

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

A Regular Meeting of the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey was held April 28, 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 Councilmembers in attendance:

Councilmembers Buffalino, Hutchison, Razzano, Trenga, Trzeciak
Councilmember Krenzel was absent.

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

MINUTES

The Minutes of Meeting No. 1 held on January 1, 2004, Meeting No. 2 held on January 12, 2004, and Meeting No. 3 held on February 2, 2004 were submitted to the Council for acceptance as to form only but not as to content.

Councilman Hutchison moved that the Minutes be accepted. Councilman Trzeciak seconded the motion. So carried.

The Minutes of Meeting No. 8 held on April 14, 2008 were submitted to the Council for acceptance and/or amendment.

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

ORDINANCE-WITHDRAWN

By previous action at Meeting No. 8 held on April 14, 2008, the Public Hearing on this Ordinance was held and action deferred.

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Councilman Razzano moved that Ordinance 2008-18 be withdrawn. Councilman Trzeciak seconded the motion.

ROLL CALL VOTE:

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

ORDINANCES-SECOND READING & 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 April 21, 2008 giving notice of the Second Reading and Public Hearing on the Ordinances.

The Clerk presented to the Borough Council the Supplemental Debt Statement approved by the New Jersey Division of Local Government Services on April 28, 2008. Mayor Eppinger directed the Clerk to proceed with the reading of the Ordinances.

ORD:2008-19.

BOND ORDINANCE PROVIDING FOR THE PLANNING, SITE ACQUISITION, AND CONSTRUCTION OF MUNICIPAL FACILITIES, AND APPROPRIATING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,275,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AND CANCELING THE UNFUNDED DEBT AUTHORIZED IN BOND ORDINANCE NO. 2003-22 ADOPTED ON JULY 21, 2003, AS AMENDED BY BOND ORDINANCE NO. 2006-11 ADOPTED ON MAY 15, 2006, AS AMENDED BY BOND

ORDINANCE 2007-13 ADOPTED ON JUNE 11, 2007, IN THE
AMOUNT OF \$4,926,000 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") finally adopted Bond Ordinance No. 2003-22 on July 21, 2003, as amended by Bond Ordinance No. 2006-11 adopted on May 15, 2006, as amended by Bond Ordinance 2007-13 adopted on June 11, 2007 (the "Prior Ordinances"); and

WHEREAS, the Borough has determined that the unfunded debt authorized by the Prior Bond Ordinances in the amount of \$4,926,000 is no longer necessary for the purpose for which the appropriation was previously authorized.

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 debt authorized by the Prior Ordinances in the amount of \$4,926,000 is hereby canceled.

Section 2. 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 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 Clerk and is available there for public inspection.

Section 3. The improvements described in Section 5 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough. For the improvements or purposes described in Section 5, there is hereby appropriated the sum of \$4,500,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$225,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 4. 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 \$4,275,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 5. (a) The improvements hereby authorized to be undertaken consist of the planning, site acquisition, and construction of municipal facilities, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$4,275,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$4,500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$4,500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$225,000 down payment for said purposes.

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

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

(a) The improvements or purposes described in Section 5 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is (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 \$4,275,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

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

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

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

Joe Manzo, 131 Willett Avenue

- Mr. Manzo stated that he did not understand this Ordinance. Asked if one bond is being cancelled for a new bond or are these bonds for the same thing.
- Mayor Eppinger explained that we are changing the scope of the Ordinance from just addressing the library to addressing the library and other facilities in the Borough.
- Mr. Manzo asked if any other buildings in town could be repaired such as the Police Station and 55 Reid Street. The Mayor explained that it is not only for the use of the library and that it gives us the option to use this money for another building if it becomes a priority to be determined. Mr. Manzo asked again are we canceling this bond. Mayor Eppinger next referred Mr. Manzo's questions to Borough Administrator Salerno.
- Mr. Salerno stated that what you are doing is canceling the debt authorization for a library specific at Appleby and you are re-issuing the identical debt, and he emphasized identical, without any further cost to the borough, to a library, and any other public facility. It's the same amount minus what has already been spent. You're just transferring indebtedness from one requirement specific to another specific.
- Mr. Manzo accepted the fact that it was not costing us any additional money.

There being no further comments made, Councilman Hutchison moved that the public hearing be closed. Councilman Trenga 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 Trenga seconded the motion.

Mayor Eppinger asked if the Councilmembers have any comments.

