

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 August 11, 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 and Trzeciak

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

MINUTES

The Minutes of Meeting No. 16 held on July 28, 2008 were submitted to the Council for acceptance and/or amendment.

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

The Minutes of Meeting No. 11 held on July 3, 2007 were submitted to the Council for acceptance and/or amendment.

Councilman Krenzel moved that the Minutes be approved as presented. Councilman Hutchison seconded the motion. So carried. Councilmembers Buffalino, Hutchison and Trenga abstained.

The Minutes of Meeting No. 13 held on July 23, 2007 were submitted to the Council for acceptance and/or amendment.

Councilman Krenzel moved that the Minutes be approved as presented. Councilman Hutchison seconded the motion. So carried. Councilmembers Buffalino, Hutchison and Trenga abstained.

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 August 5, 2008, giving notice of the Second Reading and Public Hearing on the Ordinances.

ORD. 2008-29

AN ORDINANCE DETERMINING ELIGIBILITY OF  
BOROUGH EMPLOYEES FOR PARTICIPATION IN THE  
DEFINED CONTRIBUTION RETIREMENT PROGRAM OF  
THE NEW JERSEY DIVISION OF PENSIONS AND BENEFITS

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

WHEREAS, the Borough of South River has considered the guidelines issues by the Local Finance Board;

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

SECTION 1.

A. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

1. Business Administrator;
2. Recreation Director

3. Director of Office on Aging
  4. Municipal Court Judge;
  5. Municipal Prosecutor
- B. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
1. Tax Collector;
  2. Chief Financial Officer;
  3. Construction Code Official;
  4. Tax Assessor;
  5. Registered Municipal Clerk;
  6. Licensed Uniform Subcode Inspector;
  7. Principal Public Works Manager.
- C. If an individual is appointed to one of the positions listed in Section 1 and the individual is not serving in a position as described in section 1.B above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual; 1. was an active participant in the Public Employee Retirement System on July 1, 2007 and continuously since that time; or 2. has been appointed pursuant to a valid promotional process; or 3. is appointed on a temporary, interim, or “acting” basis to a position requiring State Certification as set forth in Section 1.B herein, and is in pursuit of the required certification ; or 4. meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.
- D. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.
- E. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
- F. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

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 Krenznel moved that the Ordinance be approved and the Clerk be authorized to publish same as is required by law. Councilman Razzano 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, Krenznel, Razzano, Trenga, Trzeciak  
NAYS: None

ORD. 2008-30

AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF SOUTH RIVER, CHAPTER 258 ENTITLED  
“PROPERTY MAINTENANCE” BY REPEALING ARTICLE V  
THEREOF AND SUBSTITUTING A NEW ARTICLE V  
THEREFORE ENTITLED “UNFIT BUILDINGS”

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WHEREAS, the governing body has adopted a resolution pursuant to N.J.S.A. 40:48-2 in which it has determined that it desires to regulate unfit buildings within the borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that Chapter 258 of the Code of the Borough of South River entitled “Property Maintenance” be amended by repealing Article V “Abandoned Property List” and substituting a new Article V therefore entitled “Unfit Buildings.”

SECTION I.

ARTICLE V  
Unfit Buildings

258-20 Definitions.

The definition of the terms used in this chapter shall be the same as they appear in N.J.S.A. 40:48-2.4, as may be amended from time to time and are as follows:

**BUILDING** - Any building, or structure, of part thereof, whether used for human habitation or otherwise, and includes any outhouse, and appurtenances belonging thereto or usually enjoyed therewith.

**GOVERNING BODY** - The Mayor and Borough Council of the Borough of South River.

**OWNER** - The holder or holders of the title in fee simple.

**PARTIES IN INTEREST** - All individuals, associations and corporations who have interests of record in a building and any who are in actual possession thereof.

**PUBLIC AUTHORITY** - Any housing authority or any officer who is in charge of any department or branch of the government of the municipality, county or state relating to health, fire, building regulations, or to other activities concerning buildings in the municipality.

**PUBLIC OFFICER** - The officer, officers, board or body who is authorized by this chapter to exercise the powers prescribed herein and by N.J.S.A. 40:48-3 et seq. The public officer authorized to enforce this chapter and exercise the powers herein shall be a Public Officer Board comprised of those officers in charge of any department or branch of the government of the Borough relating to health, fire, building regulations or to other activities concerning buildings in the Borough. The Business Administrator, Chief of Police, Borough Attorney and Borough Engineer shall serve in an advisory capacity to the Public Officer Board which shall meet at least six (6) times annually and report to the Mayor and Council every six (6) months. The Board shall identify and monitor abandoned and unfit buildings, unabated violations, the status of Notices of Violation, placement of liens, imposition of penalties and municipal court proceedings.

258-21 Procedure.

(A) Complaint. Whenever a petition is filed with the public officer by a public authority or by at least five residents of the municipality charging that any building is unfit for human habitation or occupancy or use or whenever it appears to the public officer or any employee or agent of the branches of government referenced herein (on his/her own motion) that any building is unfit for human habitation or occupancy or use, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such building a notice/complaint stating the charges in that respect and containing a notice that a hearing will be held before the business administrator as designated agent of the public officer at a place therein fixed no less than seven days nor more than 30 days after the serving of said complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing

in the courts shall not be controlling in hearings before the public officer.

