

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2009-6 WITH THE REQUEST OF THE HOME NEWS TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING

---

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 June 22, 2009 and was called to order by Mayor Raymond T. Eppinger at 8:30 PM in the Council Chamber of the Criminal Justice Building at 61 Main Street in South River, New Jersey with the following Councilmembers in attendance:

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

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

#### MINUTES

The Minutes of Meeting No. 14 held on June 8, 2009 were submitted to the Council for acceptance and/or amendment.

Councilman Trenga moved that the Minutes be approved as presented. Councilman Guindi seconded the motion. So carried.

#### ORDINANCES – SECOND READING AND PUBLIC HEARING

##### ORD 2009-22

##### AN ORDINANCE AUTHORIZING THE ADVERTISING FOR BIDS TO PURCHASE CERTAIN LANDS OWNED BY THE BOROUGH OF SOUTH RIVER

---

WHEREAS, certain lots owned by the Borough of South River as set forth hereinafter are not needed for public purposes and said parcels are less than the size required for development under Borough land development ordinances; and

WHEREAS, it is in the best interest of the Borough of South River to advertise these properties for private sale to the highest bidder;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex and State of New Jersey as follows:

##### SECTION 1.

A. The properties listed below shall be advertised for private sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) subject to the following conditions:

1. Bids shall be received by the Borough Clerk for a period of twenty (20) days at the Borough Clerk's Office, 48 Washington Street, South River, New Jersey following the date of advertisement of this sale, at no less than the fair market value of this property as set forth hereinafter:

<u>BLOCK</u>	<u>LOT</u>	<u>FAIR MARKET VALUE</u>
Block	Lot	
93	2.01	\$4,000.00
275	5.01	\$4,000.00

2. All bids shall be referred to the Borough Council for review and final approval pursuant to N.J.S.A. 40A:12-13b. The Borough of South River reserves the right to reconsider this Ordinance not later than thirty (30) days after its enactment and thereafter advertise the aforesaid properties for public sale pursuant to the statute in such case made and provided. The Borough of South River shall make its decision known by resolution not later than the second regular meeting following the last day for receipt of bids.

3. Bidders shall make payment for this property by cash payment without terms in the following manner:

Cash or certified check within fifteen minutes of the close of bidding.....10%  
Cash or certified check at closing.....90%

4. Upon the close of the bidding and opening of bids, the highest qualified bidder for the property, as designated by the Borough Clerk, shall submit cash or certified check in the amount of 10% of his bid and shall immediately execute an offer to purchase at his bid price, which offer shall include the terms and conditions specified herein, for 100% cash payment. Said offer shall be irrevocable for sixty (60) days from the date of sale.

5. Title shall be conveyed by Bargain and Sale Deed with final payment to be made as described in paragraph 3 above at a closing between the purchaser and the Borough of South River to be held on August 6, 2009.

6. At closing of title purchaser shall submit an additional sum of money equal to the costs of advertising of the sale, the recording of the Borough's Deed and the fee of the Borough Attorney, all not to exceed \$750.00.

7. Failure to comply with any of the above requirements or to close on or before August 6, 2009 shall entitle the Borough of South River to rescind prior bid

approval, terminate any and all rights of the designated bidder in said property and retain all monies theretofore deposited.

8. The purchaser shall be responsible for terminating any and all existing tenancies.
9. All lots are conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property.

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 ordinance 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 adoption and publication according to law.

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

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

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

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

ROLL CALL VOTE

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH  
OF SOUTH RIVER, CHAPTER 59 ENTITLED "OFFICERS AND  
EMPLOYEES," BY ADDING A NEW SUB-SECTION E TO  
SECTION 4 THEREOF

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 59 of the Code of the Borough of South River entitled "Officers and Employees" be amended by adding a new Sub-section E to Section 4:

SECTION 1.

59-4E.

The order of business set forth in the Rules of Council adopted by the governing body shall provide for public comment or discussion. When recognized by the Mayor or other presiding officer, the person so recognized shall proceed to the floor and give his or her name and address. Unless further time is granted by the governing body, the person so recognized shall limit his or her statement or questions to ten (10) minutes which period shall be inclusive of any response requested from the governing body. Statements or questions shall be addressed to the governing body as a whole and not to any member thereof.

SECTION 2. If any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

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

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

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

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

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

ROLL CALL VOTE

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

ORD 2009-24

AN ORDINANCE REPEALING ORDINANCE 2002-22 CREATING  
A HANDICAPPED PARKING SPACE AT ALBOURNE STREET

WHEREAS, the governing body previously created a handicapped parking space on Albourne Street from a point 258 feet north of Devoe Avenue continuing 22 feet north thereof which is no longer required.

NOW THEREFORE BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River as follows:

SECTION 1. Ordinance 2002-22 creating a handicapped parking space on Albourne Street from a point 258 feet north of Devoe Avenue continuing 22 feet north thereof is hereby repealed.

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.

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

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

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

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Razzano

NAYS: None

ORD 2009-25

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH  
OF SOUTH RIVER BY AMENDING CHAPTER 253 ENTITLED  
"PEACE AND GOOD ORDER" BY ADDING A NEW SUB-  
SECTION Q TO SECTION 253-1

WHEREAS, the governing body desires to provide for activity which may endanger, frighten persons.

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 sub-section Q to section 253-1 entitled "Peace and Good Order" as follows:

SECTION 1.

253-1 Q

No person shall engage in any sport, game or other activity which endangers or frightens persons in any public place.

SECTION 2. If any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

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

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

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

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

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

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Razzano

NAYS: None

ORD 2009-26

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH  
OF SOUTH RIVER BY ADDING A NEW CHAPTER 257  
ENTITLED "REGULATIONS FOR THE PURCHASING OF GOLD,  
SILVER, AND OTHER PRECIOUS METALS AND GEMS"  
THERETO

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 "Regulations for the Purchasing of Gold, Silver, and other Precious Metals and Gems" as follows:

SECTION 1.

257-1. Purpose

The purpose of this section is to protect the public with regard to the ever increasing sales of gold, silver, other precious metals and gems and to insure that such purchases are bona fide and legal and that the seller is the lawful owner of said defined gold, silver, other precious metals and gems.

257-2. License required; advertising.

No person, partnership or corporation shall engage in the business of the purchase of precious metals and gems and all forms of previously owned jewelry without first obtaining a license from the Borough Clerk. Said license shall bear a number issued by the Borough Clerk and shall be prominently displayed within the licensed premises.