Councilman Razzano

- Does not feel it is a good idea to go this far at the moment. Feasibility report has not been read or studied.
- Stated he is familiar with concept being looked at.
- Stated that when Clerk read this Resolution, she read "for a portion of the debt."
- Councilman Razzano asked what portion of the debt, what buildings, where will buildings be placed, how much will each cost, etc. and after each question stated, we don't know.
- He added until there are concrete plans, he feels that this is premature and

suggests leaving this bond right where it is until we know where we're going and what we're doing.

Note: Councilman Krenzel entered the Borough Council Meeting at 8:40 p.m.

Councilman Trenga

- Stated he thinks that this is a good move that will enable us to have the flexibility needed to move on once the feasibility study is received.
- Feels that we won't have to waste any more time at council meetings going past and around things on which we need to move forward.

Councilwoman Buffalino

- Previously the amount of the Bond Ordinance was only designated towards the library – A. Salerno and G. Schwartz confirmed, "Yes, it was just for the library."
- Commented that this could still be used for the library but agreed that with the new ordinance, it allows the council to take a look at other things that may need to be done.

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

ROLL CALL VOTE

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

ORD:2008-20.

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING SECTION 193-31.1, SCHEDULE IIA "HANDICAPPED PARKING" THEREOF

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 193-31.1, Schedule IIA as follows:

SECTION 1. Schedule IIA. HANDICAPPED PARKING

<u>Street</u>	<u>Side</u>	<u>Location</u>
Prentice Ave.	North	65' South from the southern curb line of Foothills Dr. continuing 22' East

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 one wished to be heard.

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 Krenzel moved that the Ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Trzeciak seconded the motion.

ROLL CALL VOTE

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

ORD: 2008-21

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH
OF SOUTH RIVER, BY ADDING A NEW CHAPTER 220
ENTITLED "NOISE CONTROL" THEREOF

WHEREAS the Borough of South River had previously adopted an Ordinance entitled "Noise Control"; and

WHEREAS the Ordinance on noise control was inadvertently not codified when the Code of the Borough was adopted and the governing body wishes that a chapter on noise control be added to the Code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that a new Chapter 220 entitled "Noise Control" be added to the Code of the Borough of South River as follows:

Section 1

220-1. Definitions.

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action, including demolition of buildings or structures.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary to deliver essential public services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound of escaping gasses on equipment where such a device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or

2. A building which is both commercial (usually on the ground floor) and residential property located above, behind, below or adjacent.

"Noise control officer" means an employee of- (1) a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et M.) to perform noise enforcement activities; or (2) a municipality with a Department approved noise control ordinance and the employee has received noise enforcement training and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.

"Plainly audible" means any sound that can be detected by a person using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The noise control officer need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the imaginary line including its vertical extension that separates one parcel of real property from another; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property, the interface between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area).

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

220-2. Applicability.

- (A) This model noise ordinance applies to sound from the following property

categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;
8. Public spaces; and
9. Multi-dwelling unit buildings.

(B) This model noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities;
4. Residential properties;
5. Multi-use properties; and
6. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.3, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

220-3. Declaration of Findings and Policy

The Mayor and Council of the Borough of South River have determined that excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life, that a substantial body of science and technology exists by which excessive sound may be substantially abated and that the residents of the Borough of South River have a right to, and should be ensured of, an environment free from excessive sound. It is therefore the policy of the Borough of South River to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This ordinance shall apply to the control of sound originating from sources within the Borough of South River.

220-4. Noise Control Officers

- (A) The provisions of this ordinance shall be enforced by noise control officers. A person shall be qualified to be a noise control officer if the person meets the criteria set forth in the definition above and completes, at a frequency specified by the Department in N.J.A.C. 7:29-2.11, a noise certification and re-certification course which are offered by the Department of Environmental Sciences of Cook College, Rutgers, the State University of New Jersey or any other noise certification or re-certification course which is offered by an accredited university and approved by the Department.
- (B) Sound measurements made by a noise control officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in sections V.(B) and V.(C) of this regulation and with the definition of "real property line" as contained herein.
- (C) Noise control officers shall have the power to:
1. Coordinate the noise control activities of all departments in the Borough of South River and cooperate with all other public bodies and agencies to the extent practicable;
 2. Review the actions of the Borough of South River and advise of the effect, if any, of such actions on noise control;
 3. Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this ordinance; and
 4. Investigate and pursue possible violations of this ordinance for sound levels which equal or exceed the sound levels set forth in Tables I and 11, when measured at a receiving property located within the designated jurisdiction of the noise control officer, in accordance with Section VII. below.
 5. Cooperate with noise control officers of adjacent municipalities in enforcing one

another's municipal noise ordinances.