(B) Order for abatement or demolition; costs to become lien.

1. If, after such notice and hearing, the public officer determines that the building under consideration is unfit for human habitation or occupancy or use he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order requiring the repair, alteration or improvement of the said building to be made by the owner, within a reasonable time, which time shall be set forth in the order or at the option of the owner to vacate or have said building vacated and closed within the time set forth in the order.

2. If the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve the said building within the time specified in the order, then the owner shall be required to remove or demolish said building within a reasonable time as specified in the order of removal.

3. If the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the building, the public officer may cause such building to be repaired, altered or improved, or to be vacated and closed. The public officer may cause to be posted on the main entrance of any building so closed a placard with the following words: "This building is unfit for human habitation or occupancy or use; the use or occupation of this building is prohibited and unlawful."

4. If the owner fails to comply with an order to remove or demolish the building, the public officer may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids therefor.

5. The amount of the cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges, incurred in the course of any proceeding taken under this chapter determined in favor of the municipality, and such cost of such repairs, alterations of improvements, or vacating and closing, or removal or demolition, if any, or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof, shall be a municipal lien against the real property upon which such cost was incurred.

a. If the building is removed or demolished by the public officer, he shall sell the materials of such building. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building.

b. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be

filed with the custodian of the records of tax liens, and a copy thereof shall be forthwith forwarded to the owner by registered mail.

c. If the total of the credits exceed such costs, the balance remaining shall be deposited in the Superior Court by the public officer, shall be secured in such manner as may be directed by such Court, and shall be disbursed according to the order or judgment of the Court to the persons found to be entitled thereto by final order or judgment of such Court.

d. Any owner or party in interest may, within 30 days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the certificate.

6. If an actual and immediate danger to life is posed by the threatened collapse of any fire damaged or other structurally unsafe building, the public officer may, after taking such measures as may be necessary to make such building temporarily safe, seek a judgment in summary proceedings for the demolition thereof and the imposition of costs as a lien on the real property.

7. Nothing in this section shall be construed to impair or limit in any way the power of the Borough to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise, nor is anything in this chapter intended to limit the authority of the enforcing agency or construction official under the State Uniform Construction Code Act, P. L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.) or any rules or regulations adopted thereunder.

(C) Service of complaints and orders.

1. Complaints or orders issued by a public officer pursuant to this chapter shall be served upon persons either personally or by certified mail.

2. If the whereabouts of such persons are unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence, and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once in a newspaper printed and published in the municipality, or, in the absence of such newspaper, in one printed and published in the county and circulating in the municipality in which the buildings are located.

3. A copy of such complaint or order shall be posted in a conspicuous place on premises affected by the complaint or order.

4. A copy of such complaint or order shall be duly recorded or lodged for record with the Middlesex County Clerk.

(D) Powers of Public Officer.

1. The public officer shall have the right to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter including the following powers in addition to the others granted herein:

a. To investigate the building conditions in the Borough in order to determine which buildings therein are unfit for human habitation or occupancy or use;

b. To administer oaths, affirmations, examine witnesses and receive evidence;

c. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;

d. To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of the this chapter;

e. To delegate any of his functions and powers under this chapter to such officers and agents as he may designate.

2. Any action taken using revenues derived from the local property tax shall be taken only after advertisement for, and receipt of, bids therefor, pursuant to the provisions of the Local Public Contracts Law, P.L. 1971, c. 198, N.J.S.A. 40A:11-1 et seq., unless the action is necessary to prevent imminent danger to life, limb or property.

258-22 Determinations.

(A.) Standards.

1. A public officer may determine that a building is unfit for human habitation or occupancy or use if he finds that conditions exist in such building which are dangerous or injurious to the health or safety of the occupants of such a building, the occupants of neighboring buildings or other residents of the Borough. Such conditions shall be deemed to include the standards of habitability of N.J.A.C. 5:28-1.1 et seq. and the following (without limiting the generality of the foregoing):

a. Defects herein increasing the hazards of fire, accident, or other calamities.

b. Lack of adequate ventilation, light, or sanitary facilities.

c. Dilapidation.

- d. Disrepair.
- e. Structural defects
- f. Uncleanliness.
- g. Failure to comply with the requirements of the Building or Construction Codes or the certificate of occupancy.

2. A vacant structure, which is not in danger of structural collapse, may be deemed a public nuisance and an unsafe structure, inimical to the welfare of the occupants of neighboring buildings or other residents of the Borough, and the public officer may cause the boarding of the structure or the abatement of the unsafe condition pursuant to the procedures within this chapter.

3. A building or buildings, or parts thereof, which have been damaged to such an extent that nothing remains but the walls, or parts of the walls and other supports, shall, regardless of the safety and sturdiness of those remaining walls or parts thereof, be deemed inimical to the welfare of the residents of the Borough, and the public officer may cause the repair or the demolition of the building, buildings or parts thereof pursuant to the procedures within this chapter.

4. The public officer may use any additional standards in any building or structures code adopted by the Borough of South River.

(B) Remedies.

Any person aggrieved by an order or complaint issued by a public officer under this chapter may, within 30 days after the posting and service of such order, bring an action for injunctive relief to restrain the public officer from carrying out the provisions of the order and for any other appropriate relief. The court may proceed in the action in a summary manner or otherwise. The remedy herein provided shall be exclusive, and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant thereto or because of noncompliance by any person with any order of the public officer.