Advertising in any print or electronic media or by sign that precious metals and/or gems are being bought in any location within the Borough of South River shall constitute engaging in business for the purpose of this chapter. No person shall place or cause to be placed any paid print advertisement for the purchase of gems and/or precious metals without stating in said advertisement the license number issued to the individual or entity by the Borough of South River. Failure to state or indicate the license number shall be a violation of this chapter.

257-3. Definitions.

- A. "Second Hand 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. The business of secondhand dealer shall not be deemed to include:
1. Judicial sales or sales by executors or administrators.
  2. Occasional or auction sales of household goods sold from private homes.
  3. Auctions of real estate.
  4. The occasional sale, purchase or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television or other form of printed or electronic advertising.
- B. "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.

257-4. Application process; issuance or denial of license.

- A. Upon receipt of an application by the Borough Clerk completed pursuant to this chapter, the Police Department shall make an investigation of the prospective licensee pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. Such investigation shall include but shall not be limited to the following:
1. The experience of the applicant in the business of purchase and sale of those articles or goods referred to in Subsection A of the definition of "secondhand dealer" in 257-3 herein, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience.
  2. The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license.
  3. Any criminal record of the applicant.
  4. The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of those articles and goods referred to in Subsection A of the definition of "secondhand dealer" in 257-3 herein and other factors bearing upon whether the licensed business will be of a fixed and permanent nature. This section, however, shall not be construed to require denial of any license solely on the grounds that the business is not conducted from a fixed location.
- B. The Police Department shall complete any investigation pursuant to this chapter within 30 days of the submission of the application to the Borough Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty (30) day period and has not been received by the Police Department within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

C. The Chief of Police shall, upon completion of the investigation, recommend grant or denial of the requested license to the Borough Council. The recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Borough Council accepts the recommendation of the Chief of Police to deny any license, the Borough Council shall notify the applicant, by certified mail, within ten (10) days of such denial and forward to the applicant a statement of the reason or reasons for such denial. Grounds for recommending denial of a license by the Chief of Police may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to the business for which the applicant seeks a license pursuant to this chapter. A license may be denied if the investigation conducted by the Police Department reveals conviction of the applicant or any of its principal officers or employees of any crime or disorderly persons offense involving theft or receiving stolen goods, whether such conviction was as a principal or accessory, before or after the fact, or conspirator. Upon receipt of the recommendation of the Chief of Police, the Borough Clerk shall issue or deny the license accordingly. In the event of a denial of the license by the Borough Council, the applicant shall be entitled to a hearing before the Borough Council, if requested, in writing, within ten (10) days of receiving the notice of denial, at which time the applicant shall be permitted to introduce such evidence as he/she shall deem proper. The burden of proof in any such hearing shall be on the Police Department. The Borough Council shall, within ten (10) days of the close of the hearing, make known its decision in writing. 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.

257-5. 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 one (1) year, 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.

257-6. Records.

- A. Each dealer shall record in a bound book, non-loose leaf 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. The type of identification used and number; such as driver's license.
- 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.

257-7. Notification to the Police Department.

Upon completion of the said 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, will be delivered to South River Police Department with 24 hours of the transaction.

257-8. Restrictions.

- A. The licensee under this chapter shall retain any articles or goods referred to in 257-33A herein in the form in which they were purchased for a period not less than two (2) business days, or a minimum of forty-eight (48) hours after the purchase of the same by such licensee. It shall be an affirmative defense to any prosecution or administrative proceeding brought for a violation of this section if retention for the time period would have resulted in serious and substantial economic losses to the dealer, or the probability of such losses was significant due to rapid and highly fluctuating market conditions, provided that the persons so charged shall prove the existence of the market conditions giving rise to the aforesaid defense by a preponderance of the evidence. Market conditions, in order to be defense hereunder, must be such that financial analysts would characterize trading as at or approaching a level or occurrence so as to clearly distinguish trading conditions from normal variations in market movement in response to economic news or other events.
- B. No licensee under this chapter shall purchase any item covered by this chapter from

any person under the age of eighteen (18).

- C. If any licensee under this chapter shall be convicted of robbery, burglary, theft, receiving stolen goods or any other crime involving moral turpitude, the Borough Council of the Borough of South River may, after notice and hearing, revoke the license issued to such licensee.
- D. A licensee shall have the right to change the location of the licensed business, provided that he notifies the Borough Clerk, in writing, of the street address of said new location.

257-9. 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 of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

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

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

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

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

ROLL CALL VOTE

YEAS: Almeida, Guindi, Hutchison, Razzano

NAYS: None

ORDINANCES - FIRST READING

ORD 2009-27

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 258 ENTITLED "PROPERTY MAINTENANCE" BY AMENDING SECTION 21(A) ENTITLED "PROCEDURE" 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 July 13, 2009 at 8:30 p.m. in the Council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

NAYS: None

PUBLIC COMMENTS (agenda items only)

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

LICENSES

Raffle License – St. Stephen's Church, Perth Amboy – RL 1324 – Merchandise raffle  
Peddlers License – Darris McKinney – Church Ministry

Councilman Razzano moved that the above-referenced license be approved. Councilman Hutchison seconded the motion. So carried.

RESOLUTIONS

Councilman Razzano requested that the resolution authorizing the application for FEMA Grant Program for firehouse construction be pulled from the agenda. Mayor Eppinger requested that the resolution be read into the record separately after voting on the consent resolutions.

RES:2009-220

JUNE 22, 2009

RESOLUTION GRANTING RENEWAL TO  
PLENARY LICENSES IN THE BOROUGH  
OF SOUTH RIVER FOR THE PERIOD

JULY 1, 2009 TO JUNE 30, 2010

WHEREAS, the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey has received an application for the renewal of Plenary License for the period of July 1, 2009 until June 30, 2010; and

WHEREAS, said application is complete and on file in the Office of the Borough Clerk for public inspection; and

WHEREAS, all requirements have been complied with and the Borough Council has determined that no protests have been filed against the granting of the said renewal application for such plenary license.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey that approval is hereby granted to said application, copy is herewith so attached, subject to the Rules and Regulations of the Alcoholic Beverage Control Commission and Code of the Borough of South River.

