

REGULAR MEETING

MAYOR AND BOROUGH COUNCIL

MEETING NO. 8

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APRIL 8, 1998

Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Rafano moved that the hearing be closed. Councilman Szegeti seconded the motion. So carried.

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

There being no comments, Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti

NAYS: None

ORD: 1998-9.

AN ORDINANCE TO AMEND SECTION 193-3 1. 1, SCHEDULE IIA ENTITLED

"HANDICAPPED PARKING" IN THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of South River that Section 193-3 1. 1, Schedule IIA entitled "Handicapped Parking" in the Borough Code of the Borough of South River is hereby amended as follows

SECTION 1: Add:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Martin Avenue	North	From a point 218' West from its intersection at Water Street to a point 22' West thereof

SECTION 2: If any section, paragraph, sub-division, clause or provision of this Ordinance shall be invalid, such adjudication shall apply only to that section, paragraph, sub-division, clause or provision of adjudged and the remainder of this Ordinance shall be deemed valid and affective.

SECTION 3: All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby revealed to the extent of such inconsistency.

SECTION 4: This Ordinance shall take affect upon final passage and publication according to law.

Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Rafano moved that the hearing be closed. Councilwoman Balazs seconded the motion. So carried.

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

There being no comments, Mayor Toto asked the Clerk to call the roll.

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ROLL CALL VOTE
YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

ORD.1998-10.

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER TO AMEND AND SUPPLEMENT
CHAPTER 193-45, SCHEDULE XVI ENTITLED "SNOW EMERGENCY NO PARKING AREAS"
IN THE CODE OF THE BOROUGH OF SOUTH RIVER.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of
South River that Chapter 193-45, Schedule XVI entitled "Snow Emergency No Parking Areas" in the
South River Borough Code is hereby amended as follows:

SECTION 1: Add

Name of Street

1. Heritage Drive (Heritage Hills Development) entire length between Leonardine Avenue
and Whitehead Avenue.
2. Samuel Drive (Kuberski Farms Development) entire length between Whitehead Avenue
and Lark Drive.
3. Nelson Street.
4. Henry Street between William Street and Chestnut Street.
5. Chestnut Street between Nelson Street and Henry Street

SECTION 2: If any section, paragraph, sub-division, clause or provision of this
Ordinance shall be invalid, such adjudication shall apply only to that section, paragraph,
sub-division, clause or provision of adjudged and the remainder of this Ordinance shall be deemed valid
and affective.

SECTION 3: All ordinances or parts of ordinances inconsistent with or in conflict with this
ordinance are hereby revealed to the extent of such inconsistency.

SECTION 4: This Ordinance shall take affect upon final passage and publication according to
law.

Mayor Toto opened the hearing to the public for comment. There being no
comment, Councilwoman Balazs moved that the hearing be closed. Councilman Jones
seconded the motion. So carried.

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

Councilman Jones stated that at the business meeting he questioned if the entire
length of Nelson Street would is included and was advised it is. He explained that this
Ordinance would give relief to the property owners from the non-residents who park
there.

There being no other comments, Mayor Toto asked the Clerk to call the roll.

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ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

ORD:1998-11.

AN ORDINANCE AMENDING CHAPTER 142 OF THE BOROUGH CODE
OF THE BOROUGH OF SOUTH RIVER ENTITLED "OBSCENE MATERIALS".

SECTION 1.

PURPOSE: The Mayor and Council of the Borough of South River declares its purposes and intent of adopting this Ordinance as follows:

- a. There exists an urgent need to prevent commercial exposure of minors to sexually provocative written, photographic, printed, sound, or published materials as there are hereafter defined and which are hereby declared to be harmful to minors.
- b. It is in the best interest of the health, welfare, and safety of the citizens of the Borough of South River, and especially of the minors of the Borough of South River, that commercial dissemination of such sexually provocative written, photographic, printed, sound, or published materials deemed harmful to minors be restricted to persons of the age of eighteen (18) years or older; or if available to minors under the age of eighteen (18) years, that the availability of such materials be restricted to sources within established recognized schools, religion institutions, museums, medical clinics and physicians, hospitals, public libraries, the minor's home, or government sponsored organizations.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex and State of New Jersey, that Chapter 142 of the Borough Code entitled "Obscene Materials" is hereby amended as follows:

