

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 October 27, 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 Salerno, Borough Administrator.

MINUTES

The Minutes of Meeting No. 22 held on October 14, 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.

The Minutes of Meeting No. 6 held on March 13, 2006 were submitted to the Council for acceptance and/or amendment.

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

The Minutes of Meeting No. 9 held on April 24, 2006 were submitted to the Council for acceptance and/or amendment.

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

The Minutes of Meeting No. 18 held on November 27, 2006 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. Councilmembers Buffalino, Hutchison, Trenga and Trzeciak abstained.

The Minutes of Meeting No. 19 held on December 18, 2006 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. Councilmembers Buffalino, Hutchison, Trenga and Trzeciak abstained.

The Minutes of Meeting No. 20 held on December 28, 2006 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. Councilmembers Buffalino, Hutchison, Trenga and Trzeciak abstained.

ORDINANCES – FIRST READING BY TITLE ONLY

ORD. 2008-33

ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER,
CHAPTER 373 ENTITLED “NUISANCES” BY ADDING A NEW ARTICLE II
THEREOF ENTITLED “SOUND CONTROL”

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on November 10, 2008 at 8:30 p.m. in the council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

ORD. 2008-34

ORDINANCE REPEALING CHAPTER 220 OF THE CODE OF THE BOROUGH
OF SOUTH RIVER ENTITLED “NOISE”

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on November 10, 2008 at 8:30 p.m. in the council

Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey.
Councilman Razzano seconded the motion.

ROLL CALL VOTE

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

ORD. 2008-35

ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER,
CHAPTER 22 THEREOF ENTITLED "BOARDS, COMMISSIONS, AND
AUTHORITIES" BY AMENDING ARTICLE XIV SECTION 22-69, ENTITLED
"FLOOD CONTROL COMMISSION"

Councilman Trzeciak moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on November 10, 2008 at 8:30 p.m. in the council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Hutchison seconded the motion.

ROLL CALL VOTE

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

ORD. 2008-36

ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER,
CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING
SECTION 193-39 SCHEDULE X "LOADING ZONES"

Councilman Hutchison moved that the Council pass the said Ordinance on its First Reading by Title Only and that the Clerk be authorized to publish same as is required by Law with the Second Reading and Public Hearing to be held on November 10, 2008 at 8:30 p.m. in the council Chambers of the Criminal Justice Building at 61 Main Street in South River, New Jersey. Councilman Trenga seconded the motion.

ROLL CALL VOTE

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

PUBLIC COMMENTS (agenda items only)

Peggy Marino, 31 Charter Drive

- Voiced her objection to the introduction of the nuisance ordinance. She based her objection on her opinion that the reference to sound in the nuisance ordinance would not be upheld in court nor be acceptable to the DEP. Both Mayor Eppinger and Borough Attorney Schwartz responded. Mr. Schwartz believed that the ordinance would stand the court test, was in effect in other municipalities and was accepted by the DEP and the county. Mayor Eppinger explained that the borough was trying to adopt the most effective means of enforcement and classifying a sound disturbance as a life quality issue as defined in the nuisance ordinance. Deputy Chief Bouthillette supported the Mayor's and Borough Attorney's position.

Gail Samuel, 87 Willett Ave.

- Commented on nuisance ordinance. Lives next to a bar, lots of noise and drinking. This is a quality of life issue. Mayor Eppinger responded that the nuisance ordinance allows for the Police to respond. It is an attempt to help improve the quality of life.

Councilman Krenzle moved that the public portion be closed. Councilman Trzeciak seconded the motion. So carried.

RESOLUTIONS

RES: 2008-469

OCTOBER 27, 2008

RESOLUTION

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of South River pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of South River hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-470

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the 2007 Audit was received by the Mayor and Council of the Borough of South River; and

WHEREAS, certain comments and recommendations were made in the 2007 Audit; and

WHEREAS, a corrective action plan has been submitted by the Chief Financial Officer and is attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of South River to implement the corrective action plan in response to comments and recommendations contained in the 2007 Audit Report.