BE IT FURTHER RESOLVED that the certified copy of this resolution be filed with the Division of Alcoholic Beverage Control Commission, the applicant for their record purposes, the Beverage Tax Bureau, and the Chief of Police of the Borough of South River.

LOCAL/STATE  
NUMBERS:

HOLDERS:

TRADE NAME

C-32  
1223-33-033-006

South River Pub MLB Inc.  
66 Main Street

South River Pub

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-221

June 22, 2009

RESOLUTION GRANTING RENEWAL TO THE PORTGUESE CLUB FOR PLENARY  
LICENSE # 1223-31-055-003 IN THE BOROUGH OF SOUTH RIVER FOR THE PERIOD  
JULY 1, 2009 TO JUNE 30, 2010

WHEREAS, the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey has received an application for renewal of Plenary License 1223-31-055-003; and

WHEREAS, said application is completed, on file in the Office of the Borough Clerk for public inspection and the South River Police Department in a report to the governing body dated June 18, 2009, which is attached hereto, has recommended renewal of said license subject to certain conditions and restrictions pursuant to N.J.S.A. 33:1-32; and

WHEREAS, the Mayor and Borough Council have determined that the granting of the said renewal application for such plenary license should be subject to those restrictions set forth in said report.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that approval is hereby granted to said applicant, subject to the rules and regulations of the Alcoholic Beverage Control Commission, the Code of the Borough of South River and the following restrictions:

Any rental of the licensee's premises to persons other than bona fide club members where the number of guests shall exceed one hundred (100) persons shall require:

1. That the event shall conclude by 1:00 a.m.
2. Parking of vehicles shall be confined to licensee's parking lot as far as practicable.
3. Music levels shall be kept at a level so as to not disturb neighboring residents.
4. Two uniformed security officers shall be stationed inside the hall of the licensed premises for the duration of the event which officers shall be trained and bonded pursuant to N.J.S.A. 45:10A-1, the Security Officer Registration Act with proof of said registration being provided to the Chief of Police or his designee prior to the event.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Division of Alcoholic Beverage Control Commission, applicant for its record purposes, the Beverage Tax Bureau and the Chief of Police of the Borough of South River.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-222

JUNE 22, 2009

RESOLUTION GRANTING RENEWAL TO ACAPULCO TROPICANA BAR LLC FOR  
PLENARY LICENSE # 1223-33-031-004 IN THE BOROUGH OF SOUTH RIVER FOR THE  
PERIOD JULY 1, 2009 TO JUNE 30, 2010

WHEREAS, the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey has received an application for renewal of Plenary License 1223-33-031-004; and

WHEREAS, said application is completed, on file in the Office of the Borough Clerk for public inspection and the South River Police Department in a report to the governing body dated June 15, 2009, which is attached hereto, has recommended renewal of said license subject to certain conditions and restrictions pursuant to N.J.S.A. 33:1-32; and

WHEREAS, the Mayor and Borough Council have determined that the granting of the said renewal application for such plenary license should be subject to those restrictions set forth in said report.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that approval is hereby granted to said applicant, subject to the rules and regulations of the Alcoholic Beverage Control Commission, the Code of the Borough of South River and the following restrictions:

1. The premises shall close at 1:00 a.m.
2. All music is to cease at 12:30 a.m.
3. A uniformed security officer shall be on premises from Thursday through Sunday weekly from 9:00 p.m. until all patrons have left the premises.
4. A security officer shall be employed by a bonded security agency/company, trained by the New Jersey State Police, hold a current Registration Card issued by the New Jersey State Police pursuant to N.J.S.A. 45:19A-1, the Security Officer Registration Act and shall have furnished the Borough Clerk and Chief of Police with said Registration Card prior to employment at applicant's premises.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Division of Alcoholic Beverage Control Commission, applicant for its record purposes, the Beverage Tax Bureau and the Chief of Police of the Borough of South River.

DATED: June 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

RES:2009-223

JUNE 22, 2009

RESOLUTION GRANTING RENEWAL TO YSAIS PEREZ, T/A EL TENAMPA LLC FOR  
PLENARY LICENSE # 1223-33-034-004 IN THE BOROUGH OF SOUTH RIVER FOR THE  
PERIOD JULY 1, 2009 TO JUNE 30, 2010

WHEREAS, the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey has received an application for renewal of Plenary License 1223-33-034-004; and

WHEREAS, said application is completed, on file in the Office of the Borough Clerk for public inspection and the South River Police Department in a report to the governing body dated June 15, 2009, which is attached hereto, has recommended renewal of said license subject to certain conditions and restrictions pursuant to N.J.S.A. 33:1-32; and

WHEREAS, the Mayor and Borough Council have determined that the granting of the said renewal application for such plenary license should be subject to those restrictions set forth in said report.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that approval is hereby granted to said applicant, subject to the rules and regulations of the Alcoholic Beverage Control Commission, the Code of the Borough of South River and the following restrictions:

5. All patrons will be directed to leave the premise by 1:00 a.m.
6. The lights will be turned on and the music is to be shut off at 12:00 a.m.
7. Thursday to Sunday, from 9:00 p.m. until all patrons have left the premises a uniformed security officer shall be stationed at the bar.
8. The uniformed security officer shall be trained and bonded pursuant to N.J.S.A. 45:10A-1, the Security Officer Registration Act, in a manner consistent with the current stipulations that exists as contained in the 2008-2009 liquor license renewal for the licensee.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Division of Alcoholic Beverage Control Commission, applicant for its record purposes, the Beverage Tax Bureau and the Chief of Police of the Borough of South River.