220-5. Maximum Permissible Sound Levels

- (A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in II.(A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I and II when measured at or within the real property line of any of the receiving properties listed in Tables I and II, except as specified in (B) below.
- (B) When measuring total sound or residual sound within a multi-use property, or within a residential unit when the property line between it and the source property is a common wall, all exterior doors and windows shall be closed and the measurements shall be taken in the center of the room most affected by the noise. Residual sound shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound or residual sound, all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.
- (C) Indoor measurements shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a multi-use property (e.g., sound generated within a commercial unit of a multi-use property building and received within a residential unit of the same building) or multi-dwelling unit building. In addition, indoor measurements shall be taken if the property line between the receiving property and the source property is a common wall, such as in a multi-dwelling unit building. The allowable sound level standards for indoors are as shown in Tables I and 11.
- (D) Impulsive Sound
Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as impulsive sound and shall meet the requirements as shown in Table I.

T A B L E I

MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS

1. No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in II.(A) above in such a manner as to create a sound

level that equals or exceeds the sound levels listed below.

(A). Outdoors

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

(B). Indoors

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility*, or non-residential portion of a multi-use property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

*In those instances when a commercial facility shares a common wall/ceiling/floor with another commercial facility that is producing the sound

1. No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in II.(A) above in such a manner as to create a sound pressure level that equals or exceeds the sound levels listed below in one or more octave bands.
2. When octave measurements are made, the sound from the source must be constant

in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

TABLE II
MAXIMUM PERMISSIBLE OCTAVE BAND SOUND PRESSURE LEVELS IN DECIBELS

1. No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in II.(A) above in such a manner as to create a sound pressure level that equals or exceeds the sound levels listed below in one or more octave bands.
2. When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, facility, non-residential portion of a multi-use property, or community service facility	Commercial facility*, or non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53

1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

*In those instances when a commercial facility shares a common wall/ceiling/floor with another commercial facility that is producing the sound.

220-6. Restricted Uses and Activities.

(A) 1. Except as provided in (B) below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.4.

2. Construction and demolition activities are exempt from the sound level limits set forth in Tables I and II, except as provided for in (B). below.

(B) Notwithstanding the provisions of Tables I and II, the following standards shall apply to the activities or sources of sound set forth below:

1. Non-commercial or non-industrial power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to non-commercial or non-industrial power tools and landscaping and yard maintenance equipment;
2. Commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on a residential property or within 250 feet of a residential property line when operated on commercial or industrial property, between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I and II. In addition, commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, utilized on commercial or industrial property shall meet the limits set forth in Tables I and II between the hours of 10 p.m. and 7 a.m. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment;
3. Construction and demolition activity, excluding emergency work, shall not be

- performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I and II. All motorized equipment used in construction and demolition activity shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to construction and demolition activities;
4. Motorized snow blowers, snow throwers, and lawn equipment with attached snow plows shall be operated at all times with a muffler;
 5. An exterior burglar alarm of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for impulsive sound after it has been activated;
 6. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at a residential property line between the hours of 10:00 p.m. and 8:00 a.m.;
 7. Personal vehicular music amplification equipment shall not be operated in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.;
 8. Self-contained, portable, hand-held music or sound amplification or reproduction equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator;
 9. Sound levels exceeding the limits set forth in Table I, {the following phrase is optional: "and Table 11"} shall be prohibited between residential units within the same multi-dwelling unit building. Measurements shall be taken indoors as per Section V. (B) and V.(C).

220-7. Enforcement

- (A) Violation of any provision of this ordinance shall be cause for an enforcement document to be issued to the violator by the noise control officer according to procedures set forth at N.J.A.C. 7:29-1.6. The recipient of an enforcement document shall be entitled to a hearing in municipal court having jurisdiction to contest such action.
- (B) Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$3,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.
- (C) No provision of this ordinance shall be construed to impair any common law

or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this ordinance or from other law.

220-8. Severability and Repealer

- (A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- (B) All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

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 one wished to be heard.

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 Krenzel moved that the Ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Hutchison seconded the motion.

ROLL CALL VOTE

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

ORD:2008-22.

AN ORDINANCE TO AMEND ORDINANCE 2008-18 ENTITLED
“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”

WHEREAS, the governing body desires to amend the fee schedule for the use of parks and for recreation programs within the borough to provide for use of recreational facilities by persons or groups other than officially sanctioned borough programs.

