

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 July 14, 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, Krenzel, Razzano, Trenga, Trzeciak

Also attending this meeting were David Himmelman, Esq. substituting for Gary M. Schwartz, Borough Attorney and Andrew J. Salerno, Borough Administrator.

MINUTES

The Minutes of Meeting No. 11 held on April 19, 2004, the Minutes of Meeting No. 13 held on May 3, 2004, and the Minutes of Meeting No. 7 held on March 27, 2006 were submitted to the Council for acceptance as to form only but not as to content.

Councilman Krenzel moved that the Minutes be accepted. Councilman Razzano seconded the motion. So carried.

The Minutes of Meeting No. 14 held on June 23, 2008 were submitted to the Council for acceptance and/or amendment.

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

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 July 1, 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 June 27, 2008. Mayor Eppinger directed the Clerk to proceed with the reading of the Ordinances.

ORD:2008-25

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, ROAD AND DRAINAGE IMPROVEMENTS AND VARIOUS OTHER IMPROVEMENTS, AND APPROPRIATING \$1,775,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,686,000 BONDS AND NOTES TO FINANCE A PORTION OF THE

COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF  
SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,775,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$89,000 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 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,686,000, 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 3.

(a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

- i) The acquisition of a street sweeper, with a total appropriation and estimated cost of \$201,000, estimated maximum amount of bonds or notes therefor of \$190,950, and an average period of usefulness of 5 years;
- ii) The acquisition of a dump truck, with a total appropriation and estimated cost of \$151,000, estimated maximum amount of bonds or notes therefor of \$143,450, and an average period of usefulness of 5 years;
- iii) The acquisition of a sanitation truck, with a total appropriation and estimated cost of \$161,000, estimated maximum amount of bonds or notes therefor of \$152,950, and an average period of usefulness of 5 years;
- iv) Acquisition of Various Police Department Equipment and Radio System Analysis, with a total appropriation and estimated cost of \$164,000, estimated maximum amount of bonds or notes therefor of \$155,800, and an average period of usefulness of 5 years;
- v) Sewer System TV inspection and repair, with a total appropriation and estimated cost of \$46,000 estimated maximum amount of bonds or notes therefor of \$43,700, and an average period of usefulness of 5 years;
- vi) The replacement of two (2) Sewer Grinder Pumps, with a with a total appropriation and estimated cost of \$260,000, estimated maximum amount of bonds or notes therefor of \$247,000, and an average period of usefulness of 20 years;
- vii) Borough wide Road Assessment, with a total appropriation and estimated cost of \$11,000, estimated maximum amount of bonds or notes therefor of \$10,450, and an average period of usefulness of 5 years;

- viii) The Annual Road Milling and Paving Program, with a total appropriation and estimated cost of \$165,000, estimated maximum amount of bonds or notes therefor of \$156,750, and an average period of usefulness of 5 years;
- ix) Various Road and Drainage Improvements based on the Borough Road Assessment, with a total appropriation and estimated cost of \$511,000, estimated maximum amount of bonds or notes therefor of \$485,200, and an average period of usefulness of 20 years;
- x) Computer Upgrades, with a total appropriation and estimated cost of \$105,000, estimated maximum amount of bonds or notes therefor of \$99,750, and an average period of usefulness of 5 years;

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,686,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,775,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,775,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$89,000 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 3 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 11.5 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 \$1,686,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$165,000 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 asked if this Ordinance had to do with property acquisition. Mayor Eppinger replied that it does not.

Marilyn Meloni, 53 Kamm Avenue asked if the Borough will be getting a street sweeper for which we can get parts. Borough Administrator Salerno replied that the former sweeper is from 1997 and that we are getting a new street sweeper for which parts should be available.

Emery Spirko, 2 Marcus Court stated we are going to borrow \$1.6 million according to this Ordinance. For the items that we are expending \$4 million on the six-year plan, are we going to be borrowing more money, and, if so, where will it come from.

Borough Administrator Andrew Salerno replied that capital improvements are not current expenses, and the \$4 million will come from bonds, notes, grants and financing appropriating over the life of the improvement. None of these projects could be done if you had to include them in your current fund. We have \$16.5 million worth of projects for which we will be borrowing funds over the long term.

Dave Sliker, 274 Main Street asked, with the equipment that is being purchased, have the Mayor and Council considered buying any fuel-efficient vehicles, such as bio-diesel, clutch fueled, hybrids. Borough Administrator Andrew Salerno responded that we are looking into all of that for future purchases, it has not been considered specifically for these three purchases.

Mr. Sliker also asked in regard to the equipment for the Sewer Department, he noticed in the newspaper that the Governing Body is preparing to go out to bid for privatization of the Water and Sewer Department for both maintenance and private management. Mr. Salerno indicated that it is not for management. The current specs on the street are the same as they were two years ago. Mr. Sliker wondered why we are buying equipment. Mr. Salerno responded that we are only purchasing grinder pumps. The Water and Sewer Department is responsible for the day to day operations and the maintenance of its equipment. It is not responsible for capital improvements or purchase of any equipment that is involved with the operation.