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 and State of New Jersey, as follows:

1. That the Mayor and Council have implemented the corrective action plan filed by the Chief Financial Officer in order to comply with the comments and recommendations as set forth in the 2007 Audit.
2. That a certified copy of this Resolution shall be forwarded to the Division of Local Government Services, Borough Auditor, Chief Financial Officer and Borough Administrator.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

CORRECTIVE ACTION PLAN
TO THE 2007 AUDIT REPORT'S
RECOMMENDATIONS

AUDIT RECOMMENDATIONS AND PLAN OF ACTION

Recommendation 2007-1	That an extensive review and documentation of all phases of the process of the utility billing and collection departments be done.
Criteria	Utility billing and collection system experienced problems in the area of billing adjustments related to significant amounts of estimated readings possible under realization of the water utility seasonal consumption surcharge and that several customers were not billed resulting in a loss of revenue to the borough. Contributing causes to the problem related to mostly lack of proper staffing and compliance with the procedures.
Corrective Action	The governing body has authorized the replacement of all electric meters in 2008 and in subsequent years replacement of water meters. The administration has been in the process of strengthening the internal operations as well as the financial control over the utility billings.
Recommendation 2007-2	That the minutes for remaining meetings in 2004, 2005, 2006 and 2007 be prepared and presented to the governing body for approval.
Criteria	Minutes must be prepared for all governing body public meetings immediately thereafter reflecting as a minimum summary of action taken and, ratified as soon as practicable thereafter by the governing body for accuracy and be made available to the public.
Corrective Action	Inventory of meetings held, prepared, presented, developed, approved and is monitored by the Business Administrator for accuracy and progress. The Borough Clerk of record for 2007 and prior has retired and an individual has been hired to prepare minutes and progress has been made for the prior years in question. Minutes for the six meetings from 2007, two meetings from 2006 and thirteen meetings from 2004 have been approved. In addition, the 2008 minutes approvals for the Mayor and Council meetings as of the date of report are currently prepared and approved.
Recommendation 2007-3	That the Chief Financial Officer in conjunction with the Borough Clerk review all Trust fund activity for cancellation or refund.

- Criteria All developers' Reserves and Trust Fund activity must be accounted for by the Borough on a timely basis since the Borough has a fiduciary responsibility over the funds.
- Corrective Action The Chief Financial Officer will review in consultation with various employees and professionals and prepare an analysis for approval by the governing body. This will be accomplished no later than December 31, 2008.
- Recommendation
2007-4 That the General Ledger system be maintained and reconciled monthly to the detail without exception.
- Criteria The General Ledger also serves to enhance internal controls and the resultant financial reporting.
- Corrective Action The Chief Financial Officer with the oversight by the Business Administrator will review all authoritative literature and all required periodic closeout accounting entries in order to present all General Ledger Accounts properly and accurately for audit.

RES:2008-471

OCTOBER 27, 2008

RESOLUTION GRANTING RENEWAL TO
PLENARY LICENSES IN THE BOROUGH
OF SOUTH RIVER FOR THE PERIOD
JULY 1ST, 2008 TO JUNE 30, 2009

WHEREAS, the Borough Council of the Borough of South River in the County of Middlesex, New Jersey, has received an application for the renewal of Plenary License for the period of July 1st, 2008 until June 30th, 2009; and

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

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

WHEREAS, the New Jersey Division of Alcoholic Beverage Control has granted permission for the renewal of said license, pursuant to N.J.S.A. 33:1-12.39.

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

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

PLENARY RETAIL CONSUMPTION LICENSE:

STATE/LOCAL
NUMBERS:

HOLDER

TRADE NAME

C-26
1223-33-013-009

Ralph's Tavern Inc.
26 Reid Street

Ralph's Tavern

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-472

OCTOBER 27, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Jim Maiello to serve as a member of an ad hoc committee to be known as Alternative Sources of Energy and Conservation for the purpose of exploring methods and ideas for the Borough of South River to conserve and efficiently use energy and also ascertaining and recommending alternative sources of energy that may be utilized by the Borough.

DATED: OCTOBER 27, 2008

/s/ Raymond T. Eppinger
Mayor

Motion to confirm

/s/ John Krenzel
Councilmember

Second to motion

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-473

OCTOBER 27, 2008

RESOLUTION

I, Raymond T. Eppinger, with the advice and consent of the Council of the Borough of South River, do hereby appoint Justin Cordes to the position of Rescue Squad Cadet of the South River Rescue Squad Cadet Corps of the Borough of South River effective as of October 27, 2008.

