal of premises known as Block 157 Lot 15.01 also known as 53 Obert Street; and

WHEREAS, the Chief Financial Officer of the Borough of South River has provided a certification in writing as to the availability of adequate funds for the awarding of the contract described herein.

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

1. That Stanley Pietrowicz is hereby authorized to prepare an appraisal of premises known as Block 157 Lot 15.01 also known as 53 Obert Street at a fee not to exceed \$850.00.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this Resolution shall be published in the official newspaper of the Borough of South River within ten (10) days of its passage.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-242

MARCH 25, 2008

RESOLUTION

I, Raymond T. Eppinger, with the advice and consent of the Council of the Borough of South River, do hereby authorize the Borough of South River to enter into an agreement with CGI Communications for purposes of establishing a Community Movie Program subject to the Borough Attorney's approval of the Agreement.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-243

MARCH 24, 2008

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 February 21, 2008 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE: \$988,413.00

RESTORED FUNDS:

DEBT SERVICE EXPENSE: \_\_\_\_\_

TOTAL \$988,413.00

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 April 12, 2008.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak

NAYS: None

RES:2008-244

MARCH 24, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Richard Goldstein to the position of Electric Utilities Supervisor at the salary of \$77,275.20 in the Department of Public Works in the Borough of South River effective April 1, 2008.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano

Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-245

MARCH 24, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Elizabeth Del Monte to the position of part-time temporary clerk at the salary of \$10.00/hour in the Fire Prevention Department in the Borough of South River effective March 15, 2008.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-246

MARCH 24, 2008

RESOLUTION

WHEREAS, there is a need for an animal control officer with the Borough and the provision for sheltering of animals; and

WHEREAS, the governing body desires to solicit proposals for such purposes.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the borough clerk is authorized to advertise to re-bid for an animal control officer and animal sheltering facilities.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-247

MARCH 24, 2008

RESOLUTION

WHEREAS, the governing body previously received bids on two occasions for lease of premises known as Lots 10 and 12 in Block 325 for construction of a telecommunications facility; and

WHEREAS, bids were rejected on September 12, 2005 but accepted on May 31, 2006; and

WHEREAS, Verizon Wireless was not only the successful bidder but had previously submitted bid security of \$2,402.40 during the initial bidding process and again submitted \$2,402.40 when it became the successful bidder; and

WHEREAS, the initial bid security submitted in the form of a check was never deposited and it cannot be located; and

WHEREAS, the bid security provided by Verizon Wireless at the time of its successful bid was deposited by the borough but not returned and the bidder is entitled to a return of \$2,402.40 representing the bid security received at the time of the successful bid and which security is not required due to an executed lease agreement with Verizon Wireless.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Chief Financial Officer is hereby authorized to return the bid security of \$2,402.40 to Verizon Wireless and the bidder is directed to stop payment on its initial bid security check.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

RES:2008-248

MARCH 24, 2008

RESOLUTION

I, Raymond T. Eppinger, with the advice and consent of the Council of the Borough of South River, do hereby appoint William Bradley, Jr. to the position of Fireman of the South River Fire Department, Reliable Fire Company, of the Borough of South River effective as of this date.

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak

NAYS: None  
RES:2008-249

MARCH 24, 2008

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, listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, and the same are hereby ordered paid.

<u>VENDOR</u>	<u>AMOUNT</u>
ALTEC INDUSTRIES INC	3,527.80
APRUZZESE MCDERMOTT MASTRO &	1,554.62
ATLANTIC SALT INC	4,994.55
BECK, CHERYL	108.00
BEN FRANKLIN LOCK & KEY	200.00
BLUE STREAK UNIFORMS LLC	50.00
BURLINGTON SAFETY LAB INC	1,010.61
CAMPBELL SUPPLY CO LLC	2,368.75
CANON BUSINESS SOLUTIONS	150.00
CENTRAL AIR PLUS,INC.	1,728.00
CHAMPION OVERHEAD DOORS	230.00
COMCAST	853.98
COPPA'S TOWING	75.00
COUNTRYWIDE TAX SERVICES CORP	760.50
CURTIS SERVICE INC	999.98
DARLEY	550.61
DELL COMPUTER CORPORATION	820.00
DORIS SOTO & LAZARO RODRIGUEZ	81.90
DR. MAREK R. LUPICKI	300.00
EAST BRUNSWICK PLUMBING INC	541.08
FEDERATED FIRE SERVICE INC	232.50
GALLS INC	422.94
GANN LAW BOOKS	175.25
GEORGE LOGAN TOWING INC	85.00
GLENN GUMBRECHT	1,000.00
GREATER MEDIA NEWSPAPER	213.00
HOME NEWS TRIBUNE	2,928.04
HOME NEWS TRIBUNE	8.08
I M S A	60.00
INTERNET BY THE SEA	3,168.00
JULIO & JOSE CRUZ	106.77
KNIGHTS OF COLUMBUS	600.00
MATILDA GUINDI	1,462.50
NATIONAL FIRE PROTECTION ASSN	150.00
NEXTEL COMMUNICATIONS	267.68
NJ PUBLIC SAFETY ACCREDITATION	300.00
NJCM-NJ CONFERENCE OF MAYORS	475.00
PEARSON VUE.COM	320.00
POWERHOUSE ELECTRIC INC	2,725.00
QUEST DIAGNOSTICS INC	68.25
RARITAN BAY MEDICAL CENTER	2,015.00
RAZOR PRINTING INC	170.00
REGISTRAR'S ASS'N OF NJ	35.00
REGISTRARS' ASS'N OF NJ	50.00
REINA TIRE SERVICE INC	218.35
ROBERT V MCKELL	673.00
RUTGERS, THE STATE UNIVERSITY	485.00