(C) Assessment and collection of demolition costs.

Whenever the Borough undertakes the removal or demolition of any building or structure which is dangerous to human life or the public welfare or which constitutes a fire hazard, the Borough may, in addition to assessing the cost of such removal or demolition as a municipal lien against the premises, authorize the institution of an action at law for the collection thereof in the Superior Court.

(D) Emergency Demolition Fund.

1. Any building or buildings, or parts thereof, which have come into a state of

disrepair through neglect, lack of maintenance or use, fire, accident or other calamities, or through any other act rendering the building or buildings, or parts thereof, in a state of disrepair, to the extent that the building is unfit for human habitation or occupancy or use, shall be deemed inimical to the welfare of the residents of the Borough of South River, and the public officer may exercise his powers to repair, demolish, or cause the repairing or demolition of the building or buildings, or parts thereof, pursuant to Subsections B and C of this section.

2. The public officer, to finance the costs of accomplishing the purpose of Subsection A shall have the power to accept gifts or grants from private or public agencies.

3. All funds received pursuant to Subsection B shall be placed in separate municipal fund designated as the "Emergency Demolition Fund" to be used for demolition-related activities. The public officer shall have the sole discretion in determining which funds will be accepted and the time and manner of all expenditures necessary to carry out the purposes of this section.

(E) Administrative process and procedure.

Process and procedures for the administration of this chapter shall be governed by the sections herein and N.J.S.A. 40:48-2.3 and 40:48-2.12a et seq., as amended.

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.

Joe Manzo, Willett Avenue asked about eminent domain with regard to this ordinance. Mayor Eppinger stated that this ordinance has nothing to do with eminent domain. It is a compilation of existing ordinances. Mr. Schwartz stated that this ordinance deals with demolition, if necessary.

Alex Gabler, 2 Colin Drive asked if a property owner does not improve the property, will the town demolish it. Mr. Schwartz responded no. A notice would be sent to the property owner, due process must be followed and the town must comply. Mr. Gabler asked if a lien exceeds the value of the property, what would happen. Mr. Schwartz stated the safety of the citizens is of utmost importance. The borough could sue the property owner for reimbursement.

Dave Sliker, 274 Main Street asked if there was a list of affected properties. Mr. Salerno stated that there is no list at this time. Mr. Sliker stated that this ordinance will replace the old ordinance which states Business Administrator compiled list and asked what will happen to the list with the new ordinance. Mr. Schwartz said the Public Officer board will compile a list.

Mr. Sliker asked about the International Property Maintenance Code. Mr. Salerno said that this ordinance does not negate that code. Mr. Sliker commented on the emergency demolition and that certain criteria has to be met. Mr. Sliker asked if the Borough is thinking of the Smart Growth Plan. Mr. Salerno stated that he will be meeting with the Office on Smart Growth, and one of the issues is the update of the Master Plan. He is looking at Smart Growth for other commercial areas.

Ed Trygar asked if there would be an ordinance establishing a Public Officer board. Mr. Salerno said that the ordinance states who will be on the Public Officer board. Mr. Trygar did not think the ordinance clearly states who will be on the board. Mayor Eppinger stated that this ordinance is a compilation of ordinances that are already on the books. Mr. Trygar commented on redevelopment. Mr. Schwartz stated that this ordinance has nothing to do with redevelopment. Mr. Trygar thought that the wording in the ordinance was vague. He would like to see who is on the Public Officer board, what type of rules it is governed by, and notice to the paper should be put in the official newspaper of the Borough in which legal notices are published. He also thought that the Board should not delegate authority, and there should not be any funds received from private individuals. He said that any funds received should go into the emergency demolition fund. Mr. Salerno stated that another account has to be set up. You need money to administer decisions to bring in structural engineers from time to time. It is necessary to have the flexibility to have money allocated for professional services. The emergency demolition fund could not be used to pay for professionals if needed.

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

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

Mayor Eppinger asked if the Councilmembers have any comments. Councilman Razzano had concerns about the vagueness of who was going to be on the Public Officer board. He thought taking money from private agencies is dangerous and there was no reason for the Board to delegate authority to anyone. He didn't know why the Borough Council is resistant to changing the ordinance.

Councilwoman Buffalino stated that she contacted the New Jersey League of Municipalities about this ordinance. This ordinance has been in place in other municipalities. She did not see a problem with the ordinance.

Councilman Krenzel stated that there is a need for this ordinance. It has nothing to do with eminent domain. If other towns are following the same ordinance, it should work for South River. He is not worried about the Public Officer Board.

Mayor Eppinger stated that for years residents have asked when we were going to take care of abandoned properties. We have combined borough ordinances with State statute. This is another step in trying to resolve these issues.