DATED: June 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-224

JUNE 22, 2009

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-897-348 CD	CHRISTEN BOHADEL 465 MEADOW RD APT 2102 PRINCETON, NJ 08540	\$89.33
65-999-911-351 ELEC CURRENT	DONALD BROWN 12 ANDERSON CT SAYREVILLE, NJ 08872	\$26.27
65-999-888-020 ELEC CURRENT	ANTHONY BUTLER 40 BERYL ST SOUTH RIVER, NJ 08882	\$49.87
65-999-890-253 CD	STEPHANIE GRANT 50 WILLETT AVE APT 17A SOUTH RIVER, NJ 08882	\$47.22
65-999-888-185 CD	RENEE LAROSA & KAREN NOLAN 157 WHITEHEAD AVE APT 3A SOUTH RIVER, NJ 08882	\$170.00
65-999-895-753 CD	KIMBERLY SORICELLI 240 OCEAN AVE BEACHWOOD, NJ 08722	\$86.71

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-225

JUNE 22, 2009

RESOLUTION

WHEREAS, by Resolution 2009-9 adopted on January 1, 2009, the signatories on financial documents were specified; and

WHEREAS, due to the retirement of the Chief Financial Officer and the appointment of the temporary Chief Financial Officer, the name of the Borough Treasurer has to be amended as follows:

BOROUGH TREASURER

JOSEPH ZANGA

DATED: JUNE 23, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-226

JUNE 22, 2009

RESOLUTION

WHEREAS, Matt Zaleski has submitted an application for a Mercantile License for a proposed business known as Tech Speed to be located at 47 Gordon Street in the Borough of South River, New Jersey; and

WHEREAS, the nature of the business will be supply of performance car parts; and

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

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

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Mercantile License Application submitted by Matt Zaleski for a business known as Tech Speed to be located at 47 Gordon Street in the Borough of South River, New Jersey is hereby approved.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-227

JUNE 22, 2009

RESOLUTION

WHEREAS, the South River Portuguese Club located at 100 John Street, South River, New Jersey, has applied for a Special Events Permit for a Yard Sale/Barbecue to be held at 100 John Street, South River, New Jersey on June 27, 2009 from 9:00 p.m. until 6:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the South River Portuguese Club for a Yard Sale/Barbecue to be held at 100 John Street, South River, New Jersey on June 27, 2009 from 9:00 p.m. to 6:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 9:00 a.m. until 6:00 p.m. during the Picnic.

2. There must be at least five (5) identifiable non-drinking members either by nametag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for the Barbecue, 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. Parking for the event, insofar as possible should be restricted to the club parking lot.
7. Any music (bands, DJ's etc.) must be held to a level which is acceptable to the surrounding neighbors, or confined to the inside of the club.
8. Permit Type 1 required: (N.J.A.C. 5:70-2.7(a) 3v. The use of any open flame or flame-producing device, in connection with any public gathering, for the purpose of entertainment, amusement, or recreation.
9. Tents, canopies, and other membrane structures: Shall comply with all requirements set forth in Chapter 24 et. Seq. of the 2006 N.J. International Fire Code (if applicable).
10. Fire lanes shall remain unobstructed and accessible to emergency vehicles.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-228

JUNE 22, 2009

RESOLUTION

WHEREAS, the South River Portuguese Club located at 100 John Street, South River, New Jersey, has applied for a Special Events Permit for a Rancho Festival to be held at 100 John Street, South River, New Jersey on June 28, 2009 from 12:00 p.m. until 8:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the South River Portuguese Club for a Rancho Festival to be held at 100 John Street, South River, New Jersey on June 28, 2009 from 12:00 p.m. to 8:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 9:00 a.m. until 6:00 p.m. during the Picnic.
2. There must be at least five (5) identifiable non-drinking members either by nametag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for the Barbecue, 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. Parking for the event, insofar as possible should be restricted to the club parking lot.
7. Any music (bands, DJ's etc.) must be held to a level which is acceptable to the surrounding neighbors, or confined to the inside of the club.
8. Permit Type 1 required: (N.J.A.C. 5:70-2.7(a) 3v. The use of any open flame or flame-producing device, in connection with any public gathering, for the purpose of entertainment, amusement, or recreation.
9. Tents, canopies, and other membrane structures: Shall comply with all requirements set forth in Chapter 24 et. Seq. of the 2006 N.J. International Fire Code (if applicable).
10. Fire lanes shall remain unobstructed and accessible to emergency vehicles.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-229

JUNE 22, 2009

RESOLUTION

WHEREAS, the South River Portuguese Club located at 100 John Street, South River, New Jersey, has applied for a Special Events Permit for a Barbecue/Picnic to be held at 100 John Street, South River, New Jersey on July 12, 2009 from 12:00 p.m. until 8:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the South River Portuguese Club for a Barbecue/Picnic to be held at 100 John Street, South River, New Jersey on July 12, 2009 from 12:00 p.m. to 8:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 9:00 a.m. until 6:00 p.m. during the Picnic.
2. There must be at least five (5) identifiable non-drinking members either by nametag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for the Barbecue, 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. Parking for the event, insofar as possible should be restricted to the club parking lot.
7. Any music (bands, DJ's etc.) must be held to a level which is acceptable to the surrounding neighbors, or confined to the inside of the club.
8. Permit Type 1 required: (N.J.A.C. 5:70-2.7(a) 3v. The use of any open flame or flame-producing device, in connection with any public gathering, for the purpose of entertainment, amusement, or recreation.
9. Tents, canopies, and other membrane structures: Shall comply with all requirements set forth in Chapter 24 et. Seq. of the 2006 N.J. International Fire Code (if applicable).
10. Fire lanes shall remain unobstructed and accessible to emergency vehicles.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-230

JUNE 22, 2009

RESOLUTION

WHEREAS, the South River Portuguese Club located at 100 John Street, South River, New Jersey, has applied for a Special Events Permit for a Barbecue/Picnic to be held at 100 John Street, South River, New Jersey on September 6, 2009 from 1:00 p.m. until 9:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the South River Portuguese Club for a Barbecue/Picnic to be held at 100 John Street, South River, New Jersey on September 6, 2009 from 1:00 p.m. to 9:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 p.m. until 8:00 p.m. during the Picnic.
2. There must be at least five (5) identifiable non-drinking members either by nametag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for the Barbecue, 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. Parking for the event, insofar as possible should be restricted to the club parking lot.
7. Any music (bands, DJ's etc.) must be held to a level which is acceptable to the surrounding neighbors, or confined to the inside of the club.
8. Permit Type 1 required: (N.J.A.C. 5:70-2.7(a) 3v. The use of any open flame or flame-producing device, in connection with any public gathering, for the purpose of entertainment, amusement, or recreation.
9. Tents, canopies, and other membrane structures: Shall comply with all requirements set forth in Chapter 24 et. Seq. of the 2006 N.J. International Fire Code (if applicable).
10. Fire lanes shall remain unobstructed and accessible to emergency vehicles.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2009-231