Raymond T. Eppinger
Mayor

DATED: OCTOBER 27, 2008

Motion to confirm

/s/ John Krenzel
Councilmember

Second to motion

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-474

OCTOBER 27, 2008

RESOLUTION

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation letter submitted by Enrique Marchese, Member of the South River Rescue Squad, dated October 2, 2008, is hereby accepted.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-475

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the South River Elks Lodge #2033 located at 205 Main Street has requested permission to conduct a Christmas Tree Sale Fundraiser on the lawn in front of the Lodge for a three (3) week period from November 28, 2008 through December 18, 2008; and

WHEREAS, the South River Elks Lodge #2033 is a not for profit organization and the proceeds from the Christmas Tree Sale Fundraiser will provide special needs children with many extra curricular activities; and

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that South River Elks Lodge #2033 has permission to conduct a Christmas Tree Sale Fundraiser for a three (3) week period from November 28, 2008 through December 18, 2008 subject to the following:

1. That there will be no interference with the flow of traffic on the roadway.
2. All fundraising shall be conducted by individuals having attained at least the age of eighteen (18) years.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES:2008-476

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the Middlesex Water Company has submitted a proposal to the Borough of South River on Sewer Service Line Maintenance Programs offered throughout New Jersey by its company; and

WHEREAS, the Middlesex Water Company Line Care Sewer Service Line Maintenance Program is being offered to protect and insure the Sewer Line that runs from the Street, onto your property and into your home; and

WHEREAS, the Sewer Line Protection Program is being offered through Middlesex Water Company's subsidiary known as Utility Service Affiliates, Inc. and in the event of a problem/breakage, you would contact Middlesex Water Company and they in turn would cover your sewer line from the curb-stop into your home and they would contact the appropriate party to do the repair which would then be covered under the Line Care Sewer Service Maintenance Program; and

WHEREAS, the cost for combined coverage for water and sewer line maintenance is \$170.30 per year, (plus N.J. State Sales Tax) and if a Borough customer chooses to avail himself to said program, they would be billed direct by Middlesex Water Company and pay directly to them but they are under no obligation to enroll if they do not want to.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Borough of South River does herein endorse the proposed Line Care Sewer Service Line Maintenance Program being offered by Middlesex Water Company to the various customers of the Borough of South River;

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of South River that Middlesex Water Company and the Borough of South River shall cooperate with one another to provide the appropriate information in order for each of the respective parties to maintain a list of those customers utilizing the Line Care Sewer Service Line Maintenance Program for any necessary servicing and/or repairs through the respective customer's home.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES: 2008-477

OCTOBER 27, 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>
65-999-980-827 ELEC CURRENT	ELITE DISTRIBUTION SERVICES INC. 17 DARTMOUTH DR HAZLET, NJ 07730	\$2021.32
65-999-930-535 CD	AILTON GALVAO 44 JUNE ST SOUTH RIVER, NJ 08882	\$15.02

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65-999-896-028 CD	ROSA GOMES 115 WILLETT AVE APT 13B SOUTH RIVER, NJ 08882	\$169.66
65-999-911-241 ELEC CURRENT	THEODORE JENKINS 242 SCHLEY ST NEWARK, NJ 07112	\$87.23
65-999-984-589 CD	MARY MARKOWSKI	\$202.22
65-999-984-589 ELEC CURRENT	57 RAILROAD AVE	\$343.87
65-999-984-589 ELEC PRIOR	HELMETTA, NJ 08828	\$577.83
65-999-985-326 CD	CAROL MORGAN 246 SUFFOLK AVE APT 1 STATEN ISLAND, NY 10314	\$100.52
65-999-988-263 CD	ANNIE NIKOVICS 1830 DENVER WEST DR APT 2425 GOLDEN, CO 80401	\$87.65
65-999-987-317 CD	DONALD NOACK 321 KATZ WAY SPOTSWOOD, NJ 08884	\$3.38
65-999-905-664 CD	MARIA PEREIRA 2900 NE 17 TH AVE POMPANO BEACH, FL 33064	\$90.98
65-999-909-866 CD	AALIYAH ROBINSON 706 A VILLAGE DR S NORTH BRUNSWICK, NJ 08902	\$80.90
65-999-960-246 ELEC CURRENT	LILLIANA SILVA 99A MAIN ST SOUTH RIVER, NJ 08882	\$186.08
66-999-978-989 WTR CURRENT	THOMPSON – ESTATE OF ALVINA L 4 CRAIG CT MILLSTONE TOWNSHIP, NJ 08535	\$50.30
65-999-910-141 CD	MARIO VASQUEZ 5 COLE ST A SOUTH RIVER, NJ 08882	\$121.91