Section 142- 1. DEFINITIONS: As used in this Ordinance, the following terms have the definitions hereinafter given them:

- a. "Minor" means any person under the age of eighteen (18) years;
- b. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breasts with less than a fully opaque covering of any portion thereof below of the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;
- C. "Sexual conduct" includes any of the following depicted items:
 - i. any act of sexual intercourse, actual or simulated, including genital-genital, anal-genital or oral-genital intercourse whether between human beings or between a human being and an animal.
 - ii. sadomasochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a revealing costume or the condition of being fettered, bound, or otherwise physically restricted on the part of one so clothed.

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- iii, masturbation or lewd exhibitions of the genitals including any explicit, close-up representations of the human genital organ.
- iv. Physical contact or simulated physical contact with the clothed or unclothed public areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.
- v. An act of sexual assault where physical violence or drugs are employed to overcome the will of or achieve the consent of a person to an act of sexual conduct and the affects or results of the violence or drugs are shown.
- d. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal;
- e. "Harmful to minors" means that quality of any description or representation, in whatever form, or nudity, sexual conduct or sexual excitement, when it:
 - 1. predominantly appeals to the prurient, shameful or morbid interest of minors in sex and;
 - 2. is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors and;
 - 3. taken as a whole lacks serious literary, artistic, political or scientific value.
- f. "Knowingly" means having general knowledge of, or reason to know, or belief or ground for belief which warrants further inspection or inquiry or both:
 - 1. The character or content of any material which is reasonably susceptible of examination by the defendants and
 - 2. The age of the minor, provided however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.
- a. Any picture, photograph, drawing, sculpture, motion picture film, videotape, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sexual excitement which is harmful to minors.

Section 142-2. SALE - OF OBSCENE MATERIAL: It is unlawful for any person knowingly to sell or loan for monetary consideration to a minor:

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- b. Any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in clause (a), or which contains explicit and detailed verbal descriptions or narrative accounts of nudity, sexual excitement, or sexual conduct and which taken as a whole is harmful to minors

Section 142-3. OBSCENE EXHIBITIONS: It is unlawful for any person knowingly to exhibit for a monetary consideration to a minor or knowingly to see to a minor an admission ticket or pass or knowingly to admit a minor for monetary considerations to premises whereon there is exhibited, a motion picture show or other presentation which, in whole or in part, depicts nudity, sexual conduct, sexual excitement and which is harmful to minors.

Section 142-4. DISPLAY OF OBSCENE MATERIALS: It is unlawful for any person commercially and knowingly to exhibit, display, sell offer to sell, give away, circulate, distribute or attempt to distribute any material whose cover, covers, or packaging, standing alone, is harmful to minors, in any place where minors are or may be present or allowed to be present and where minors are able to view such material unless each item of such material is blocked from view by a opaque cover. The requirement of an opaque cover shall be deemed satisfied concerning such material if those portions of the cover, covers, or packaging containing such material harmful to minors are blocked from view by an opaque cover.

Section 142-5. EXEMPTIONS: The provisions of this Ordinance shall not apply to distribution or attempt to distribute the exhibition, display, sale, offer of sale, circulation, giving away of material harmful to minors where such material is sold, exhibited, displayed, offered for sale, given away, circulated, distributed, or attempted to be distributed under circumstances where minors are not present, not allowed to be present or are not able to view such material or the cover, covers, or packaging of such materials. Any business may comply with the requirements of this clause by physically segregating such material in the manner so as to physically prohibit the access to and view of the material by minors, by prominently posting at the entrance or entrances to such restricted areas, "adults only you must be eighteen to enter," and by enforcing said restrictions.

Section 142-6. PRESUMPTIVE EVIDENCE: The public display of any obscene material as defined in this Ordinance shall constitute presumptive evidence that the retailer knowingly made or permitted the display.