No further 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 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. Councilwoman Buffalino wondered with regard to the water and wastewater bids which will be going out in September, this Ordinance is not privatizing our water as far as handing over control of our entire water utility. This is to replace our personnel who have either left or who have retired over the years and have not been replaced. We do not have a fully functioning water maintenance utility as far as personnel and current equipment that works to be able to do this ourselves.

Borough Administrator Salerno further added that we have a few employees disbursed between both departments and they basically troubleshoot and do the day-to-day treatment of the water. Currently we have contracts with Sayreville and B&W for the majority of the repair work and the heavy maintenance that goes on. What is being bid upon now is the daily operational portion of it in addition to approximately 12-15 responses to emergencies and heavy repairs. This would then do away with the requirement for the two alternative outside contracts. Contract A would be for the maintenance and operation of the facility. Contract B would only be for the reactions to the emergencies and the major repairs.

Councilman Razzano asked about the specifics of the acquisition of Police Department equipment. Mr. Salerno stated that purchases would be for cameras and security, weapon replacement, microfiche and a radio system. Mr. Razzano wondered if it was possible when there was bonding for specific items that they be done separately. Mr. Razzano asked about the borough wide road assessment. Mr. Krenzel stated that this will allow CME to assess which roads are in most need of repair.

Councilman Trzeciak noted that at the time, cameras and security were not included in the plans for the reconstruction of the building.

Councilwoman Buffalino agrees that Mr. Razzano's request is reasonable and noted that we went over the itemized list of what was included in the bond ordinance during the introduction and first reading of it.

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

ROLL CALL VOTE

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

ORD:2008-26

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO.  
2003-18 ADOPTED ON JULY 21, 2003, PROVIDING FOR

PRELIMINARY EXPENSES IN CONNECTION WITH THE RESURFACING AND UPGRADING OF THE APPLEBY AVENUE WATER STORAGE TOWER FOR THE WATER UTILITY OF THE BOROUGH, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE PUBLIC WORKS GROUND WATER STORAGE TANK, 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. 2003-18 on July 21, 2003 (the "Prior Ordinance"), providing for the preliminary expenses in connection with the resurfacing and upgrading of the Appleby Avenue Water Storage Tower; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section One. Section 3(a) of the Prior Ordinance, is hereby amended to read as follows:

- (a) The improvements hereby authorized and the purpose for which the obligations are to be issued is for the preliminary expenses in connection with the evaluation, resurfacing and upgrading of the Appleby Avenue Water Storage Tower and the Public Works Ground Water Storage Tank for the Water Utility of the Borough, together with all items necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section Two. The aggregate appropriation of \$100,000, the aggregate debt authorization of \$100,000, the useful life of ten (10) years, and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

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

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

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

Emery Spirko, 2 Marcus Court asked how much this Ordinance is going to cost. Borough Administrator Salerno responded that this is a re-appropriation of an existing Ordinance. We are taking the \$100,000 balance of the 2003-18 Ordinance which was created for the purpose of inspecting the Appleby Avenue water tank, and we are increasing its scope to cover the inspections of both the Appleby Avenue and the Ivan Way water storage tanks. There is no extra money involved here.

Julius Fekete, 26 Terry Avenue asked if this bond would be paid by the water utility. Mr. Salerno stated that any bond against the utility is paid by the utility and the ratepayers.

No further comments were made. Councilman Hutchison moved that the public hearing be closed. Councilman Razzano 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.

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

ROLL CALL VOTE

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

ORD:2008-27

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AND IMPROVEMENTS TO VARIOUS CAPITAL EQUIPMENT FOR THE ELECTRIC UTILITY, APPROPRIATING \$690,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$690,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$690,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$690,000, 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 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the acquisition of and improvements to various capital equipment for the Electric Utility, including, the acquisition of breaker batteries, oil circuit breaker ("OCB"), OCB repair, SF6 switch breaker, various switches, cables, equipment for substation, transformer, electric system maps, and a new bucket truck, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of 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 \$690,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$690,000, which is equal to the amount of the appropriation herein made therefor.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement of the Electric Utility, 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 (five) 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$690,000 Bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$20,000 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.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

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

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

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

Section 9. 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. No comments were made. Councilman Krenzel 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 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.

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

ROLL CALL VOTE

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

ORD:2008-28

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WATER TREATMENT PLANT, APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,500,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or

appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,500,000, 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 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of improvements to the Water Treatment Plant, including the replacement of an electrical panel for the Water Pumps and Flow Meter(s) and improvements to Distribution System, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of 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 \$1,500,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,500,000, which is equal to the amount of the appropriation herein made therefor.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement of the Water Utility, 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 (fifteen) 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$1,500,000 Bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt

in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$300,000 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.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

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

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

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

Section 9. 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. No comments were made. Councilman Krenzel moved that the public hearing be closed. Councilman Hutchison seconded the motion. So carried.