NOW, THEREFORE, 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 adding the following fees:

SECTION 1. 155-19.1 Chapter 22-62 Recreation Program and Park

Fees

Preparation of athletic fields – daytime use (non-residents)	\$100.00
Preparation of athletic fields and charges for electricity – night time use (non-residents)	\$250.00
No preparation of athletic field - charge for electricity – night time use (non-residents)	\$150.00
Preparation of athletic fields – daytime use (50% or more residents)	\$ 50.00
Preparation of athletic fields and charges for electricity – night time use (50% or more residents)	\$125.00
No preparation of athletic field – charge for electricity – night time use (50% or more residents)	\$75.00

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.

Borough Administrator Salerno stated that this ordinance relates to adopting recreation and field lighting fees and setting different rates for residents and non-

residents. It has come to his attention that fees would place undue hardship on Pop Warner and other organizations. The law states that you cannot discriminate against residents and non-residents. Mr. Salerno stated that the ordinance would be unenforceable and suggested that we leave the ordinance as it was originally. The proposed amendment was as a result of a recommendation from the Recreation Department. He recommended that the Borough Council withdraw the ordinance amendment and bring it back in the future if needed.

Mayor Eppinger opened the hearing to the public for comments/questions. No comments were made. Councilman Hutchison 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 Krenzel moved that Ordinance 2008-22 be withdrawn. Councilman Razzano seconded the motion.

ROLL CALL VOTE:

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

ORDINANCE-FIRST READING BY TITLE ONLY

ORD: 2008-23.

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH
OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND
TRAFFIC" BY AMENDING SECTION 193-31.1, SCHEDULE IIA
"HANDICAPPED PARKING" 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 May 12, 2008 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: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak
NAYS: None

ORD: 2008-24.

AN ORDINANCE REPEALING ORDINANCE 1998-9 CREATING
A HANDICAPPED PARKING SPACE AT MARTIN AVENUE

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on May 12, 2008 at 8:31 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Trenga seconded the motion.

ROLL CALL VOTE

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

PUBLIC COMMENTS (Agenda Items Only)

Joe Manzo, 131 Willett Ave.

- Asked about the Interlocal Agreement with the SR Board of Education regarding metering and water consumption.
- Mr. Salerno stated that the meters were not functioning.
- Mayor Eppinger stated that the agreement is to replace the meters.
- Mr. Salerno stated that the Board of Education will be charged for water and electric. This is a joint partnership.
- Councilwoman Buffalino commented that she approached the Board of Education regarding the situation with broken meters.

Mario Andre, Armstrong Ave.

- Asked when the public auction for abandoned vehicles would be held.
- Mr. Salerno stated that the date was to be determined.

REPORT FROM THE OFFICE OF THE MAYOR

April 28, 2008 – Our First 100 Days: A Report to the
Residents of the Borough of South River from Mayor
Raymond Eppinger

Mr. Salerno, Mrs. O'Connor, Mr. Schwartz, members of the Borough Council and fellow residents. I come before you this evening to report on the new administration's first 100 days in office.

These first few months have been full of the usual events such as meetings, DARE graduations and weddings, along with unusual happenings including two power

interruptions, a building collapse and the refereeing of a Recreation Department basketball game sprinkled in for good measure.

My purpose this evening is to give you, the residents, a sense of what we have found, what we are doing and where we hope to go. Everything discussed tonight must start with the financial condition of New Jersey and its impact on the Borough. You are all well aware of the grave financial picture the Governor and his administration have painted. After hearing him speak on Thursday, April 8 and meeting with the Commissioner of the Department of Community Affairs and the State Treasurer, I must report the State is in worse shape than anticipated. The downturn in the economy has lead to projections that revenues for the State will fall some \$350m to \$500m below projections. This shortfall has caused the municipalities of New Jersey to brace for yet another round of budget cuts. The projections for next year's budget are growing gloomier by the day.

With this as background information, I need to report that under the directions and guidance of Mr. Salerno, the Governing Body has undertaken a department by department analysis of the Borough's operations. In addition, we have commissioned a needs analysis of the Borough's facilities. If you would be so kind to indulge me for a few minutes as to what has been uncovered and what we are doing (please note that this is not an exhaustive list):

- 55 Reid Street did not have a properly functioning security system; one has now been installed.
- Several committees were never properly established under an ordinance as required by law; this has been corrected.
- The Marriage Fee Ordinance, required by State directive in March of 2007, has now been established.
- The Borough's outdated Personnel Manual has been revised and updated.
- Our Council on Affordable Housing Obligations, Zoning Ordinance Adoption and Zoning maps are outdated, non-compliant and simply wrong; we are now beginning the very expensive process of correcting these problems.
- We have modernized our check approval, purchase order and voucher system by taking advantage of technology and software already purchased.
- We have empowered our Business Administrator and the

Department Heads to run the day to day operations of the Borough as they deem necessary, while keeping the Governing Body informed of their activities. They have been given the authority to manage the Borough and we have charged them with the duty of doing this in a cost efficient and professional manner.