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES: 2008-478

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the Federal Emergency Management Act provides for establishment of a Local Emergency Planning Committee within each municipality for the purpose of assisting in providing resources and services during an emergency; and

WHEREAS, the Emergency Management Coordinator of the Borough of South River serves as chairperson of the said committee pursuant to such legislation.

NOW THEREFORE I, RAYMOND P. EPPINGER, MAYOR with the advice and consent of the Borough Council do hereby appoint Charles Benn as Chairman, Deputy Chief John Bouthillette, Councilman John Trzeciak, George Lyons, Glenn Lauritsen, and Kim Bell as ad hoc members of the Local Emergency Planning Committee for the Borough of South River.

/s/s Raymond T. Eppinger
Mayor

DATED: OCTOBER 27, 2008

Motion to confirm

/s/ John Krenzel
Councilmember

Second to motion

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES: 2008-479

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for Read Electric Meters and Operating System in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on October 22, 2008 and opened and read aloud in public and an examination thereof shows that Byram Laboratories, Inc. was the only and apparent low bidder thereon with a bid of \$3,008,057.35 as noted in the report of the borough engineer dated October 22, 2008; and

WHEREAS, there are insufficient funds appropriated for the bid submitted and the governing body has determined that it is in the best interest of the borough to reject all bids submitted; and

WHEREAS, the bids specifications provided that the Borough reserves the right to reject any and all bids.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby rejected, the Borough Clerk is authorized to return the bid security to the said bidder and is further authorized to re-advertise for bids for such operation.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

NAYS: None

RES: 2008-480

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for JFK Park at Anne Street Improvements in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on October 8, 2008 and opened and read aloud in public and an examination thereof shows that Big Daddy Construction T/A Brothers Paving and Excavation Co, Inc. was the apparent low bidder thereon with a bid of \$49,186.25 as noted in the report of the borough engineer dated October 9, 2008 and borough attorney dated October 21, 2008; and

WHEREAS, both the Borough Engineer and the Borough Attorney have noted that the bid of the apparent low bidder included deviations from the bid specifications that were only minor departures which the Borough may waive.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to Big Daddy Construction T/A Brothers Paving and Excavation Co., Inc. as per the bid so submitted on condition that the contractor provide an experience statement for the subcontractor designated in the bid documents.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction but only upon submission of the above as well as approval of same by the appropriate borough officials.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano

Councilmember

ROLL CALL VOTE

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

RES:2008-481

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for operation, management and maintenance services for the potable water and wastewater systems substation in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on September 12, 2008 and opened and read aloud in public and an examination thereof shows that Middlesex Water Company was the lowest and most responsible bidder thereon with a bid of \$2,313,247.00 for a five year contract as noted in the report of the borough's engineering consultant and opinion letter of the borough attorney dated September 15, 2008 and October 6, 2008, respectively; and

WHEREAS, there are insufficient funds appropriated for the bid submitted and the governing body has determined that it is in the best interest of the borough to reject all bids submitted; and

WHEREAS, the bids specifications provided that the Borough reserves the right to reject any and all bids.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby rejected and the Borough Clerk is authorized to return the bid security to the said bidder.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

Note: Councilman Hutchison recused himself on this vote.

RES: 2008-482

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for the 2009 Utility Maintenance Contract in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on September 12, 2008 and opened and read aloud in public and an examination thereof shows that B&W Construction Co. of N.J., Inc. was the lowest and most responsible bidder thereon with a bid of \$261,313.30 as noted in the report of the borough's engineering consultant and opinion letter of the borough attorney dated September 15, 2008 and October 7, 2008, respectively; and

WHEREAS, the Chief Financial Officer of the Borough has certified in writing that funds are available for the above purpose and are contained in the 2009 Municipal Utility Budget; and

WHEREAS, the award of this contract is contingent upon the contractor fully complying, if applicable, with the requirements of Public Law 1975, Chapter 127, known as the "Affirmative Action Law".