Mayor Eppinger asked the Councilmembers as to the action to be taken on this Ordinance. Councilman Krenzel moved that the Ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Hutchison 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: Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak  
NAYS: None

PUBLIC COMMENTS-(agenda items only)

Edward Trygar, 1 Johnson Place asked about a reimbursement to Councilwoman Buffalino of \$413 for a school dance that was on the bill list. Councilwoman Buffalino stated that \$200 was for the DJ and the balance was for purchases made at Sam's Club for refreshments and other items for the dance. Mr. Trygar asked about an \$800 bill from CME for South River Development. Mr. Salerno stated that was an escrow account for a property owned by South River Development.

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

RESOLUTIONS

RES:2008-344

JULY 14, 2008

RESOLUTION

I, Raymond T. Eppinger, with the advice and consent of the Council of the Borough of South River, do hereby appoint Matthew R. Casey to the position of Fire Cadet of the South River Fire Department of the Borough of South River effective as of June 18, 2008.

DATED: JULY 14, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to Confirm:

/s/ John Krenzel  
Councilman

Second to Motion:

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-345

JULY 14, 2008

RESOLUTION

WHEREAS, the Middlesex County Sustainable Economic Growth Improvement Fund provides funding to communities for specific projects aimed at revitalizing and renewing public space; and

WHEREAS, maximum grant awards are \$100,000 and will be awarded to municipalities for projects that have a demonstrated need for funding and that are "ready-to-go"; and

JULY 14, 2008

WHEREAS, the Middlesex County Sustainable Economic Growth Improvement Fund is now accepting applications for the year 2008.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the Borough Administrator is authorized to submit a grant application for the Middlesex County Sustainable Economic Growth Improvement Fund for the year 2008.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-346

JULY 14, 2008

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that Anthony Iovino, Architect is authorized to prepare specifications for the replacement of the South River Library air conditioning system at a cost of \$3,500.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-347

JULY 14, 2008

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the proposal submitted by Omodex Incorporated PC for mechanical and electrical design services which will include a new chiller to replace the existing unit at the South River Library at a cost of \$5,800 is hereby approved.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

JULY 14, 2008

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

NAYS: None

RES:2008-348

JULY 14, 2008

RESOLUTION

WHEREAS, upon recommendation of the participating members of the Public Power Association of New Jersey, the Borough of South River entered into a joint Request for Proposals with the seven other members of the Public Power Association of New Jersey (PPANJ) in order to bid for the Borough's power supply requirements upon advice of the legal counsel for the Public Power Association, in light of the procedures applicable to such contract, authorized entry into an agreement for such power requirements on behalf of the Borough by the Borough Administrator, and

WHEREAS, pursuant to the Resolution #2007-379, the Borough of South River then authorized the Business Administrator to execute a Standby Letter of Credit as required for the purchase of electricity from DTE Energy Trading, Incorporated by the contract awarded through the Public Power Association of New Jersey.

WHEREAS, it is now the recommendation of the legal counsel for the Public Power Association of New Jersey that all members of the Public Power Association enter into an amendment to the Letter Confirming Contract dated May 9, 2007, which was entered into pursuant to the terms of Master Power Purchase and Sale Agreement between the Borough of South River and DTE Energy Trading, Incorporated.

WHEREAS, the First Amendment to the Agreement also acknowledges the need for DTE Energy Trading, Incorporated to provide a New Jersey Business Registration Certificate as required by N.J.S.A. 52:32-44.

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

1. That the Business Administrator is authorized to execute, and the Borough Clerk to attest, to respectively the First Amendment to the Confirmation Letter dated May 9, 2007, entered into pursuant to the terms of the Master Power Purchase and Sale Agreement between the Borough of South River and DTE Energy Trading Corporation, which Amendment is attached hereto and incorporated herein as Schedule 08-196A.
2. That the governing body hereby authorized the withdrawal and/or cancellation of the Standby Letter of Credit authorized by Resolution #2007-379.
3. That a certified copy of this resolution be forwarded to the Public Power Association of New Jersey.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-349

JULY 14, 2008

RESOLUTION

WHEREAS, Verizon Wireless has petitioned the governing body to become the Lead Carrier under the terms of a lease agreement between the Borough of South River and Verizon Wireless dated March 27, 2007 concerning construction of a cellular telecommunications facility at 11 Causeway as a result of the termination of a lease agreement for the said premises by Sprint Spectrum, LP which was previously designated by the Borough as Lead Carrier for the referenced site; and

WHEREAS, the governing body has received notice from Sprint Spectrum, LP that it is terminating its referenced lease with the Borough pursuant to the terms thereof and thereby no longer will serve as Lead Carrier for the referenced site; and