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

#### ROLL CALL VOTE

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

#### PUBLIC COMMENTS – (agenda items only)

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

#### LICENSES

RL-1294 - Corpus Christi Church - Casino Night - October 4, 2008  
RL:1295- Corpus Christi Church - On-premise 50/50 raffle - October 4, 2008

Amend License – BL 1278 – Corpus Christi Church  
Amend License – RL 1285 – Corpus Christi Church  
Amend License – BL 1279 – School Aid Society of Corpus Christi  
Amend License – RL 1286 – School Aid Society of Corpus Christi  
Amend License – BL 1287 – Corpus Christi Holy Name Society  
Amend License – RL 1280 – Corpus Christi Holy Name Society

Vending Machine License - Café Levereda  
Vending Machine License - Budney's Tavern  
Vending Machine License - My Dad's Place  
Vending Machine License - La Cantina  
Vending Machine License - Crestwood Tavern  
Vending Machine License - El Tapatío  
Vending Machine License -Acapulco Tropicana Bar

Councilman Razzano moved that the above-referenced licenses be approved. Councilman Trzeciak seconded the motion. So carried.

RESOLUTIONS

RES:2008-378

AUGUST 11, 2008

RESOLUTION

WHEREAS, the Code of the Borough of South River, Chapter 196, Section 193-3, et seq., requires all persons, firms or corporations who desire to operate a mechanical amusement device within the Borough of South River to first comply with the provisions of said Code, and to obtain a license therefore, as provide therein; and

WHEREAS, various merchants have filed an application for an vending machine operator's license; and

WHEREAS, the Borough Clerk has referred said applications to the proper officers of the Borough for the purpose of making investigations and/or inspection of the proposed premises;

WHEREAS, it appears from the reports and investigations of the appropriate Borough officials that said applications for the following merchants should be approved:

- Café Lavereda
- Budney's Tavern
- My Dad's Place
- La Cantina
- Crestwood Tavern
- El Tapatio
- Acapulco Tropicana Bar

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the above-referenced applications for vending machine licenses be and the same are hereby approved.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-379

AUGUST 11, 2008

RESOLUTION

WHEREAS, there exists a need for an attorney to represent the borough in filing a response to a Verified Petition filed with the Alcoholic Beverage Commission by Acapulco Tropicana Bar; and

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

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

1. That Gary M. Schwartz, Esq. is hereby appointed to defend a Verified Petition filed by Acapulco Tropicana Bar regarding conditions attached to license number 1223-33-031-004 for a fee not to exceed \$4,500.00 and his previous actions in this matter are hereby ratified.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this Resolution shall be published in the official newspaper of the Borough of South River within ten (10) days of its passage.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-380

AUGUST 11, 2008

RESOLUTION

WHEREAS escrow accounts in the name of Double A Development Corp. have been dormant for several years; and

WHEREAS, a request has been made by Double A Development Corp. to release these monies;

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that escrow accounts in the name of Double A Development Corp. totaling \$306.47 be hereby released effective this date.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-381

AUGUST 11, 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 25, 2008 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE:	\$988,413.00
RESTORED FUNDS:	
DEBT SERVICE EXPENSE:	_____
TOTAL	\$988,413.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by September 9, 2008.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES: 2008-382

AUGUST 11, 2008

RESOLUTION

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

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

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the application of the South River Elk's Lodge 2033 for an Annual Picnic to be held at 205 Main Street, South River, New Jersey on September 6, 2008 from 12:00 noon until 6:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 noon until 6:00 p.m. during the Family Picnic.
2. There must be at least five (5) identifiable non-drinking members either by tag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for the Annual Picnic, if necessary, will be obtained by ABC.
4. Proof of Liability Insurance provided to the Borough of South River.
5. Said event must follow all the rules, regulations of State, County, and Local Government.
6. Subject to approval by the South River Police Department and compliance with any condition included in their approval.
7. There shall be no parking blocking the entrance or driveway area of the Elk's facility and fire lane access must be provided to the rear of the parking lot at all times.
8. Cooking operation shall be attended at all times with means of extinguishment.
9. A Fire Safety application must be completed.
10. Tents shall meet the requirements as set forth by NFPA 701.

BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application fee and guarantee bond requirement be waived.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES: 2008-383

AUGUST 11, 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.

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>
65-999-894-697 CD	BECCA BLUMIG & COLEMAN BEAR 42 OBERT ST SOUTH RIVER, NJ 08882	\$154.46
65-999-909-877 CD	SOL DAMICO 10 SCHOLER DR UNION BEACH, NJ 07735	\$167.78
65-999-909-492 ELEC CURRENT	ROMUALDO DEOLIVEIRA 22 REDWOOD AVE EDISON, NJ 08817	\$208.34
65-999-902-199 CD	JOSE ENCARNACAO 52 JEFFRIE AVE SOUTH RIVER, NJ 08882	\$152.80
65-999-989-264 CD	LEONARD & CYNTHIA FEIN 104D JOHNSON PL SOUTH RIVER, NJ 08882	\$123.20
65-999-959-245 CD	CESAR FERREIRA 7 STANTON ST SOUTH RIVER, NJ 0888S	\$39.50
65-999-905-048 CD	SHAMARA GATLING & RAOUL DAVILA 69 LUFBERRY AVE NEW BRUNSWICK, NJ 08901	\$137.39