- The Business Administrator, department Heads, professionals and the Budget Committee have put together a clearly understandable budget that allows for the modern operation on South River.
- We have established an Alternative Energy and Conservation Committee.
- The Governing Body has started an Energy Assistance/Life Support Program for needy seniors, again, a program already on our books, but no implemented.
- The administration is committed to continue to exchange information, ideas and questions. All reports, communications and letters are shared with all members.

RESOLUTIONS

RES:2008-265

APRIL 28, 2008

RESOLUTION

WHEREAS, Anthony J. Massaro is an employee within the Borough of South River in the Department of Public Works; and

WHEREAS, Anthony J. Massaro has submitted a retirement notification to the Borough of South River to become effective on October 1, 2008.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that this retirement notification was approved and the Mayor and other appropriate Borough Officials are hereby authorized to execute the same.

DATED: APRIL 28, 2008

/s/ Anthony Razzano

APRIL 28, 2008

Councilman

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-266

APRIL 28, 2008

RESOLUTION

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

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

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

DATED: APRIL 28, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm:

/s/ Anthony Razzano
Councilman

Second to motion:

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-267

APRIL 28, 2008

RESOLUTION

WHEREAS, a number of vehicles have gone unclaimed by owners who have had said vehicles stored after being impounded on behalf of the Borough of South River; and

WHEREAS, the Borough of South River wishes that these vehicles be sold at auction so they may be removed from the tow operator's yard; and

WHEREAS, minimum bids have been set with respect to said vehicles to allow the tow operators to be compensated for their towing and storing charges.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River, that the following vehicles are to be placed at auction with a minimum bid as set forth herein:

<u>YEAR</u>	<u>VEHICLE</u>	<u>V.I.N.</u>	<u>MINIMUM BID AMOUNT</u>	<u>WRECKER</u>
2002	Mitsubishi Gallant	4A3AA46G72E129885	\$5,974.30	Coppa's Towing
1995	Honda Civic	1HGEJ2126SL055263	\$7,290.40	Coppa's Towing
1992	Pontiac Sunbird	1G2JB34T1N7552842	\$1,000.00	Fred's Towing

DATED: APRIL 28, 2008

/s/ Anthony Razzano
Councilman

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES: 2008-268

APRIL 28, 2008

RESOLUTION

WHEREAS, the South River Elk's Lodge 2033 located at 205 Main Street, South River, New Jersey, has applied for a Special Events Permit for a Family Picnic to be held at 205 Main Street, South River, New Jersey on May 10, 2008 from 12:00 Noon until 6:00 p.m.; and

WHEREAS, the South River Elk's Lodge 2033 has requested that since it is a non-profit organization, the application fee and guarantee bond requirement be waived;

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 South River Elk's Lodge 2033 for a Family Picnic to be held at 205 Main Street, South River, New Jersey on May 10, 2008 from 12:00 noon until 6:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 noon until 6:00 p.m. during the Family Picnic.
2. There must be at least five (5) identifiable non-drinking members either by tag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for a Family Picnic, if necessary, will be obtained by ABC.
4. Proof of Liability Insurance provided to the Borough of South River.
5. Said event must follow all the rules, regulations of State, County, and Local Government.
6. Subject to approval by the South River Police Department and compliance with any condition included in their approval.
7. There shall be no parking blocking the entrance or driveway area of the Elk's facility and fire lane access must be provided to the rear of the parking lot at all times.
8. Cooking operation shall be attended at all times with means of extinguishment.

BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the

Borough of South River that the application fee and guarantee bond requirement be waived.

DATED: APRIL 28, 2008

/s/ Anthony Razzano
Councilman

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-269

APRIL 28, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Rick Fallon to the position of Chief "B" at the salary of \$34.37/hour in the Electric Utility Department of the Department of Public Works in the Borough of South River effective April 28, 2008.

DATED: APRIL 28, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm:

/s/ Anthony Razzano
Councilman

Second to motion:

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-270

APRIL 28, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Patricia Januszewski to the permanent position of Administrative Assistant in the Utility Department in the Borough of South River effective April 28, 2008.