WHEREAS, Verizon Wireless in agreeing to assume the Lead Carrier's position on this telecommunications facility has also agreed to pay the same rent which Sprint Spectrum, LP agreed to pay the Borough of South River for Sprint's location on this facility.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of South River that the petition of Verizon Wireless to become the Lead Carrier for the telecommunication facility to be erected at 11 Causeway is hereby granted on condition that Verizon Wireless submits an amendment to its lease for the 11 Causeway site agreeing to all terms for which Sprint Spectrum, LP was obligated as Lead Carrier and which shall be acceptable in form and content to the Borough Attorney.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-350

JULY 14, 2008

RESOLUTION

WHEREAS, the Borough has settled a lawsuit entitled Diaz vs. the Borough of South River for an amount of \$750.00; and

WHEREAS, the settlement calls for the payment by the Borough of the aforesaid sum to Lydia Diaz who is a customer of the South River electric utility.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the appropriate officials of the Borough credit the

electric utility account of Lydia Diaz with the sum of \$750.00 for the next billing period and a copy of this resolution be forwarded to Lydia Diaz.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-351

JULY 14, 2008

RESOLUTION

WHEREAS, the New Jersey State League of Municipalities will hold its annual statewide convention on November 18, 2008 through November 21, 2008 in Atlantic City, New Jersey; and

WHEREAS, the Governing Body has encouraged its Municipal Officials to annually attend the New Jersey State League of Municipalities convention in that it offers educational opportunities in the area of Municipal Government Operations; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River in the County of Middlesex of the State of New Jersey that the following Officials and Employees of the Borough of South River are hereby authorized to attend said convention to be held in Atlantic City, New Jersey as above stated:

1. Mayor and Members of the Borough Council
2. Borough Clerk
3. Borough Administrator
4. Chief Financial Officer
5. Registrar of Vital Statistics
6. Director of the Office on Aging
7. Director-Department of Public Works
8. Emergency Management Coordinator
9. Member of the Planning Board
10. Member of the Zoning Board of Adjustments

BE IT FURTHER RESOLVED that maximum payment/reimbursement of \$550.00 will be reimbursed for room, badges, mileage and tolls will be authorized from the appropriate budget codes once receipts are submitted from the following departments:

1. Governing Body
2. Borough Clerk
3. Finance
4. Borough Administrator
5. Public Works
6. Office on Aging
7. Zoning Board of Adjustments
8. Planning Board
9. Emergency Management

BE IT FURTHER RESOLVED that before Hotel Reservations are made and registration badges are purchased through the Administrator's Office, any person attending the convention must provide the Borough Administrator with the reasons for attending, classes/seminars to be attended and if CEU credits will be given for a license. Seminar request forms are obtained from the Administrator's Office.

BE IT FURTHER RESOLVED upon returning a copy of any certifications earned or attendance sheet must be submitted to the Administrator's Office within 10 days of the convention.

BE IT FURTHER RESOLVED that all other internal policies of the Borough of South River will be adhered to.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-352

JULY 14, 2008

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the settlement agreement with Dave Wroblewski and Scott Melski in the amount of \$20,000 is hereby approved.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-353

JULY 14, 2008

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that Concept "A" improvements to the intersection of Main Street and Thomas Street as outlined in the Borough Engineer's letter dated April 22, 2008 is hereby endorsed.

JULY 14, 2008

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-354

JULY 14, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby remove Krisztina Dozsa as a Member of the Recreation Advisory Board effective as of this date.

DATED: JULY 14, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to Confirm:

/s/ John Krenzel  
Councilman

Second to Motion:

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-355

JULY 14, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Doug Fowler as a Member of the Recreation Advisory Board to fill the unexpired term of Krisztina Dozsa effective as of this date to December 31, 2011.

DATED: JULY 14, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to Confirm:

/s/ John Krenzel  
Councilman

Second to Motion:

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-356

JULY 14, 2008

RESOLUTION

WHEREAS, pursuant to the applicable Statutes of the State of New Jersey, the Local School District is required to requisition funds for Operating Expense and Debt Service Expense from the Borough; and

WHEREAS, a requisition dated July 1, 2008 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE: \$2,024,463.00

RESTORED FUNDS:

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

TOTAL \$2,024,463.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by August 11, 2008.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-357

JULY 14, 2008

RESOLUTION

WHEREAS, the Borough Engineer originally calculated a performance bond to be posted by the developer in connection with the Deniz Minor Subdivision in the borough; and

WHEREAS, the borough engineer has determined that all required work has been completed in connection with this project; and

WHEREAS, the borough engineer by letter dated July 1, 2008 has recommended that the performance bond be released subject to posting of a two (2) year maintenance bond in the amount of \$2,744.82, together with payment of all outstanding engineering inspection or other borough fees.