JUNE 22, 2009

RESOLUTION

WHEREAS, St. Mary's Holy Name Society, located at 30 Jackson Street, South River New Jersey, has applied for a Special Events Permit for a Parish Family Picnic to be held at the Polish Army Veterans Association of America Post No. 208, "Polanka", 209 William Street, South River, New Jersey on Sunday, September 13, 2009 from 12:00 Noon until 6:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of St. Mary of Ostrabrama Church for a Family Picnic to be held at the Polish Army Veterans Association of America Post No. 208, "Polanka", 209 William Street, South River, New Jersey on Sunday, September 13, 2008 from 12:00 Noon to 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. No parking in the area of the entrance and driveway of the picnic area from front to back.
8. Entrance gate to the picnic area is to remain unlocked from the start time to the finish time.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-232

JUNE 22, 2009

RESOLUTION

WHEREAS, the governing body has received final payment estimate No. 3 and a close out change order request from the Borough Engineer for the project known as JFK Park at Anne Street Improvements which was completed by Big Daddy Construction; and

WHEREAS, the borough engineer has advised in a letter dated June 12, 2009 that the close out request reflects increases and decreases in contract quantities and supplementary items required to satisfactorily complete the aforesaid project due to field conditions encountered which resulted in an overall reduction of items originally included in the contract or additional quantities required for "if and where ordered" purposes, and all of which calls for an overall decrease in the original contract amount of \$2,575.35; and

WHEREAS, the close out change order reflects unforeseeable conditions determined during the project and the change in quantities or supplemental items still provides improved municipal services to the residents of the borough; and

WHEREAS, the Borough Engineer recommends approval of the close out change order request as well as final payment to Big Daddy Construction in the amount of \$27,552.14 subject to the contractor submitting a one year maintenance bond in the amount of \$6,991.64.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the final close out change order request of Bid Daddy Construction for the aforesaid project together with the final payment of \$27,552.14 is hereby approved subject to the contractor posting the aforesaid maintenance bond.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2009-233

JUNE 22, 2009

RESOLUTION

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Letter of Retirement dated June 10, 2009 submitted by Thomas Grekoski of the Electric Utility of the Borough of South River is hereby accepted.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

RES:2009-234

JUNE 22, 2009

RESOLUTION

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the promotion of Gerry Gerenza to the position of Leadman Groundskeeper in the Parks Department within the Department of Public Works, effective January 1, 2009, is hereby approved.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

RES:2009-235

JUNE 22, 2009

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Borough Administrator is authorized to sign the Public Power Association of New Jersey Mutual Aid Agreement of Member Signatories; and

BE IT FURTHER RESOLVED THAT said Agreement is effective January 1, 2009 and shall expire on December 31, 2010.

DATED: JUNE 22, 2009

/s/ Anthony Razzano  
Councilmember

/s/ Peter Guindi  
Councilmember

ROLL CALL VOTE

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

NAYS: None

The Clerk read the following resolution into the record:

RESOLUTION

WHEREAS, the governing body desires to file an application under a FEMA Grant Program for fire station construction; and

WHEREAS, the filing deadline for such a grant application is July 10, 2009.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Borough Engineer and other appropriate officials are hereby authorized to make an application for construction of a new fire station to replace the George Street Firehouse under the Fire Station Grant Program offered through FEMA and their previous actions in this regard are hereby ratified.

Councilman Razzano moved to disapprove the resolution. Councilman Guindi seconded the motion.

Council Discussion:

Councilman Trzeciak stated that there were criteria that had to met in order to qualify for this grant for the construction of a fire house. One of the qualifications was that the Borough had to own the land. The Borough did not meet this qualification. Before we go ahead, we have to plan, and review this issue much further.

Councilman Razzano stated that since the last meeting, this matter was reviewed to see if the Borough would qualify for this grant and it was determined that the Borough did not meet the qualifications.

Mayor Eppinger stated that when this grant application first was received, he knew that we were not qualified. He and Mr. Salerno met with the department heads and the Engineer. The cost involved to purchase land, design and construction could be between \$8 and \$10 million. We all believe the firehouse is an important issue. At the next meeting, there will be discussion on a firm providing architectural services for a study on a new firehouse.

There was no further discussion.

ROLL CALL VOTE

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

RES:2009-236

JUNE 22, 2009

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$523,176.07, listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

DATED: JUNE 22, 2009

/s/ John Trzeciak  
Councilmember

/s/ Michael Trenga  
Councilmember

ROLL CALL VOTE

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

Approved Bill List follows:

P.O. Type: All  
Range: First to Last  
Format: Condensed

Open: N Rcvd: Y Paid: N  
Held: Y Aprv: N Void: N  
Bid: Y State: Y Other: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
0305 ALLIED OIL COMPANY LLC	09-01507	06/01/09	Fuel Del 5/19/09	Open	3,765.45	0.00		
0838 BATTERY ZONE	09-01615	06/08/09	Batteries for hand lights	Open	913.00	0.00		
0876 KIM BELL	09-01557	06/04/09	Spring Fling centerpieces	Open	79.02	0.00		
0890 BEN FRANKLIN LOCK & KEY	09-01561	06/04/09	Remove and Repair lock	Open	90.00	0.00		
0951 BIG DADDY CONSTRUCTION CO.	09-01181	04/28/09	JFK PARK IMPROVEMENTS/ANNE ST	Open	27,552.14	0.00		B
0952 BIGNELL PLANNING CONSULTANTS	09-01614	06/08/09	MIRZA USE VAR. # 1212	Open	548.75	0.00		
1073 BRIAN'S LAWN MOWER & SAW SVC	09-00856	03/27/09	Repairs / Parts	Open	366.74	0.00		
0001 EUGENY BOGOSLOVSKY	09-01678	06/18/09	ELECT CURR. 65-999-906-225	Open	48.23	0.00		
UTL02 ANTHONY BUTLER	09-01679	06/18/09	CD REFUND 65-999-888-020	Open	135.19	0.00		
1470 CLEAN AIR COMPANY	09-01260	05/05/09	Maint for Plymo Vent Exhaust	Open	1,397.00	0.00		
1482 CME ASSOCIATES	09-01611	06/08/09	MORGAN BUILDERS # 402	Open	105.00	0.00		
	09-01613	06/08/09	MIRZA USE VAR. # 1212	Open	35.00	0.00		
	09-01621	06/08/09	OMNIPOINT	Open	597.50	0.00		
	09-01622	06/08/09	KOSZALKA/ STELLA CONTR. # 1249	Open	282.00	0.00		
	09-01623	06/08/09	BENTLEY REALTY # 1234	Open	141.00	0.00		
	09-01624	06/08/09	STORMWATER MGMT REPORT	Open	140.00	0.00		
	09-01625	06/08/09	INSPECT CURBS	Open	145.00	0.00		
	09-01626	06/08/09	REMOTE READ ELECT METER EQUIP.	Open	494.50	0.00		
	09-01627	06/08/09	JFK PARK IMPROVEMENTS	Open	1,535.00	0.00		
	09-01628	06/08/09	BRICK PLANT RD SAN SWR TWA	Open	1,415.52	0.00		
	09-01629	06/08/09	TAX MAP WORK	Open	100.00	0.00		
	09-01630	06/08/09	BOTTOM FED METER ADAPTORS	Open	231.00	0.00		
	09-01631	06/08/09	HCD REP. SERVICES	Open	550.00	0.00		
	09-01632	06/08/09	WASTEWATER FAC UPGRADES	Open	3,033.00	0.00		
	09-01633	06/08/09	SEWER LINE INSPECTIONS	Open	1,358.00	0.00		
	09-01634	06/08/09	WATER TANK EVALUATION	Open	878.50	0.00		
	09-01635	06/08/09	WATER FAC. UPGRADES	Open	3,702.50	0.00		