SAMIR & MATILDA GUINDI	43.88
SAYREVILLE PET ADOPTION CENTER	1,540.00
SAYREVILLE, BORO OF	3,141.53
SCANLON, MICHAEL J	1,335.00
SCOTT SERVICE STATION EQUIP CO	310.00
STA-SEAL INC	45.00
STAVOLA COMPANIES	859.75
TAX COLL/TREAS ASSN OF NJ	100.00
TAYLOR OIL CO INC	2,566.88
THOMAS J NOTO P.E.	12,185.00
TOP HAT UNIFORM RENTAL	307.92
TRYGAR & SONS HARDWARE INC	78.50
UNITED STATES POST OFFICE	70.00
V E RALPH & SON INC	180.00
VERIZON	1,501.74
VERIZON NETWORK INTEGRATION	1,758.12
VERIZON WIRELESS	120.12
VILLAGIOS RESTAURANT	127.25
WAUSAU TILE INC	319.00
ZLATAN ZIFOVSKI	296.84

DATED: MARCH 24, 2008

/s/ John Krenzel  
Councilman

/s/ James Hutchison  
Councilman

ROLL CALL VOTE

YEAS: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

COUNCIL COMMENTS

Councilman Razzano

- Nice ceremony at Belarusian Flag Raising
- Thanks to Mr. Kulik for his service on the planning board; congratulations to Mr. Anthony
- Congratulations to Mr. Goldstein on his promotion
- Municipal Alliance is looking for members; the also a student group called PRIDE
- This is alcohol awareness month
- 2008 Legislative event at Crossroads School – NCADD of Middlesex County

Councilwoman Buffalino

- Retraction and apologize to the South River Fire Department; she had mentioned East Brunswick Independent in error regarding the building collapse
- Mayors Council on Aging – 4/9/08
- Board of Health – bids are back out for animal control and still looking into cat licensing

Councilman Hutchison

- Parks and Recreation 4/1/08 @ 7:00 PM
- Alternative Energy Committee slogan “Move Green in South River”
- Met Mr. Goldstein during power outage – congratulations to promotion as Supervisor

Councilman Trenga

- Belarusian Flag Raising Ceremony was very nice
- Meeting on Saturday morning with Mr. Koch regarding HCD
- Highly recommends New Brazilian Country Restaurant
- Cruise Nights are going to be great this year

Councilman Trzeciak

- Attended DARE Graduation at Darul School
- He will be attending the Parking Authority monthly meeting
- Thank you to the firefighters regarding the Augusta Street fire

Councilman Krenzel

- Happy 90<sup>th</sup> Birthday Belarusian
- Polish Dinner coming up – 1<sup>st</sup> Annual Military Banquet honoring our soldiers
- DARE meeting 4/3/08; Library meeting 4/21/08; 4/27/08 Earth Day
- Reminder to mayor that the 100<sup>th</sup> day on council is approaching

MAYORS COMMENTS

- Attended DARE graduation and the Easter Egg Hunt as well as the Flag Raising Ceremony. Nice job on all
- He is saving his trip to Trenton until he needs to go before the Local Finance Board regarding budget concerns; We are trying to play the cards were dealt, do what needs to be done and move on
- Comments that are going around regarding closing facilities and budget concerns – we are not closing facilities and hope we don't get to that stage
- 4/14/08 next meeting – Meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Monday of every month
- 4/15/08 Budget on Ballot for School Board Elections; 56-58% of tax money goes to school board – urges everyone to vote
- Next meeting – report on 100 days in office
- 6:30 to 7:30 before each council meeting – open for questions regarding the budget each meeting he will discuss a topic
- Topic for this meeting Water Utility – needs to be upgraded, huge expense. 2 pumps are over 40 years old – they need replacement as well as maintenance of water towers; upgrades are needed to water/sewer lines. The Governing Body has to address these issues for safe water that is affordable and efficient

PUBLIC COMMENTS

Anita Hermstedt

- Advertise the sidewalk program; many people were unaware of it in the past
- Congratulations to Rich Goldstein

Marilyn Meloni,

- Sorry that we inherited everything that should have been taken care of
- Questioned if the water surplus was applied to the Library Downpayment – Mayor stated yes \$200,000 transferred.
- Questioned why it was not used for water instead of being used elsewhere
- Mayor commented to Ms. Meloni that she is correct – the operating surplus could have been used to take care of things in water utility but that's not the way it was done.

There being no further public comments made, Councilman Hutchison moved that this part of the meeting be closed. Councilman Trenga seconded the motion. So carried.

EXECUTIVE SESSION

ADJOURNMENT

Councilman Trzeciak moved that this meeting be adjourned. Councilman Hutchison seconded the motion. So carried.

Respectfully submitted on  
\_\_\_\_\_, 2008.

Sheryl L. Nevin  
Deputy Borough Clerk

Approved at the regular meeting  
held on April 14, 2008.