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to B&W Construction Co. of N.J., Inc. as per the bid so submitted.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction but only upon submission of the above as well as approval of same by the appropriate borough officials.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-483

OCTOBER 27, 2008

RESOLUTION

I, Raymond T. Eppinger, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Russell Panckeri to the position of First Class Lineman in the Electric Utility Department of the Department of Public Works of the Borough of South River effective as of October 28, 2008.

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

Raymond T. Eppinger
Mayor

DATED: OCTOBER 27, 2008

Motion to confirm

/s/ John Krenzel
Councilmember

Second to motion

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-484

OCTOBER 27, 2008

RESOLUTION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of South River that the Tax Collector is hereby authorized to extend the grace period for the payment of fourth quarter taxes to December 1, 2008.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES: 2008-485

OCTOBER 27, 2008

RESOLUTION

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for the receipt of sealed bids for South River Library Chiller Replacement in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on October 10, 2008 and opened and read aloud in public and an examination thereof shows that T.M. Brennan Contractors was the apparent low bidder thereon with a bid of \$58,000.00 as noted in the report of Arcari Iovino Architects PC dated October 10, 2008 and borough attorney dated October 27, 2008; and

WHEREAS, the Borough Attorney has noted that the bid of the apparent low bidder included a deviation from the bid specifications that is only a minor departure which the Borough may waive.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and that a contract be and the same is hereby awarded to T.M. Brennan Contractors as per the bid so submitted on condition that the contractor provide a certified financial statement, performance bond, appropriate insurance certifications, a labor and payment bond and such other submissions as required by the bid documents.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction but only upon submission of the above as well as approval of same by the appropriate borough officials.

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

RES:2008-486

OCTOBER 27, 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>
ABSOLUTE FIRE PROTECTION INC.	\$4,462.50
ADVANCED GENERATOR EXCHANGE	338.00
ALLIED OL COMPANY LLC	6,799.63
DANIELLE ANDERSON	76.90

B & W CONSTRUCTION CO.	7,699.05
BIGNELL PLANNING CONSULTANTS	5,920.00
BLUE CROSS/BLUE SHIELD OF NJ	8,416.65
BOMBA, WESLEY J.	550.00
BELARUSIAN-AMERICAN CENTER	250.00
MARIA BRITEZ	175.68
ZDZISLAW BYKOWSKI	135.84
CENTRAL JERSEY WSTE	3,678.84
CHAMPIONSHIP AWARDS IN C.	487.00
CME ASSOCIATES	5,750.50
COMCAST	192.11
CONTINENTAL FIRE & SAFETY INC.	2,770.00
JOSEPH CARUSO	206.55
LINA CHRISTIAN	156.34
JUAN CISNERROS	32.07
CHRISTIAN CUKAY	32.15
DELL COMPUTER CORPORATION	44,155.44
DRUGOS, STGEVEN	250.00
ALFONSO DIGIORGI	144.60
ROSE DUTTKIN	171.92
EAST BRUNSWICK PLUMBING INC.	191.98
EAST BRUNSWICK POLICE TRN FACILITY	870.00
ESPOSITO, VIRGINIA	250.00
FEDERATED FIRE SERVICE I N C.	218.90
FERREIRA, BRUNO	250.00
FLAGHOUSE INC.	448.85
FORD MOROT CREDIT COMPANY	120.69
CELESTINO ROCHA FIUEIRE	186.75
HOME NEWS TRIBUNE	97.68
HOME NEWS TRIBUNE	7.83
HYSLOP, BRIAN	250.00
STEPHEN HUNTER	325.84
IRON MOUNTAIN	84.90
JOHNNY ON THE SPOT	429.28
K & J LANDSCAPE MANAGEMENT INC.	8,195.00
SAMUEL KLEIN & COMPANY	60,600.00
ERIK KOSTENKO	1,000.00
LEE'S AUTO PARTS INC.	2,388.49
LINCOLNL FINANCIAL GROUP	1,440.60
MIDD CTY UTILITY AUTHORITY	39,803.98
MIDDLESEX COUNTY TREASURER	138,473.94
MIDDLESEX COUNTY TREASURER	1,177,542.24
MIDDLESEX COUNTY CONF. OF	513.74
JUAN MEDINA	107.46