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	08-02972	11/05/08	Supplies	Open	979.05	0.00		
=2884	SAKER SHOP-RITE'S							
	09-01656	06/12/09	OOA Party Supplies	Open	6.98	0.00		
=2888	FORESTRY SUPPLIERS INC.							
	09-01263	05/05/09	Cigarette Urns - Rescue Squad	Open	182.34	0.00		
=AJ002	ARTHUR & SALUD FAJARDO &							
	09-01682	06/18/09	CD & ELECT REFUNDS	Open	188.47	0.00		
=ORM001	MARIANO FORMENTO							
	09-01683	06/18/09	CD REFUND 65-999-941-513	Open	45.57	0.00		
=3020	GALLS INC.							
	09-01346	05/15/09	TACTICAL LEG HOLSTER	Open	110.00	0.00		
	09-01414	05/20/09	MK3 First Defense O/C Spray	Open	150.00	0.00		
					-----			
					260.00			
=3204	GOLDSTEIN, RICHARD P.							
	09-01424	05/20/09	Mileage for PSE&G School	Open	23.10	0.00		
=3242	GRASSEY EQUIPMENT							
	09-01330	05/13/09	Repairs to Sweeper	Open	5,848.20	0.00		
=RE003	STEVEN GREER							
	09-01425	05/20/09	Mileage PSE&G School	Open	23.10	0.00		
=ROS001	PHILIP GROSSWEILER 11-ESTATE							
	09-01684	06/18/09	WATER CURR 66-999-982-729	Open	216.35	0.00		
=3479	HARTER EQUIPMENT INC							
	09-01310	05/07/09	Stump Grinder Rayco RG1625	Open	14,600.00	0.00		
=3584	HERMSTEDT, ANITA M.							
	09-01572	06/04/09	REIMB. FOR PRINTER INK	Open	32.58	0.00		
=3708	HOME DEPOT							
	09-01365	05/15/09	Various Supplies	Open	691.59	0.00		
	09-01511	06/01/09	Various Supplies	Open	718.90	0.00		
					-----			
					1,410.49			
=3719	HOME NEWS TRIBUNE							
	09-01436	05/20/09	2009 Budget Amendment	Open	187.92	0.00		
	09-01503	06/01/09	Bid remote read elec mtrs	Open	169.36	0.00		
	09-01513	06/01/09	DECISION OF PLANNING BD. 5/19	Open	13.34	0.00		
	09-01520	06/01/09	Ord 2009-16 - Final	Open	178.64	0.00		
	09-01539	06/01/09	DECISION OF ZONING BD 5/27	Open	12.76	0.00		
	09-01587	06/04/09	Rebid Sanitary Sewer Inspect.	Open	89.32	0.00		
					-----			
					651.34			