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that the improvements required of the developer are accepted and the performance bond previously posted may be released subject to posting of the aforesaid maintenance bond, payment of any and all outstanding engineering inspection fees as well as any other fees due the Borough of South River.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-358

JULY 14, 2008

RESOLUTION

WHEREAS, Ahmed Ayaz has submitted an application for a Mercantile License for a proposed business known as Jackson Auto Repair to be located at 14 Jackson Street in the Borough of South River, New Jersey; and

WHEREAS, the nature of the business will be general auto repair; 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 Ahmed Ayaz for a business known as Jackson Auto Repair to be located at 14 Jackson Street, South River, New Jersey is hereby approved.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-359

JULY 14, 2008

RESOLUTION

WHEREAS, the South River Knights Pop Warner Organization has requested permission to conduct a voluntary canning fundraiser on August 2, 3, 16, 17, 23, and 24, 2008 in front of various merchants in the Borough of South River; and

WHEREAS, said fundraiser will be for the benefit of the organization as well as various children of our municipality; and

WHEREAS, the South River Knights Pop Warner Organization has provided the opportunity for various youth of the Borough of South River with the necessary facilities and equipment within the Borough of South River.

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the South River Knights Pop Warner Organization is hereby granted permission to conduct its annual canning fundraiser on August 2, 3, 16, 17, 23, and 24, 2008 in front of various merchants in South River subject to the following:

- a) The South River Knights Pop Warner Organization shall provide a complete list of participants and locations to the South River Police Department as well as the dates and times of said fundraising prior to commencing the same.
- b) The South River Knights Pop Warner Organization shall obtain the appropriate permission from each of the local merchants in order to do canning in front of their store.
- c) That all fundraising shall be done on the sidewalk area and shall in no way impede the area to the public.
- d) All fundraising shall be supervised by adults.
- e) The South River Knights Pop Warner Organization shall also comply with any further requirements from the Borough and/or the South River Police Department.

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-360

JULY 14, 2008

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>
65-999-903-266 CD	PARDEEP ANAND 201-A TAYLOR AVE EAST BRUNSWICK, NJ 08816	\$139.79
65-999-906-665 CD	JOSE DASILVA 52 WHITEHEAD AVE APT 4 SOUTH RIVER, NJ 08882	\$54.88
65-999-908-656 CD	KATIE DEY 8 COLFAX ST SOUTH RIVER, NJ 08882	\$154.49
65-999-903-343 ELEC PRIOR	LAURIE A. ESKA 35 ROGER AVE CRANFORD, NJ 07016	\$59.63
65-999-969-387 CD	MAURICIO FERRARI 6 RAYMOND PL SOUTH RIVER, NJ 08882	\$168.30
65-999-942-635 CD	DENNIS HAGGERTY 43 ERICKSON AVE MONROE, NJ 08831	\$152.33
66-999-965-096 WTR CURRENT	MARTIN HRONEC 255 WEST 85 <sup>TH</sup> ST NEW YORK, NY 10024	\$171.39
65-999-975-866 ELEC CURRENT 65-999-975-866 ELEC PRIOR	LOUISE IANNOTTA C/O GOLDEN LIVING CENTER 6989 ROUTE 18 SO ROOM 206 OLD BRIDGE, NJ 08857	\$63.57 \$15.12
65-999-934-418 ELEC CURRENT	KATHLEEN MILLER 6 HART ST SAYREVILLE, NJ 08872	\$29.34
65-999-901-275 CD	REGINA PELLECHIO 21 ORCHARD LN MARLTON, NJ 08053	\$153.82
65-999-946-815 CD	JOHN & EMILIE PERRIERO 117 PARKER AVE NEWPORT NEWS, VA 23606	\$157.38
65-999-947-288 CD	MICHAEL PHILLIP C/O W TRACY 42 OBERT ST APT B SOUTH RIVER, NJ 08882	\$113.32

65-999-969-816	ELEC CURRENT	OVRANIA ROBLES 31 LEVINSON AVE SOUTH RIVER, NJ 08882	\$5.92
65-999-895-027	CD	CARLOS TUBA 22 FERRY ST SOUTH RIVER, NJ 08882	\$138.54

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

RES:2008-361

JULY 14, 2008

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain adjustments, recessions, amendments, cancellations, corrections, refunds and uncollectibles should be made on certain accounts due to various reasons; and

WHEREAS, the Utility Collector recommends these changes as listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED that the Borough Utility Collector be and he is authorized to make the necessary adjustments, indicated below and any attached list.

UTILITY CUSTOMER  
ACCOUNT NUMBER

REASON

AUTH

YEAR

AMOUNT

IANNOTTA, LOUISE 51 Reid Street South River, NJ 08882 #65-999-975-866	Elec Credit LIFELINE	Refund	2007	\$83.61
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DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Anthony Razzano  
Councilman

ROLL CALL VOTE

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

Mayor Eppinger stated that Mr. Salerno requires authorization from the Borough Council to submit an application for membership to PJM and asked Mr. Salerno to brief the public on this matter.