REGULAR MEETING  
MAYOR AND BOROUGH COUNCIL  
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65-999-930-084 CD	VINCENT GENTILE 8 SARATOGA DR COLTS NECK, NJ 07722	\$731.22
65-999-906-247 CD	CELSO GUINANZACA 23 GORDON ST APT 3 SOUTH RIVER, NJ 08882	\$10.01
65-999-908-887 CD	JENI LIPMAN 33 EAST ST SOUTH RIVER, NJ 08882	\$40.65
65-999-963-249 CD	MARIO MARTINEZ RIVERVIEW DR E-12 SOUTH RIVER, NJ 08882	\$19.05
66-999-977-812 WTR CURRENT	ALEXANDER G. MONDRICK, JR 18 COASTAL DR NEPTUNE CITY, NJ 07753	\$48.83
65-999-894-521 CD	FRANCISCO NAPOMUCENO 35 BURTON AVE SOUTH RIVER, NJ 08882	\$132.32
65-999-988-274 CD	WALTER RAAB 83 MUNICIPAL DR LUMBERTON, NJ 08048	\$124.43
65-999-976-603 CD	VINCENT ROSELLI 1081 MORNING GLORY DR MONROE, NJ 08831	\$122.46
65-999-902-551 CD	VALDERI SANTOS 4 SUMMIT RD G3A SOUTH RIVER, NJ 08882	\$41.88
65-999-938-092 CD	JACQUELINE SOTO 2 BALL ST NEW BRUNSWICK, NJ 08901	\$61.21
65-999-930-579 CD	CARMELIO SOVERANO C/O GUSTAVO CHACON 15 GORDON ST SOUTH RIVER, NJ 08882	\$60.62
66-999-960-575 WTR CURRENT	PAUL & KATHLEEN STUART 929 VILLAGE CIR HICKORY, NC 28602	\$34.11

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES: 2008-384

AUGUST 11, 2008

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain adjustments, rescissions, 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 on any attached list.

<u>UTILITY CUSTOMER</u> <u>ACCOUNT NUMBER</u>	<u>REASON</u>	<u>AUTH</u>	<u>YEAR</u>	<u>AMOUNT</u>
RAAB, WALTER 14 Lisa Drive Bldg E9B South River, NJ 08882	Elec Credit  MUNICIPAL LIFELINE	Refund	2008	\$225.00

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES: 2008-385

AUGUST 11, 2008

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain adjustments, rescissions, 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.

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 on any attached list.

<u>UTILITY CUSTOMER</u> <u>ACCOUNT NUMBER</u>	<u>REASON</u>	<u>AUTH</u>	<u>YEAR</u>	<u>AMOUNT</u>
RAAB, WALTER 14 Lisa Drive Bldg E9B South River, NJ 08882	Elec Credit STATE LIFELINE	Refund	2008	\$132.31

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-386

AUGUST 11, 2008

RESOLUTION

WHEREAS, the governing body desires to establish a committee to plan and implement annual Memorial Day Parades in the Borough.

NOW, THEREFORE, BE IT RESOLVED that the following are hereby appointed to an Ad Hoc Committee to plan and implement annual Memorial Day Parades:

- Dorothy Swiderski
- Carol May
- Mario Andre
- Rui Almeida
- James Gurchensky, VFW Commander
- Eugene Wiecek, American Legion Commander

BE IT FURTHER RESOLVED that Councilwoman Suzanne Buffalino is hereby appointed as liaison to said committee.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-387

AUGUST 11, 2008

RESOLUTION

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

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

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

DATED: AUGUST 11, 2008

Raymond T. Eppinger  
Mayor

Motion to confirm:

/s/ Anthony Razzano  
Councilman

Second to motion:

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-388

AUGUST 11, 2008

RESOLUTION

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

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

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

DATED: AUGUST 11, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to confirm:

/s/ Anthony Razzano  
Councilman

Second to motion:

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-389

AUGUST 11, 2008

RESOLUTION

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

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

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

DATED: AUGUST 11, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to confirm:

/s/ Anthony Razzano  
Councilman

Second to motion:

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-390

AUGUST 11, 2008

RESOLUTION

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

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

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

DATED: AUGUST 11, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to confirm:

/s/ Anthony Razzano  
Councilman

Second to motion:

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

NAYS: None

RES:2008-391

AUGUST 11, 2008

RESOLUTION

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

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

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

DATED: AUGUST 11, 2008

/s/ Raymond T. Eppinger  
Mayor

Motion to confirm:

/s/ Anthony Razzano  
Councilman

Second to motion:

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-392

AUGUST 11, 2008

RESOLUTION

WHEREAS, the introduced 2008 Municipal Budget has not been finally adopted; and

WHEREAS, additional emergency temporary budget appropriations are required for the normal operation of the government and NJSA 40A:4-20 allows for the creation of emergency temporary appropriations.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED (not less than two-thirds of all members thereof affirmatively consenting) that in accordance with the provisions of NJSA 40A:4-20 emergency appropriations be made for.