DATED: APRIL 28, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm:

/s/ Anthony Razzano
Councilman

Second to motion:

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-271

APRIL 28, 2008

RESOLUTION

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et seq. the Borough of South River may enter into an interlocal services agreement with other governmental units; and

WHEREAS, the Borough of South River desires to enter into an interlocal service agreement with the South River Board of Education for metering and consumption of water supplied by the Borough to the Board of Education.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the appropriate officials of the Borough are hereby authorized to enter into an interlocal services agreement with the South River Board of Education for metering and consumption of water as set forth in the attached agreement.

DATED: APRIL 28, 2008

/s/ Anthony Razzano
Councilman

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

NAYS: None

INTERLOCAL SERVICE AGREEMENT

WHEREAS, the Borough of South River (hereinafter "Borough") and the South River Board of Education (hereinafter "Board") have reached an agreement for metering and consumption of water supplied by the Borough to the Board; and

NOW, THEREFORE, in consideration of the mutual promises and covenants of each to the other, and for other good and valuable consideration, the parties agree as follows:

1. Borough agrees to install Hershey water meters and elements at the South River High School and Denny Stadium at a cost of \$13,650.00 to be paid to Borough by Board upon execution of this agreement. The Board will pay this amount in installments of \$3,412.50 quarterly to Borough commencing on January 1, 2008 with the January 1 and April 1 payments to be made upon

2. execution of this agreement. Thereafter Board agrees to pay the third and fourth installments to Borough on the first of June and the first of September, 2008 respectively.
3. Thereafter, Board agrees to pay Borough for quarterly water consumption commencing June 2008 as determined by a reading of the meter installations made by water utility employees of Borough.
4. Board agrees to comply with requirements of Chapter 333 of the Code of South River entitled "Water" as well as the rules and regulations of Borough's Water Utility which govern water consumption by consumers of water through the Water Utility.
5. Both Borough and Board represent that the execution, delivery and performance of this agreement has been (1) authorized by its governing body; (2) this agreement does not require any consent, approval or referendum of voters, and (3) it will not violate any judgment, order, law or regulation applicable to either party.
6. This agreement constitutes the entire agreement and understanding between the parties in relation to its subject matter, and supersedes all previous and contemporaneous agreements, understandings, representations and warranties between the parties.
7. The terms and conditions of this agreement may be modified at any time by mutual agreement of the parties in writing, duly signed by their authorized representatives.
8. Any notice or consent required or permitted hereunder shall be in writing and shall be delivered to the other party by registered or certified mail return receipt requested, overnight mail and addressed to the party as set out below, or to such other address as the said party may have specified by notice given in writing to the other party.

To the Borough of South River:

The Borough of South River
48 Washington Street
South River, New Jersey 08882
Telephone: (732) 257-1999

To the South River Board of Education:

The South River Board of Education
15 Montgomery Street

South River, New Jersey 08882
Telephone: (732) 613-4000

9. This agreement and any questions concerning its validity, construction or performance shall be governed by the laws of the State of New Jersey.
10. This agreement may be executed in any number of counterparts with the same effect as if the signatures and seals thereto and hereto were upon the same instrument.

BOROUGH OF SOUTH RIVER

BY: _____
RAYMOND T. EPPINGER, MAYOR

SOUTH RIVER BOARD OF EDUCATION

BY: _____
REGIS WYLUDA, PRESIDENT

RES:2008-272

APRIL 28, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following persons listed below to the position of Umpires in the Recreation Department effective as of this date and to be paid at the rate of \$20.00 per game:

Kristen Hortelao
Jonathan Ramos
Julie Witkowski

Leon Biernacki
Amanda Vacchio
Amanda Arias

DATED: APRIL 28, 2008

APRIL 28, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm:

/s/ Anthony Razzano
Councilman

Second to motion:

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-273

APRIL 28, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following person listed below to the position of Hockey Official in the Recreation Department effective as of this date and to be paid at the rate of \$25.00 per game:

Brian Evans

DATED: APRIL 28, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm:

/s/ Anthony Razzano
Councilman

Second to motion:

/s/ John Trzeciak
Councilman

ROLL CALL VOTE

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

RES:2008-274

APRIL 28, 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, be and the same are hereby ordered paid.