NOVAK, CAHRLES	250.00
THOMAS J. NOTO, P.E.	5,520.00
OLD DOMINION BRUSH	1,536.19
ORIENTAL TRADING CO.	309.64
KAMILE OLIVEIRA	104.28
PENTATEK SOLUTIONS INC.	2,668.00
POSITIVE PROMOTIONS INC.	216.90
PAPER MILL PLAYHOUSE	559.40
PRECISION ANALYTICAL INC.	1,160.00
RADIO EXCHANGE	249.00
RAZOR PRINTING	104.00
RARITAN VALLEY COMM. COLLEGE	210.00
JAMES H. ROLLYSON, ESQ.	1,201.70
FERNANDO RAMIREZ	41.66
CARLA & CARLOS ROCHA	135.49
SAYREVILLE PET ADOPTION CENTER	770.00
S & S WORLDWIDE, INC.	427.04
SAMS CLUB	1,605.60
SAYREVILLE, BORO OF	2,052.00
SCANLON, MICHAEL J.	1,770.00
SCHWARTZ, GARY M. ESQ.	6,730.00
SENSUS TECHNOLOGIES	4,332.00
SHOWBOAT CASINO HOTEL	674.00
STAPLES BUSINESS ADVANTAGE	239.98
BILL SZURKO	350.00
SONICWALL	310.00
SPIRIT ACCOUSTICS INC.	96.34
TELX INC.	140.00
TITLE AGENCY INC.	4,364.59
THYSSENKRUPP ELEVATOR CORP.	1,728.36
TOP HAT UNIFORM RENTAL	315.92
JOANA TERRALHEIRO	1,800.50
DIANA TREDENNICK	172.38
UPS	80.54
ULER, RONALD	250.00
UNITED STATE POST OFFICE	1,200.00
USHER PUBLISHING CO.	550.00
UTILITY BILLING SERVICES INC.	19,431.94
UTILITY BILLING SERVICES INC.	581.76
UNIVERSAL FITNESS STORE INC.	195.00
VERIZON WIRELESS	1,520.28
VERIZON	4,094.49
WELCO-CGI GAS TECH LLC	181.00
WIRELESS COMM. AND ELECTRONICS	425.00

M NG & M WANG	74.97
YARDVILLE SUPPLY CO. I N C.	1,517.50
ARIADNA YOUNG	45.81
ZLATEN ZIFOVSKI	197.44
JOSEPH ZARGO	60.89
ALBA ZAVALLA	39.50

DATED: OCTOBER 27, 2008

/s/ John Krenzel
Councilmember

/s/ Anthony Razzano
Councilmember

ROLL CALL VOTE

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

COUNCIL COMMENTS

Councilman Razzano

- Ceremony renaming Causeway Park to Cannon Brothers Park - commended Councilwoman Buffalino on her efforts in putting it together.
- 11/4 /08 - Election Day – encouraged everyone to vote. Every vote counts.
- 10/31/08 – Safe Halloween – curfew at 9:00 p.m. on mischief night and Halloween night unless accompanied by parent or legal guardian.

Councilwoman Buffalino

- 11/21/08 – Flu shots – Knights of Columbus – 10:00 a.m. to 12:00 p.m.
- Memorial Day Parade Committee met for the first time. Will be a promising year, fund raising planned, high school will be asked to do an art contest.
- 10/22/08 – Candlelight vigil held by Domestic Violence Response Team, great turnout, confidentiality is utmost for affected people, worthwhile program.
- Cannon Brothers - renaming of park. 2 F18's flew over area, one was flown by Leo Cannon, Cannon Family did a great job and paid for the monument.
- 10/25/08 - Frost on the Pumpkin Race – Brian Donovan was the winner, cross country team attended race; eldest member completed race.
- Borough Council endorsed sewer line protection plan offered by Middlesex Water Company. Middlesex Water Company will be sending letters out to the residents.

Councilman Hutchison

- Congratulations to Jim Maiello on his appointment to the Alternative Energy Committee; next meeting is on 10/28/08 at 7:30 p.m. in Conference Room of the Criminal Justice Building; public is welcome to attend.
- No Parks and Recreation meeting in November.
- Happy Halloween.
- 11/4/08 – Election Day – exercise the right to vote.
- 11/1/08 – Daylight savings time – clocks go back one hour.