GENERAL APPROPRIATIONS

CURRENT FUND

Appropriations within "CAPS"

General Administration

Other Expenses \$ 1,000.00

Postage 3,000.00

Human Resources 10,000.00

Borough Clerk Other Expenses	3,000.00
Elections Salaries & Wages Other Expenses	2,000.00 2,000.00
Collection of Taxes Other Expenses	1,000.00
Legal Services	10,000.00
Engineering	2,000.00
Economic Development Commission	600.00
Code Enforcement Other Expenses	250.00
Group Health	100,000.00
Unemployment	6,000.00
Police Salaries & Wages	500,000.00
Volunteer Fire Other Expenses Fire Protection Salaries & Wages	18,000.00 10,000.00
Street Cleaning Salaries & Wages	5,000.00
Buildings & Grounds Other Expenses	10,000.00
Animal Control Other Expenses Parks Other Expenses	2,000.00 10,000.00
Office Supplies	3,000.00

Computer Maintenance	1,000.00
Gasoline	10,000.00
Total Operations within "CAPS"	709,850.00
Outside "CAPS"	
Construction Code	
Salaries & Wages	20,000.00
Total Outside "CAPS"	20,000.00
<u>WATER UTILITY</u>	
Purchase of Water	100,000.00
Operating	20,000.00
Office/Administrative	5,000.00
Insurance	100,000.00
Total	225,000.00
<u>ELECTRIC UTILITY</u>	
Salaries & Wages	250,000.00
Purchase of Power	2,000,000.00
Operating	10,000.00
Office/Administrative	5,000.00
Insurance	200,000.00
Professional Services	20,000.00
Interest on Notes	75,000.00
Total	2,560,000.00

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-393

AUGUST 11, 2008

RESOLUTION

WHEREAS, the governing body has received final payment estimate No. 1 and a close out change order request from the borough engineer for the project known as Drainage Improvements to Paul Avenue and Wilcox Avenue which was completed by P & A Construction, Inc.; and

WHEREAS, the borough engineer has advised in a letter dated August 6, 2008 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 increase 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 increase in the original contract amount of \$11,021.27; 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 P & A Construction, Inc. in the amount of \$208,083.75 subject to the contractor submitting a one year maintenance bond in the amount of \$31,212.56.

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 P & A Construction, Inc. for the aforesaid project together with the final payment of \$208,083.75 is hereby approved subject to the contractor posting the aforesaid maintenance bond.

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-394

AUGUST 11, 2008

RESOLUTION

WHEREAS, certain taxpayers of the Borough of South River appealed their assessed valuation to the Tax Court of New Jersey; and

WHEREAS, the Tax Court of New Jersey has certified judgments which reduce the assessed valuation on various properties; and

WHEREAS, said taxpayers have paid the full year 2005 and 2006 taxes billed on their properties; and

NOW, THEREFORE, BE IT RESOLVED that the following taxpayers be refunded the amount of overpaid taxes by a check issued by the Treasurer; and

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Borough Tax Collector.

<u>Taxpayer</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Lasser Hochman, LLC Trust Account Lasser Hochman, LLC 75 Eisenhower Parkway Roseland, NJ 07068-1694	2005	154/6	\$2,957.24
	2006	154/6	\$3,163.16
		TOTAL	\$6,120.40

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ John Trzeciak  
Councilman

ROLL CALL VOTE

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

RES:2008-395

AUGUST 11, 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>
CHARLES J. MATTS, III	250.00
RUSSELL OLSEN	250.00
PETER SWECANSKI	600.00
GERARD MURPHY	250.00
ARCARI & IOVINO ARCHITECTS	5,250.00
APRUZZESE MCDERMOTT MASTRO	1,921.00
ZOILA ACEVEDO	46.54
MARIA ALRIARZ	121.84
DANIELLE ANDERSON	115.42
BARBARO PLUMBING	2,075.00
BANNISTER CO.	147.50
BASIC CHEMICAL SOLUTIONS	918.00
CHERYL BECK	179.00
KIM BELL	56.64
MATTHEW BENDER & CO.	70.15
BETTS & HOLT	4,582.34
BENECARD SERVICES, INC.	33,031.60
BRENNTAG NORTHEAST, INC.	1,015.31
BYRAM LABORATORIES	863.45
TOMASZ BYLECKI	147.05
CANON BUSINESS SOLUTIONS	675.00
CENTRAL JERSEY WASTE	3,678.84
CENTRAL AIR PLUS, INC.	90.00
CENTRAL JERSEY SECURITY	127.50
CHAMPIONSHIP AWARDS	338.00
CME ASSOCIATES	5,372.00

COMCAST	651.11
CONTINENTAL FIRE & SAFETY INC.	1,585.90
CURTIS SERVICE INC.	1,213.35
ELIZABETH CABAN	31.73
REINA TIRE SERVICE INC.	152.50
EAST BRUNSWICK PLUMBING INC.	145.54
TOWNSHIP OF EAST BRUNSWICK	62,625.10
TOWNSHIP OF EAST BRUNSWICK	2,633.35
EDMUNDS & ASSOCIATES	270.00
EMESS MANAGEMENT	62.34
JESSICA FAJARDO	184.90
ASEM FALTAOUS	85.20
RAY GARCIA	93.80
TERRY GIBBONS TRANSCRIPTIONS	185.60
HALLS SAFETY EQUIP. CO. INC.	757.35
HIGH ENERGY ELEC. TESTING INC.	49,510.00
HOME NEWS TRIBUNE	528.66
HOME NEWS TRIBUNE	5.60
R. G. HARVEY	70.16
HIMELMAN WERTHEIM & GELLER LLC	4,390.87
INSTRUMENT TECH. SERV.	544.00
IRON MOUNTAIN	75.00
JOE'S HEATING INC.	870.00
JOHNNY ON THE SPOT INC.	525.16
THEODORE JENKINS	49.77
JOHNNY'S LANDSCAPING SERVICE	1,265.00
JOANNE JONES	65.00
KEYSTONE CONTRACTING	13,060.00
LEE'S AUTO PARTS INC.	6,064.42
LOMBARDI & LOMBARDI PA	733.00
TIMOTHY LOWE	20.02
MCCARTHY TIRE & AUTO SERVICE	458.06
W. B. MASON CO.	3,649.05
MATTHEW MAGAW	250.00
MAIN ELECTRIC SUPPLY CO. INC.	627.74
MIDDLESEX COUNTY UTILITIES	232,214.60
MIDDLESEX WELDING SALES	97.00
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY	17,237.15
ELVIO MANCEBO	195.42
MIDDLESEX LAWN & LANDSCAPING	200.00
GALO MURILLO	84.13
NEXTEL COMMUNICATIONS	925.39
THOMAS J. NOTO, P.E.	5,060.00