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	09-01498	06/01/09	2009 MOD IV SVC. TAX ASSESS	Open	2,018.12	0.00		
MATT001 PAUL MATTO	09-01689	06/18/09	CD REFUND 65-999-988-098	Open	124.07	0.00		
MATT01 MARY LOU MATTS	09-01662	06/12/09	REFUND OF ESCROW FUNDS #1243	Open	293.00	0.00		
MEDI001 LISA MEDINA	09-01690	06/18/09	CD REFUND 65-999-963-557	Open	47.85	0.00		
MILL001 JUAN MILAN	09-01719	06/18/09	RETURN MAINT.BOND-DUMPSTER#006	Open	200.00	0.00		
16043 N.J.DIV. OF PENSIONS & BENEFIT	09-01740	06/18/09	BSBNJ DATA INFORMATION	Open	2,000.00	0.00		
16159 NJ FIRE PREVENTION AND	09-01483	05/22/09	MEMBERSHIP DUES 2009	Open	175.00	0.00		
16163 NEW JERSEY TACTICAL OFFICERS	09-01556	06/04/09	Tactical Officers Conference	Open	130.00	0.00		
6190 THOMAS J. NOTO, P.E.	09-01512	06/01/09	WILLETT AVE SUBSTATION CONST	Open	7,015.00	0.00		
6511 ONE CALL SYSTEMS INC	09-01320	05/11/09	One Call Messages - April	Open	88.00	0.00		
DE001 THERESA ODER	09-01691	06/18/09	CD REFUND 65-999-998-064	Open	25.14	0.00		
6890 PALOS SPORTS	09-00690	03/12/09	baseball supplies	Open	437.29	0.00		
6985 PENTATEK SOLUTIONS INC	09-01620	06/08/09	SERVICE FOR 5/21-5/30	Open	575.00	0.00		
7166 POWER SYSTEMS	09-01476	05/22/09	Exercise Class Equipment	Open	944.77	0.00		
7177 PROGRESSIVE HYDRAULICS, INC.	09-00950	04/03/09	Fittings for Bucket Trucks	Open	236.77	0.00		
EIX001 LUZINETE PEIXOTO	09-01692	06/18/09	CD REFUND 65-999-902-485	Open	126.00	0.00		
7312 RMF ARCHITECT	09-01608	06/08/09	SVCS.FINAL INSP. 55 REID ST.	Open	2,998.05	0.00		
7329 V E RALPH & SON INC	09-01287	05/07/09	Medical supplies	Open	4,448.40	0.00		
	09-01435	05/20/09	First Aid Supplies	Open	667.69	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					5,116.09			
R7440 RIA MAR LLC	09-01657	06/12/09	Spring Fling 6/5/09	Open	3,500.00	0.00		
R7605 RT. #18 SPORTS, LLC.	09-00634	03/09/09	spring sports supplies	Open	422.00	0.00		
REQ001 PAUL REQUENA	09-01694	06/18/09	CD REFUND 65-999-903-420	Open	166.91	0.00		
ROCH001 MARIA ROCHA	09-01669	06/12/09	RETURN OF CASH MAINT. BOND	Open	200.00	0.00		
ROQ001 CELSON ROQUE	09-01693	06/18/09	ELECT PRIOR 65-999-977-494	Open	485.59	0.00		
SO014 SOUTH RIVER BOARD OF ED	09-01590	06/04/09	PRIMARY ELECTION 6/2/09	Open	62.50	0.00		
SO7720 SAYREVILLE, BORO OF	09-01477	05/22/09	Water/Sewer Standby	Open	2,539.00	0.00		
SO8110 STAR OF THE SEA CONCRETE CORP.	08-03150	11/24/08	2008 ROADWAY IMPROVEMENTS	Open	86,525.93	0.00		B
SO8132 SS PETER & PAUL CHURCH	09-01589	06/04/09	PRIMARY ELECTION 6/2/09	Open	450.00	0.00		
SO8162 STAVOLA COMPANIES	09-01262	05/05/09	Hi-Performance Cold Patch	Open	436.80	0.00		
SO8227 SUN BADGE COMPANY	09-01265	05/05/09	Police Officers Badge	Open	104.50	0.00		
SOCH002 MARK SCHRAEGER	09-01667	06/12/09	TAX LIEN BLK. 293 LOT 3	Open	613.79	0.00		
	09-01668	06/12/09	TAX LIEN BLK. 293 LOT 3	Open	1,124.79	0.00		
					1,738.58			
HER001 NAZARIY SHERSTKY	09-01695	06/18/09	CD REFUND 65-999-904-322	Open	118.43	0.00		
ILV004 RITA SILVA	09-01696	06/18/09	CD REFUND 65-999-893-806	Open	130.26	0.00		
MIT004 AMY SMITH	09-01697	06/18/09	CD REFUND 65-999-962-831	Open	87.19	0.00		
WAR001 MARK SWARTS	09-01698	06/18/09	CD REFUND 65-999-956-715	Open	76.09	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
F8314 TANK INDUSTRY CONSULTANTS	09-01129	04/22/09	REHAB TO APPLEBY AVE.	Open	18,000.00	0.00		B
F8324 TAYLOR OIL CO INC.	09-01506	06/01/09	Diesel Fuel Delivered 5/14/09	Open	1,922.75	0.00		
F8387 TELVUE CORPORATION	09-01535	06/01/09	MONTHLY ACCESS FEE	Open	600.00	0.00		B
F8531 TREASURER, STATE OF NJ	09-01585	06/04/09	ANNUAL INSPECT FEE 61 MAIN ST.	Open	368.00	0.00		
RE02 TRENTON MACK SALES & SVC, INC.	09-00393	02/10/09	TANDUM DUMP TRUCK W PLOW & SPR	Open	186,550.00	0.00		
9004 VERIZON WIRELESS	09-01617	06/08/09	SERVICE FOR 5/29-6/28/09	Open	3,727.53	0.00		
0LS01 JOANN WOLSKI	09-01699	06/18/09	CD REFUND 65-999-894-917	Open	143.36	0.00		
9675 YANKEES FOUNDATION	09-01670	06/12/09	Yankee Stadium Tour 7/31/09	Open	125.00	0.00		
UE001 YUEXIN LI ATTY TRUST ACCT.	09-01688	06/18/09	ELEC CURR 65-999-996-656	Open	125.21	0.00		
Total Purchase Orders: 129				Total P.O. Line Items: 245	Total List Amount: 523,176.07	Total Void Amount: 0.00		

Fund Description		Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total
WATER UTILITY	GL	8-02	662.59	0.00	662.59	0.00
ELECTRIC UTILITY		8-03	979.05	0.00	979.05	0.00
	Year Total:		1,641.64	0.00	1,641.64	0.00
CURRENT FUND		9-01	86,846.69	0.00	86,846.69	0.00
WATER UTILITY	GL	9-02	77,960.24	0.00	77,960.24	0.00
ELECTRIC UTILITY		9-03	4,813.06	0.00	4,813.06	0.00
		9-15	1,872.61	0.00	1,872.61	0.00
	Year Total:		171,492.60	0.00	171,492.60	0.00
GENERAL CAPITAL		C-06	319,894.12	0.00	319,894.12	0.00
SCROW ACCOUNT		E-17	2,428.25	0.00	2,428.25	0.00
ELECTRIC CAPITAL		L-08	7,740.50	0.00	7,740.50	0.00
OTHER TRUST ACCOUNTS		T-05	1,978.96	0.00	1,978.96	0.00
WATER CAPITAL		W-07	18,000.00	0.00	18,000.00	0.00
Total of All Funds:			523,176.07	0.00	523,176.07	0.00

## COUNCIL COMMENTS

### Councilman Almeida

- Commended Public Safety for working well together
- 6/27/09 – 2<sup>nd</sup> Annual Portuguese Club fundraiser for Fire Company – Yard Sale 9:00 a.m. to 5:00 p.m. \$5.00 per person for lunch.
- Attended Board of Health meeting last week – feral cat problem discussed. Dog Show being held on National Night Out – proceeds will go to deal with feral cat issue.
- Municipal Alliance and Police Department getting word out on National Night Out.
- Mayor's Council on Aging – meeting on 7/8/09
- Congratulations to 2009 Class of South River High School
- Fireworks – 7/1/09; rain date – 7/2/09
- Happy 4<sup>th</sup> of July

### Councilman Guindi

- Offered condolences to Koch family on the passing of Fred Koch
- National Night Out – 8/4/09
- Cruise Night – cancelled on 6/18/09 due to rain; next date is 8/20/09
- Firehouse grant application – after speaking with Fire Chief, recommended having consulting firm do study.
- Swine Flu – 2 confirmed cases in South River – urged all to wash hands to prevent spreading germs.