Mr. Salerno explained that PJM LLC was developed by the Federal Energy Regulatory Commission. It is an organization that controls distribution, sales and transmission of all bulk and retail electrical purchases in the tri-state area. We have opted to continue our bulk purchasing for the future after June 1, 2009 through a managed contract by American Power Net APN which acts as the borough's agent for the grid purchases. The contract proposal has two different options. One is that for an additional \$3,000 a month, APN would act as our member of the PJM. The other option is that the Borough joins PJM naming APN as its agent, and, therefore, not have to pay the additional \$3,000 per month to manage our future electrical purchases. It was decided because of the different credit issues APN would face and that the boroughs' public utilities get a waiver on the default requirement of the membership, that the public utility would join. South River and three other municipalities are joining PJM. The application fee is \$1500 with annual dues of \$5,000. Mr. Salerno stated that the application must go in and be accepted before we can enter into a contract with APN and start going to market for our future purchases.

Councilmen Krenzel moved that the Borough Administrator be authorized to submit the membership application and fee of \$1500 to PJM. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

RES:2008-362

JULY 14, 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>
ADVANCED GENERATOR	1,118.00
ALLIED OIL COMPANY LLC	17,112.88
ALONGI, CARLO	578.40
ALONGI, CONSTANCE	578.40
AMBROSIO, JOSEPH, ESQ	400.00
ANDERSON HOYT IRRIGATION CO	1,664.70
ARCARI & IOVINO ARCHITECTS	8,250.00
ZOILA ACEVEDO	66.54
BANNISTER CO	64.00
BASIC CHEMICAL SOLUTIONS LLC	607.71
BENECARD SERVICES INC	32,592.68
BIGNELL PLANNING CONSULTANTS	933.75
BINNS, ROBERT	561.00
BODNAR, ROBERT	578.40
BRENNTAG NORTHEAST INC	191.25
BUFFALINO, SUZANNE	413.50
BEACHEM, ROBERT	50.00
BOARD OF RECREATION	55.00
BOLLENTIN, JOSEPH	578.40
CAMBRIA MACK	1,794.37

CANON BUSINESS SOLUTIONS INC	347.10
CENTRAL JERSEY SECURITY	2,850.87
CEREKWAS, ELAINE	578.40
CEREKWAS, GEORGE	578.40
CME ASSOCIATES	20,415.00
COMCAST	651.11
CONSOLIDATED RAIL CORP	201.43
CRAPAROTTA, NORMA	578.40
CURTIS SERVICE INC	170.00
DAVIS INSTRUMENTS	682.00
DECALS BY DESIGN INC	700.00
DELL COMPUTER CORPORATION	859.94
DOOR TO DOOR DUMBBELLS	150.00
E&G EXTERMINATORS INC	200.00
TOWNSHIP OF EAST BRUNSWICK	64,486.77
TOWNSHIP OF EAST BRUNSWICK	2,633.35
EIB, MARY	561.00
EIB, FRANCIS X	561.00
FIRE ART CORP	10,000.00
FREEMAN, GEORGE J	578.40
FREEMAN, FLORENCE	578.40
FRENCH, ROBERT D	399.60
FULAM, RICHARD F	531.00
GEORGE FREEMAN	60.00
JANICE GLESSMAN	482.00
LEONARD GLESSMAN	482.00
GTS-WELCO	155.30
HARRY AUSHALTER-ATTY AT LAW	156.60
HOAGLAND, LONGO, MORAN, DUNST	287.50
HOME NEWS TRIBUNE	330.99
THE HUDSON WORKWEAR CO INC	2,247.66
I D M MEDICAL SUPPLY CO	453.00
INSTRUMENT TECH SERV (I.T.S.)	222.00
DIANE LORENZO T/A	337.00
JOHN'S INC	388.00
SAMUEL KLEIN & COMPANY	24,580.00
KOZLOWSKI, WALTER	429.00
DEIDRE KLIMCSAK	170.00
LEE'S AUTO PARTS INC	4,897.21
LOGIN INC/IACPNET	800.00
GEORGE LOGAN TOWING INC	350.00
JOHN LEONARD	150.00
LIFELINE PROGRAMS	112.50
JOSEPH LOMBARDI	125.00
MANUEL LOPEZ	129.27
MAGLOCLLEN	400.00
MARCH INC OF AMERICA	980.00
MIDD CTY UTILITY AUTHORITY	43,643.10
MIDDLESEX COUNTY TREASURER	138,441.06
MIDDLESEX COUNTY TREASURER	32.88
MIDDLESEX COUNTY TREASURER	1,177,542.24
MOORE, JOHN W	531.00
MICRO SYSTEMS-NJ.COM LLC	120.00
NATIONAL CHURCH RESIDENCES	5,297.44
NEXTEL COMMUNICATIONS	1,258.82
STATE OF NJ PWT	278.20
FRANCISCO NEPOMUCENO	30.58
ONE CALL SYSTEMS INC	51.48
OBT COMMERCIAL PARK LLC	1,570.42