Councilman Trenga

- Thanked Borough employees and volunteers for their efforts.
- Cannon Brothers Park - great ceremony.
- 10/28/08 – Middlesex County Transportation meeting; working on 25 year infrastructure plan.
- Frost on the Pumpkin race ends in front of his home.
- Over \$700,000 billed to Comcast and Verizon for utility poles. Very proud of Borough Council and Administration for this endeavor.
- 11/4/08 – Election Day – please vote.

Councilman Trzeciak

- Cannon Brothers Park – great ceremony. First South River residents to go to Annapolis Naval Academy.
- 11/12/08 – 11:30 a.m. press conference with Deputy Chief Bouthillette and Freeholders at Sheinfine and Leonardine Avenues to launch slow down campaign in town.
- OEM – Charles Benn pushing for Local Emergency Planning Committee – needs to be in place. Kudos to Mr. Benn.
- 10/30-31/08 – 9:00 p.m. curfew for Mischief Night and Halloween .
- 11/4/08 – Election Day – vote.

Councilman Krenzel

- Attended Candlelight vigil on domestic violence.
- 11/1/08 – Spaghetti Dinner at Sts. Peter and Paul.
- 11/7/08 – flu shots - Sayreville
- 11/21/08 – flu shots – Knights of Columbus
- 11/24/08 – flu shots - Office on Aging
- Cannon Brothers Park – impressive ceremony - congratulations to Councilwoman Buffalino and Cannon Family.
- Zoning ordinance amendment – will be in compliance with master Plan and will be ready to go in 2009.
- 11/4/08 – Election Day – every vote counts.

Mayor's Comments

- Attended Candlelight Vigil on Domestic Violence – good turnout.
- Tax billed mailed out this week.
- 11/11/08 – Veterans Day Ceremony at American Legion at 11:00 a.m.
- Frost on the Pumpkin Race – did not run this year.
- 9:00 p.m. curfew on Mischief Night and Halloween.
- Sad note – Gloria Martin passed away. Condolences to her family.
- Condolences to the Hill Family on the passing of Phil Hill, was involved with TV 35 for a number of years.
- Ferry St. milling – note from county that milling will begin on 11/3/08.
- Cannon Brothers Park dedication – great ceremony.
- Happy Halloween

PUBLIC COMMENTS (good & welfare of Borough)

Joe Manzo, Willett Ave.

- Asked about the aerator on Dailey's Pond. Mayor Eppinger responded that George Lyons said it was fixed. Mr. Manzo said it was still out.
- Asked if there was a CO for 55 Reid St. Mr. Salerno stated that a temporary CO is issued, which is valid. Two more things need to be completed and then we will get the CO. Mr. Manzo said that the building shouldn't have been opened without a CO.
- Asked what the bid came in at for the library chiller. Mr. Salerno responded \$58,000.
- Asked about the bid for remote read electric meters. Mr. Salerno stated that the bid came in at \$3 million.

Peggy Marino, 31 Charter Drive

- Asked about the breakfast that the Mayor hosts in at the League of Municipalities Convention in November. Mayor Eppinger responded that this is an opportunity for the staff to touch base with the Borough Council and professionals.

Peter Guindi, 26 Cleveland Avenue

- Electric rates - asked if we can work on getting a fixed rate for homeowners. Mayor Eppinger responded that we do not have the ability to set meters at this time. Mayor Eppinger added that we are trying to offer a set plan, looking into bringing billing back into town.

Ed Trygar

- Asked if there was an increase in the salaries of the Borough Council. Mr. Razzano stated that a resolution was passed stating that the Borough Council would not take a raise.
- Asked about if there was a loss of revenue in the Electric Utility. Mr. Salerno responded no.
- Noted that a South River resident plays in a band called the Fab Four in New Brunswick, similar to music of the Beatles.

John Scala, 440 Old Bridge Turnpike

- Asked about the water contract with East Brunswick. Mr. Salerno stated that there was nothing to report on right now.
- Asked about Comcast and if they are looking for an increase in cable. Mr. Salerno noted that the contract with Comcast is up in 2011.

ADJOURNMENT

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

Respectfully submitted on
November 6, 2008.

Patricia O'Connor, RMC
Borough Clerk

Approved at the regular meeting
held on November 10, 2008.