### Councilman Hutchison

- Alternative Energy Committee – met on 6/9/09
- Environmental/Shade Tree Committee – met on 6/11/09
- Parking Authority – met on 6/18/09
- Congratulations to 2009 Class of South River High School
- Happy 4<sup>th</sup> of July

### Councilman Razzano

- Swine Flu – 2 cases in South River – not school age children
- Thanked Councilman Trzeciak for filling in at Municipal Alliance meeting.
- Paid EMS – separate entity – South River Emergency Medical Services scheduled to be ready on 7/6/09. Hank VandeBeek, Director, - doing an outstanding job. Capt. Synek has been very helpful.
- Fire Dept. – 6/24/09 – 6:30 p.m. Fire Drill at Daley's Pond
- OEM – Field Day – 6/27-28/09 – 2:00 p.m. Saturday to 2:00 p.m. Sunday – Grekoski Park
- Congratulations to 2009 Class of South River High School
- 7/15/09 – 7:00 p.m. – Municipal Alliance meeting – Public Library – topic – National Night Out
- Library – called Congressman Holt – no stimulus money for library; recommend to put money back and bond for library again.

- Commended Police, Rescue Squad and OEM for working well together on recent incident.
- 2% surcharge for businesses – Councilman Razzano moved to repeal 2% surcharge retroactive to 6/1/09. Councilman Almeida seconded the motion.

Council discussion: Councilman Razzano stated that we need to be business friendly.

Councilman Hutchison questioned from where we would recover the money. Councilman Razzano said we have \$30,000 surplus. Councilman Almeida said that budget will not be affected this year, we will have six months to see where we can make up that money.

Councilman Hutchison said that electric is down and feels that it is wrong time to cut electric rates.

Mayor Eppinger stated that we are business friendly. PSE&G charges interest if your payment is late. We carry people who do not pay their bills without charging interest. Mr. Salerno has confirmed that on demand side, we are losing money. When remote reads are instituted, we will have more accuracy on electric usage. Councilman Razzano's intentions are excellent, but he does not think repealing the 2% surcharge would benefit South River.

Mayor Eppinger asked the Clerk to call the roll.

#### ROLL CALL VOTE

YEAS: Almeida, Guindi, Razzano

NAYS: Hutchison, Trenga, Trzeciak

Tie Vote: Mayor Eppinger voted no on the motion.

#### Councilman Trenga

- Thanked employees for their hard work.
- Cruise Night on 6/18/08 canceled due to weather.
- Attended Board of Education workshop on strategic planning – good opportunity to see what school does.
- 6/27/09 – Portuguese Club Barbecue – encouraged all to attend.
- Working with Councilman Almeida and Board of Health on feral cat issue; thanked Mr. Zelanko for his input on matter.
- Happy 4<sup>th</sup> of July – be safe – don't drink and drive.

#### Councilman Trzeciak

- Attended Summit Engine Company golf outing last Friday – had a good time.
- Attended Library Trustees meeting – great programs offered for children.
- Attended Board of Education strategic planning meeting.
- National Night Out – 8/4/09 at South River High School – 5:00 p.m. to 10:00 p.m. – joint effort of Municipal Alliance and Police Department.
- Attended Municipal Alliance meeting in Councilman Razzano's absence – coordinating events for National Night Out.
- Attended Eagle Scout ceremony for Trevor Lepucki – congratulations to Trevor.
- Incident at Daly's Pond Park – girl was hit by a golf ball. Let us know if you see anyone hitting golf balls.
- Congratulations to 2009 Class of South River High School.

- OEM – Field Day – 6/27-28/09 – 2:00 p.m. Saturday to 2:00 p.m. Sunday – Grekoski Park

Mayor's Comments

- Congratulated Trevor Lepucki on Eagle Scout award. Councilman Trzeciak attended ceremony in his absence and presented a scholarship in his father's name.
- Thanked Councilman Trzeciak for covering the Municipal Alliance meeting for Councilman Razzano.
- Congratulations to 2009 Class of South River High School.
- JFK Park at Anne St. – Phase 1 completed. Will finish Phase 2 when HCD funds are available.
- Library expansion, firehouse – important projects. Strategic Planning Committee will have to prioritize.
- Work being done on sewer system, water tower.
- Contract going out for Geese Police.
- Next Council meeting – 7/13/09.
- 7/1/09 – fireworks.
- Enjoyed Spring Fling.
- DPW safety project – will be repainting lines on streets and crosswalks.
- Borough Council is in constant contact with each other and on top of all matters – every day – weekends, holidays.

Public Comment (for good and welfare of borough)

Mario Andre, 16 Armstrong Ave.

- Asked if ordinances could be put on website. Mr. Salerno stated that it would be difficult working with the Clerk's Office, Administration and the webmaster. Councilman Razzano noted that the ordinances are published in the paper.

Gordon Anthony, 27 Charter Drive

- Expressed concern about nuisance ordinance, neighbor's stereo is on all day long. Has called Police and asked to enforce new ordinance at 31 Charter Drive. Acting Chief Bouthillette stated that Police have responded to the call. Mr. Anthony said that the noise is getting worse and cannot put up with it any longer. Acting Chief Bouthillette said that Lt. Boldizar will discuss this issue with Mr. Anthony.

Marilyn Meloni, 53 Kamm Ave.

- Asked what the status was of the bike racks. Mayor Eppinger said it has not been forgotten. Proper location of racks has to be determined by the Police Chief, Parking Authority and the EDC.
- Asked about the red X building status. Mr. Salerno said that the Unfit Buildings Committee meets quarterly. The committee has taken care of many violations. Mayor

Eppinger said that property owners do have rights. Have to go through process and notify the owners to try and resolve problem.

- 55 Reid St. – light switch on other side of room.
- Painting lines – can we cover line on Kamm/Raymond – no one can stay on that side. Acting Chief Bouthillette will talk to traffic Safety Officer.

Joe Manzo

- Asked when East Brunswick contract for purchase of water is up. Mayor Eppinger said that it ends contract ends in 2011.
- Asked when UBS contract is up. Mr. Salerno said this year. Asked if we can bring it back to town. Mr. Salerno said he is looking into it.
- Questioned bill for RMF Architect for 55 Reid St.

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

ADJOURNMENT

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

Respectfully submitted on  
July 10, 2009.

Patricia E. O'Connor, RMC  
Borough Clerk

Approved at the regular meeting  
held on July 13, 2009