<u>VENDOR</u>	<u>AMOUNT</u>
ACCESS LOCKSMITHS INC	4,010.00
ALGARIN, ALBERTO DeJESUS	189.54
ALLIED OIL COMPANY LLC	12,974.93
ALTEC INDUSTRIES INC	3,688.35
ANN BANKS	102.21
ARROWHEAD FORENSICS INC	341.08
B & W CONSTRUCTION CO	31,516.16
BARTON NURSERY INC	3,275.00
BERTHA SCHIFF	200.41
BIGNELL PLANNING CONSULTANTS	1,813.75
BLUE CROSS/BLUE SHIELD OF NJ	7,531.86
BRENDA DEAVERAEAU	24.31
BROWN & BROWN INSURANCE	750.00
CALVO, JOANN	275.00
CAMPBELL SUPPLY CO LLC	1,016.93
CLEAN AIR COMPANY	1,260.00
CME ASSOCIATES	7,665.00
COMCAST	194.14
CONSOLIDATED RAIL CORP	2,100.00

CONTINENTAL FIRE & SAFETY INC	678.00
D NOVAK & R JERSCHIED	201.69
DARLEY	434.80
DELL MARKETING LP	2,947.00
DOUGLAS GOMES	118.33
EAGLE EQUIPMENT	431.40
EAST BRUNS POLICE TRN FACILITY	870.00
EAST COAST CUSTOM LLC	70.00
EUZEBIO NETO	98.31
EZZAT ADEL SOBHI	152.01
GALLS INC	619.79
GANN LAW BOOKS	120.00
GTS-WELCO	153.95
GUARD LINE FIRE & SAFETY INC	552.00
HEVERTON MOREIRA	118.20
HIGH ENERGY ELECT TESTING INC	4,784.00
HILL INTERNATIONAL INC	1,386.40
HIMELMAN WERTHEIM & GELLER 11C	592.81
HOAGLAND LONGO MORAN DUNST	2,024.00
HOME DEPOT	728.09
HOME NEWS TRIBUNE	23.74
INSTRUMENT TECH SERV (I.T.S.)	3,446.00
IRON MOUNTAIN	75.94
JAQUELINE PAULINO	129.77
JELONEK, JOSEPH L	275.00
JERSEY STATE EQUIP CORP	154.80
JOAO GOMES	176.27
JOHN'S INC	688.70
JONES, DEBRA A	25.00
JUDGE JOHN LEONARD	350.00
K KURBONOV & B SAFAER	157.01
KANTHIAH SIVANANTHAN	280.34
KAREN FOSTER	97.15
KNIGHTS OF COLUMBUS	600.00
LINCOLN FINANCIAL ADVISORS	87,412.32
LINCOLN FINANCIAL GROUP	1,495.96
LOMBARDI & LOMBARDI PA	759.00
LYONS-SHEPSKO	450.00
MAGAW, JOHNATHAN D	350.00
MARIA & MANUEL VIERA	31.64
MARIA FERREIRA	95.56
MARIA NUNES	78.73
MAURICO SANTOS	105.32

MCCARTHY TIRE & AUTO SERVICE	1,247.04
MIDD CTY IMPROVEMENT AUTHORITY	14,051.04
MIDDLESEX COUNTY MUNICIPAL JIF	146,317.90
MIDDLESEX COUNTY TREASURER	150.00
MIDDLESEX COUNTY TREASURER	1,026,207.09
MIDDLESEX COUNTY TREASURER	120,137.05
MOBILE VISION	125.25
NAT'L FIRE PROTECTION ASSN	150.00
NEXTEL COMMUNICATION OF	275.76
NFPA FULFILLMENT CENTER	724.45
NJ PLANNING OFFICIALS	340.00
NJ ST LEAGUE OF MUNICIPALITIES	75.00
ONE CALL SYSTEMS INC	32.76
OVRANIA ROBLES	92.85
PENTATEK SOLUTIONS INC	2,455.00
QUALITY COMMUNICATIONS	225.00
RAY EPPINGER	272.20
RICOH BUSINESS SYSTEMS INC	330.00
ROBERT A VERRY	2,306.25
ROBERTO C LIMA	124.54
RUZICKI, STANLEY	50.28
SAFETY KLEEN CORP	451.37
SALERNO, ANDREW J	149.48
SAYREVILLE, BORO OF	3,407.95
SETH GARCIA	127.89
SOUTH RIVER BOARD OF ED	62.50
SOUTH RIVER EXEMPTS ASSN	350.00
SS PETER & PAUL CHURCH	450.00
STANLEY PIETROWICZ	850.00
SUKANYA BASU	174.93
TAYLOR OIL CO INC	8,573.60
THOMAS J NOTO P E	6,210.00
TOM RILEY	150.20
TOP HAT UNIFORM RENTAL	307.92
TOWNSHIP OF EAST BRUNSWICK	64,083.19
UTILITY BILLING SERVICES INC	19,896.10
UTILITY BILLING SERVICES INC	1,671.85
V E RALPH & SON INC	858.05
VANESSA OVIEDO	153.03
VERIZON	3,763.65
VERIZON WIRELESS	120.12
WESCO DISTRIBUTION INC	1,305.00
ZLATAN ZIFOVSKI	246.70