ON SITE FLEET SERVICE INC.	96.00
P & A CONSTRUCTION	208,083.75
PENATEK SOLUTIONS INC.	745.00
BOB PERRINI'S FENCE CO.	970.00
PUBLIC SERVICE ELECTRIC & GAS	486.65
TATIANA PASZUL	172.08
KANTHIAH SIVANANTHAN	235.30
PRECISION ANALYTICAL INC.	1,440.00
RAZOR PRINTING INC.	159.00
RICOH BUSINESS SYSTEMS INC.	156.00
JAMES H. ROLLYSON, ESQ.	1,278.77
RON'S OFFICE MAINTENANCE	800.00
REGISTRAR'S ASSN. OF NJ	50.00
SAYREVILLE PET ADOPTION CENTER	1,540.00
SAYREVILLE ASSN. FOR B.I.C.	1,800.00
SAYREVILLE SPORTSMEN	500.00
SAYREVILLE, BORO OF	3,219.34
MICHAEL J. SCANLON	3,110.00
DAVID J. SAMUEL, P.E.	259.42
GARY M. SCHWARTZ, ESQ.	5,254.50
SHOWBOAT CASINO HOTEL	300.00
SPRING BROOK WATER	30.00
SWIFT ELECTRICAL SUPPLY CO.	1,371.70
ST. STEPHEN PROTOMARTYR CHURCH	100.00
TOP HAT UNIFORM RENTAL	315.92
TRYGAR & SONS HARDWARE INC.	35.60
USHER PUBLISHING CO.	710.00
UTILITY BILLING SERVICES INC.	1,079.45
USA MOBILITY WIRELESS INC.	255.57
VERIZON WIRELESS	1,520.52
NIEDJA PINTO & JUAN VASZUEZ	142.74
WA-WA INCORPORATED	2,241.53
ZLATEN ZIFOVSKI	41.11

DATED: AUGUST 11, 2008

/s/ Anthony Razzano  
Councilman

/s/ Jim Hutchison  
Councilman

ROLL CALL VOTE

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

COUNCIL COMMENTS

Councilman Razzano

- Glen Lauritsen, Code Enforcement Officer, was present at last meeting and reported on his duties. He does an outstanding job.
- Junior Police Academy is in progress. Will be attending graduation on Friday.
- Moving OEM to 55 Reid - suggested talking to Verizon about an RTNA line that can be put on building.
- Needs Assessment report – let's begin discussion. George Street firehouse and Rescue Squad buildings need to be done. Infrastructure needs to be addressed now. Lincoln School – sell it or put something there.

Councilwoman Buffalino

- Attended meeting with Corpus Christi and East Brunswick. East Brunswick is looking forward to working with Police Dept.
- Attended Junior Police Academy orientation - great program.
- Code Enforcement Officer's report last meeting – 90% of notifications have received positive feedback, 235 CO's have been issued, attends Zoning Board meetings. Mr. Lauritsen is doing an excellent job.
- OOA - Crossings for senior citizens – specifically Reid Street and Thomas Street. In 2007, this was denied by Middlesex County Engineer's office and it was suggested that we apply to Transportation Program. Asked if this could be revisited and discussed at next Borough Council meeting. Mayor Eppinger asked Councilman Trenga to discuss this at the next Middlesex County Transportation meeting in September.

Councilman Hutchison

- Parks and Recreation Committee met on 8/5/08. Mario Andre, Environmental/Shade Tree Committee Chairman attended meeting. Both groups are working together on Earth Day 2009. Michael Tarentino attended the meeting and presented an Eagle Scout project that he would like to undertake. He is an outstanding young man and he would like to have him make a presentation at a future Borough Council meeting.
- East Brunswick traveling soccer team use Grekoski Park. All but one of the members are residents of South River. In appreciation for use of the park, the team is donating tarps to be placed on fields.
- There is a need for First Aiders at some events – looking into training programs.
- Environmental/Shade Tree Committee meeting – 8/13/08 at 7:00 p.m. in SR Library.
- Alternative Energy Committee meeting – 8/21/08 at 7:30 p.m. at 48 Washington Street.

- Presented a display board on the Estimating Routine of the South River Water Utility.