DE OLIVEIRA	191.12
PENTATEK SOLUTIONS INC	2,000.00
PETERSEN, RONALD V	578.40
PETERSEN, GERALDINE	578.40
PISCITELLI, SALVATOR	531.00
PORT-O-CALL HOTEL	1,317.75
PRECISION TIME RECORDER	175.25
PUBLIC SERVICE ELECTRIC & GAS	609.06
PAUL PEREIRA	140.01
KANTHIAH SIVANANTHAN	302.74
PITLUBE	208.57
POWERLINE.COM LLC	300.00
QUALITY ELECT MOTOR	205.00
RADIO EXCHANGE	271.00
RAZOR PRINTING INC	462.21
RARITAN VAL REGIONAL CRIMINAL	210.00
RICOH BUSINESS SYSTEMS INC	7,086.00
RON'S OFFICE MAINTENANCE	800.00
FRANCISCA ROBLES	46.67
SOUTH RIVER BOARD OF ED	16,072.00
S BROTHERS INC	42,480.58
SAMS CLUB	660.46
SA-SO COMPANY	3,052.40
SAYREVILLE, BORO OF	4,891.07
SCHAFFER, KATHLEEN	374.00
SCHAFFER, ROBERT J	561.00
DAVID J SAMUEL P E	518.84
SCHULMAN, WIEGMANN & ASSOC INC	1,058.75
SCHWARTZ, GARY M ESQ	1,971.50
WILLIAM A SCHMIDT	575.50
SIPERSTEIN'S	70.27
STA-SEAL INC	354.21
STASHKEVETCH, ELIZABETH	531.00
STASHKEVETCH, JOSEPH	501.00
STS AUTO CENTER	56.95
TAYLOR OIL CO INC	24,065.39
TRYGAR & SONS HARDWARE INC	24.92
UTILITY BILLING SERVICES INC	20,784.90
UTILITY BILLING SERVICES INC	496.07
VERIZON	120.02
VERIZON WIRELESS	1,400.30
VERIZON	6,284.49
VERSALIFT EAST INC	5,528.03
WALTERS AUTO BODY	383.80
WISNIEWSKI, ROBERT	578.40
WISNIEWSKI, JOAN	578.40
WIRELESS COMM. AND ELECTRONICS	647.40

DATED: JULY 14, 2008

/s/ John Krenzel  
Councilman

/s/ Michael Trenga  
Councilman

ROLL CALL VOTE

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

\*Councilwoman Buffalino voted affirmatively to pay all bills, but abstained as to item #08-01681 for \$413.50 on the bill list.

### COUNCIL COMMENTS

#### Councilman Razzano

- Congratulated Karen Cuomo on her efforts for the July 4<sup>th</sup> celebration. She did an outstanding job with a limited budget.
- Had the honor of attending the Eagle Scout Court of Honor ceremony and congratulated Mark Nevin, son of Deputy Clerk Sheryl Nevin, on attaining the rank of Eagle Scout.

#### Councilwoman Buffalino

- Attended the Byelorussian Picnic. She had never attended this picnic before and was very impressed with the activities. She encouraged anyone who has never gone to this picnic to go next year.
- Commended the fire responders on the house fire on Leonardine Ave. It could have been a total loss.
- Attended emergency radio drill exercise at Grekoski Park.
- Commended Karen Cuomo on the great job done for July 4<sup>th</sup> celebration.
- Attended Eagle Scout ceremony. Congratulated Marc Nevin on his rank as Eagle Scout. Had never attended a ceremony such as this before and was very impressed to see this type of tradition instilled in our youth.
- Senior Center picnic will be held on September 4 from 11:00 a.m. to 3:00 p.m.
- Happy to see that we will be looking into the possible purchase of hybrid vehicles in the future.

#### Councilman Hutchison

- Attended the Environmental/Shade Tree Commission meeting on July 9. Doing a great job on the tree program. Thanked Mario Andre for chairing the commission.
- Thanked Karen Cuomo on the good job she did on the July 4<sup>th</sup> celebration.
- Thanked Councilman Trenga and Bill England for their work on the Alternative Energy Committee. The Alternative Energy Committee will be meeting during the 2<sup>nd</sup> week in August.

#### Councilman Trenga

- Thanked all the employees and volunteers for their service.
- Discussed the possible purchase of hybrid vehicles for the Borough.
- Will be convening the Alternative Energy Committee on August 12.

#### Councilman Trzeciak

- Commended the fire responders and volunteers who did a great job in containing the structural fire on Leonardine Ave. on June 28. There were two children who alerted the fire department about the fire and we will have Certificates of Appreciation for them at the next Council meeting.
- Attended the emergency radio drill training exercise at Grekoski Park and commended Art Londensky and Charles Benn for doing a great job.
- Stated that the Junior Police Academy is being held on August 8 to 15 and applications can be picked up at Police Headquarters or by contacting Sgt. McKenna at 732-254-9002, ext. 110.