DATED: APRIL 28, 2008

/s/ John Krenzel
Councilman

/s/ Anthony Razzano
Councilman

ROLL CALL VOTE

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

COUNCIL COMMENTS

Councilman Razzano

- Thanked Janet Domieniecki for her efforts in preparation of minutes
- Legislative event - 4/29/08 Symposium on Youth Drug and Alcohol Abuse
- Municipal Alliance needs members and meets on third Wednesday of each month at South River High School Library
- Go Green - Discuss with Mr. Salerno ways to conserve energy in the Borough

Councilwoman Buffalino

- Riverfest at Grekoski Park last weekend
- Thanked SR Environmental and Shade Tree Committee, Public Works, Parks and Recreation, Scouts, and bands for their involvement in Riverfest
- Friends of South River Parks will have event on You tube
- Senior Center – May is special month, all activities are free for seniors during the month of May, free instruction for zumba classes
- Board of Health is revisiting cat licensing
- Memorial Day Parade begins at 1:00 p.m. at Hillside
- Essay contest for 6th, 7th and 8th graders
- Middle School Dance “Almost Summer Theme” – 5/9/08

Councilman Hutchison

- Attended Rutgers Conference on 4/22/08 regarding alternative fuels
- Tremendous opportunity for South River to be active in becoming a green community, thanked Bill England who went with him
- Parks and Recreation meeting – 5/6/08. Will discuss recreation fees

Councilman Trenga

- Thanked employees of Borough who do a tremendous job
- Anthony's on Obert Street – excellent food
- LED streetlights – 150 watts of output, 39 watts of consumption – will look into for green program
- Will attend Middle School Dance
- Cruise Night – 5/15/08 – 5:00 p.m., hopes all businesses will participate

Councilman Trzeciak

- Thanked Public Safety team for their efforts with recent fire on Milton Ave.
- Units are well cohesive and town is in good hands.
- Central Jersey Chapter for Football Players Awards Ceremony – 4/6/08
- Congratulations to Matt DeZarlo – Scholar Athlete, SRHS Senior
- Warmer weather – pedestrian safety – drive carefully
- Will attend Middle School Dance

Councilman Krenzel

- Reviewed bidding process regarding solid waste collection
- Earth Day – Thanked Brian Racin and Environmental Committee for their involvement

MAYOR'S COMMENTS

- Congratulated Matt DeZarlo on athletic award
- Alternative Energy Committee will be getting together to discuss alternative energy and conservation issues
- Memorial Day Parade – Business and Regular meetings of 5/27/08
- Thanked Brian Racin for his efforts on Earth Day
- Public Safety Mass at St. Stephen's Church – 5/1/08
- Paul and Wilcox sewer drainage improvements occurring soon
- Proclamation for William Geptford on becoming Eagle Scout – first South River resident to receive \$400 scholarship in memory of Mayor's father
- Thanked Pat O'Connor and Sheryl Nevin for their efforts
- Proclamation Designating Month of April as Child Abuse Prevention Month

PUBLIC COMMENTS

Brian Racin

- Congratulated William Geptford on becoming Eagle Scout
- Riverfest – trying to educate not to generate as much garbage
- Stepping down as Chairman of Environmental Commission
- Requested clarification of duties and powers of Environmental Commission from Mr. Schwartz
- State Master Plan Meeting – 4/29/08

Joe Manzo, 131 Willett Ave.

- Questions on bids on the solid waste contract
- Midco had contract

- New contract is with Central Jersey Waste
- Questioned costs of each year of contract
- Advised Mayor to take time to get town out of debt, cannot fix overnight, wished him luck

Mario Andre, Armstrong Ave.

- LED lights give more light, less power
- Commented on bike path. Neighbors are against new design, do not want bike path in backyard
- Levinson Avenue – flood zone

John Scala, 440 Old Bridge Turnpike

- Zoning Board meeting is scheduled on 5/27/08
- Had respect for the Mayor on how he handled the 4/14/08 Borough Council meeting
- Thanked Councilmen Razzano, Hutchison and Trzeciak for knocking out privatization
- Did not blame Mr. Salerno as he was doing the work of the Council

ADJOURNMENT

Councilman Razzano moved that this meeting be adjourned at 10:05 p.m. Councilman Hutchison seconded the motion. So carried.

Respectfully submitted on
May 8, 2008.

Patricia O'Connor, RMC
Borough Clerk

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