Councilman Trenga

- Thanked employees and volunteers for their hard work.
- Took a tour with Deputy Chief Bouthillette on a Friday night until 3:00 a.m. Police do a fantastic job.
- Rush Holt will be at Borough Hall on 8/12/08 at 7:00 p.m.
- Thanked Borough Attorney for outstanding job on Unfit Buildings ordinance. We went with state and other municipalities as a model. Ordinance will address problem properties. This is the beginning of revitalization for South River.
- Alternative Energy Committee meeting – 8/21/08 at 7:30 p.m. at 48 Washington Street.

Councilman Trzeciak

- On August 2, he was alerted by the Fire Company that there was a smell of gas in an area of town. It was determined that gasoline had been dumped in one of the sewers. The Fire Company, OEM and the county Hazmat team had to get involved. If anyone sees someone doing this, please let us know as it is an environmental hazard.
- Last meeting, Philip and Tom Garcia were presented with Certificates of Appreciation for their help in alerting the Fire Company of a structural fire on Leonardine Ave.
- Rescue Squad – kudos to new members.
- Junior Police Academy – 30 children in program. Sgt. McKenna and staff are doing a great job. Graduation is on 8/15/08 at 7:00 p.m. at the Middle School.

Councilman Krenzel

- Rush Holt will be at Borough Hall on 8/12/08 at 7:00 p.m. – encouraged residents to attend meeting.
- 13<sup>th</sup> Annual Middlesex County Charity Golf Outing will be held on 9/24/08 with a rain date of 9/25/08.
- Middlesex County ranked No. 1 for Recycling in the State of New Jersey for the second year in a row. Encouraged residents to continue to recycle and pay attention to state rules and regulations.

Mayor's Comments

- Rush Holt will be at Borough Hall on 8/12/08 at 7:00 p.m.
- Alternative Energy Committee meeting – 8/21/08 at 7:30 p.m. at 48 Washington Street.
- Fishing derby at Grekoski Park last Saturday - congratulations to Karen Cuomo and staff.
- Attended Board of Health meeting in July – will begin collecting packages of toiletries to send over to our troops.
- 9/11 Memorial will be held on 9/11/08 at 7:00 p.m. at Dailey's Pond – hoped all residents could attend.

- Passed estoppel period relating to the four bond ordinances that were adopted. Our professional staff has begun the process of putting together the specs to purchase equipment. Mr. Koch and Mr. Lyons will report on this at our next business meeting.
- Needs Assessment – planning on scheduling a public meeting in September to discuss Mr. Iovino’s report.
- Glen Lauritsen went to court last week and won two cases regarding illegal housing. Fines totaled \$4,900.
- Pole count update - as of 8/11/08 - 2,172 poles. We are entitled to money for these poles.
- Dog census – 179 dog licenses have been issued. 657 letters have been sent out to residents who have not registered dogs.
- Attended a wedding in England. Met a Councilman from Yorkshire and he is interested in having a sister city of a similar size in the United States. We may be having a sister city in England as well as in Portugal.

PUBLIC COMMENTS-(good & welfare of Borough)

Jim Maiello, 2 O’Brien Ave

- Two safety concerns – 1) guardrail at bottom of Hillside Ave. – reflectors face out to Willett Ave. Reflector should be turned around so people on Hillside can see them. 2) Fernandes Cabinets – steel railings look like they could fall down and someone could get hurt. Mr. Salerno stated he will look into both issues.

Marilyn Meloni, 53 Kamm Ave.

- Pole count – have the poles in parking lots been counted. Mr. Salerno stated that has to be done yet.

Joe Manzo, 131 Willett Ave.

- Asked about payment for telephone poles. Mayor said we are owed revenue over the course of years. We can go back ten years.
- Lincoln School property – prime property – Borough may need this property. Asked that the Council think about this before selling it.

Alex Gabler, 2 Colin Drive

- Asked about the borough policy on tax abatement. Mayor Eppinger stated that there is a policy on a five year tax abatement already in place for residential improvements. Mr. Salerno said that the Assessor assesses the improvement and that part is abated for five years.
- Stated that there is a Verizon electric box across from Grekoski Park and said that someone should check the meter reading on it. Mr. Salerno stated that he would look into it.

George Freeman, 62 James St.

- Commented on the telephone poles and the money generated by them.

Ed Trygar

- Asked about a report on the electric utility. Mr. Salerno reported figures on the electric utility.
- Unfit Buildings ordinance – asked what buildings are in blighted condition. Mr. Trenga stated there are three buildings in terrible shape that have red X's on them.

Dave Sliker, 274 Main Street

- Understands that Borough Council is trying to streamline Unfit Buildings ordinance. Concerned that follow through failed with old ordinance and hopes that the Borough Council will follow through with new ordinance. Mayor Eppinger stated that we will make sure we follow through with new ordinance.
- Asked about the appointment of the planning consultant for COAH Round 3. Mr. Schwartz said that the planning consultant was appointed in compliance with the Fair and Open process.
- Noted that the New Jersey State League of Municipalities is advocating against the new COAH regulations. Mr. Salerno stated that we had to get a professional on board. At this time, he is going to review the vacant land in town. Mr. Schwartz said that no money will be spent until legal issue involving the New Jersey League of Municipalities is resolved.
- Commented that the security cameras in the Police building were approved according to state requirements.

ADJOURNMENT

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

Respectfully submitted on  
August 21, 2008.

Patricia O'Connor, RMC  
Borough Clerk