#### Councilman Krenzel

- Commented on electric bills. Wondered what electric rates would be when we get electric cars that have to be plugged in.
- Congressman Rush Holt will have a meeting in Council Chambers, 61 Main Street on August 12 from 7:00 p.m. to 8:30 p.m. and encouraged public to attend meeting and let him know what they think about gas and electricity prices.

Mayor Eppinger

- Thanked Borough Council for passing four bond ordinances.
- Borough Engineer presented plans at for JFK Park at Ann Street. Improvements will handicap accessible including the basketball court.
- Fireworks on July 4th were great. Commended Karen Cuomo for her efforts.
- Attended Court of Honor for Marc Nevin. He was the second recipient of scholarship in his father's memory.
- Needs Assessment Study- important to realize that no concrete plans are in place. It is in discussion phase right now. Need to know costs before actual decisions can be made.
- Hired six summer part-time helpers to conduct a dog census and to count telephone poles. We get rent of \$4.00 per pole from Comcast and Verizon for the telephone poles. Currently getting only \$119 a month. 939 telephone poles have been identified. Thanked Mr. Goldstein and Mr. Dudas for bring this matter to our attention.
- While on vacation, passed through Springfield, Illinois and visited Abraham Lincoln's house. Very impressive and encouraged people to visit if ever in the area.

PUBLIC COMMENTS-(good & welfare of Borough)

Jim Maiello, 2 O'Brien Ave.

- Commented about hybrid cars that would save more gas. Asked who said you would have to plug cars in. Councilman Krenzler stated that General Motors is looking to introduce electric cars in the future.

Joe Luccarelli, 1 Union Ave.

- Stated that this area of town is in bad shape. Streets are bad and there are no storm sewers. Mayor Eppinger said that the capital ordinance will help determine what streets are in worse shape. Infrastructure will be looked at as well. Process will be started to attack the problems.
- When heavy rains occur with no storm drains, hazardous conditions occur. Mayor Eppinger stated that we are trying to do the best that we can. Councilman Trenga added that we are trying to take care of deficiencies and neglect.

Joe Manzo, Willett Ave.

- Asked why we needed an architect to prepare specifications for library air conditioning system. Mr. Salerno said that architect looked at existing building. Will spend about \$9,000.
- Asked when the Needs Assessment study will be available to public. Mr. Salerno said that it is available now.
- Asked how much the Needs Assessment study cost. Mr. Salerno stated \$15,000.
- Asked is 55 Reid Street has a Certificate of Occupancy. Mr. Salerno said that a temporary CO has been issued. Small punch list items have to be addressed.

Emery Spirko, 2 Marcus Court

- Thanked Councilwoman Buffalino for her efforts on the Memorial Day Parade.
- Sanitation Department staff are doing a great job.
- Commended Mr. Goldstein and his staff.
- Asked Borough Council to look into ways of making money for the Borough.

Ed Trygar, 1 Johnson Place

- Commented electricity utility generated \$800,000. Asked about the June and July consumption figures. Mr. Salerno stated that report is available tomorrow.
- Asked who wrote the tax bill letter that was sent to the residents. Mr. Salerno stated that the letter was written by himself and Councilman Krenzel. Asked about surplus anticipated. Mr. Salerno said that surplus comes from budget, it is money not spent. Thought that tax bill letter was misleading.
- Commented on the Needs Assessment study and thought it should have been a better report for \$15,000.

Gordon Anthony, 27 Charter Drive

- Asked Borough Council when considering the nuisance ordinance, that someone comes to the resident's home to determine the noise level in addition to monitoring the decibel levels.

Lydia Diaz, 17 Whitehead Ave.

- Was being billed incorrectly on her electric bill and is happy that matter is now resolved. She is still being overcharged \$6.00 on new bill. Mr. Salerno asked Ms. Diaz to bring bill in and see Mr. Dudas.

Julius Fekete, 16 Terry Ave.

- Asked how much money has been invested in the library with architect fees. Mr. Salerno stated \$300,000. Asked if we are going to do any work on the library now. Mayor Eppinger stated that the Needs Assessment study will help us make a decision. Before we spend any more money, let's see if we can solve multiple problems.
- Thought the longer the Borough Council waits on the library, the more it is going to cost. Suggested we go the distance and move with library addition.
- Asked how long the Borough Council will take to act on this report. Mayor Eppinger said he would like to schedule a town meeting in September to discuss and get public input.

Bonnie Trygar, 1 Johnson Place

- Guidelines should be put in place on estimated electric bills. Mr. Salerno stated that there is difficulty in reading meters. Discussed remote read electric meters and remote water meters in the future. UBS does the estimates. Councilman Hutchison asked if we could get UBS to give us information to see how they estimate bill to provide easier understanding for the residents. Councilwoman Buffalino suggested that a note be put on water bills regarding residents filling out cards with actual reading rather than getting estimates.

ADJOURNMENT

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

Respectfully submitted on  
July 24, 2008.

Patricia O'Connor, RMC  
Borough Clerk