Section 142-7. SEVERIBILITY: If any part of this ordinance shall be declare invalid by a Court of competent jurisdiction, such part shall be deemed severable and the invalidity thereof shall not effect the remaining parts of this Ordinance.

Section 142-8. PENALTIES: Any person violating any section of this Chapter shall be guilty of a petty disorderly persons offense.

SECTION 2. Any ordinance or parts of ordinance inconsistent with this ordinance shall hereby be declared null and void.

SECTION 3. This ordinance shall become affective upon passage and publication as required by law,

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Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Rafano moved that the hearing be closed. Councilwoman Balazs seconded the motion. So carried.

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

There being no comments, Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

YEAS: Balazs, Hausseman, Jones, Krenzel, Rafano, Szegeti
NAYS: None

COMMUNICATIONS

COMM:1998-36. A letter dated April 2, 1998, was received from Mayor Toto advising that he will be out of the State from April 14, 1998 to April 21, 1998.

Councilman Szegeti moved that this communication be received and filed. Councilman Jones seconded the motion. All voted in favor except Councilman Rafano who voted "no".

COMM:1998-37. A letter was received from the residents of Milton Avenue requesting permission to closed Milton Avenue in order to hold a block party on May 24, 1998.

Councilman Krenzel Councilman Rafano seconded the motion. So carried.

COMM:1998-38. A letter was received from the US Census Bureau New York Regional Office providing information on the census which is to be held in the year 2000.

Councilman Szegeti moved that this communication be received and filed. Councilman Jones seconded the motion. So carried.

COMM:1998-39. A letter dated April 2, 1998, was received from Dr. Ambrogi advising that the request for fund Project Act Now was rejected by the Board of Education.

Councilman Szegeti moved that this communication be received and filed. Councilman Rafano seconded the motion. So carried.

COMM:1998-40. A letter dated March 23, 1998, was received from Rui Almeida requesting the purchase of Borough property located on Lot 7 in Block 303.

Councilman Szegeti moved that this communication be received and filed. Councilman Jones seconded the motion. So carried.

COMM:1998-41. A letter dated April 1, 1998, was received from Dr. Ambrogi declining to attend a workshop on the traffic problems associated with the new elementary/middle school.

Councilman Jones moved that this communication be received and filed. Councilman Krenzel seconded the motion. So carried.

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COMM:1998-42. A letter dated April 8, 1998, was received from Police Chief Eib recommending permanent status for certain probationary police officers.

Councilman Krenzel moved that this communication be received and held for action later on the agenda. Councilman Szegeti seconded the motion. So carried.

RESOLUTIONS

RES:1998-287

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Borough Clerk is authorized for the receipt of applications for "summer help".

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES:1998-288

APRIL 8, 1998

RESOLUTION

WHEREAS, Terry Capana has previously been appointed to the Board of Health of the Borough of South River; and

WHEREAS, on March 30, 1998, the governing body did receive correspondence from Dolores Olsen, Secretary of the Board of Health requesting that Terry Capana be removed due to the fact that said individual has attended one (1) meeting during the past thirty (30) months; and

WHEREAS, the Board of Health By-laws does have an attendance requirement in which an individual is not allowed to miss more than three (3) meetings without an approved excuse and no such excuse has been reported from the Board of Health.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that Terry Capana's appointment to the Board of Health is hereby rescinded and that said position is deemed vacant.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

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ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti

NAYS: None

RES:1998-289

APRIL 8, 1998

RESOLUTION

WHEREAS, the official tax records of the Borough of South River, New Jersey show certain adjustments, recessions, amendments, cancellations, corrections, refunds and uncollectibles on real estate, personal property taxes and special assessment should be made on certain accounts due to various reasons, and

WHEREAS, the tax collector recommends these changes as listed, and

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

TAXPAYER - BLOCK/LOT	REASON	AUTH	YEAR	AMOUNT
STEPHEN KUZMACK	OVERPAYMENT	REFUND	1998	\$1,134.56
27 DRAEGER PLACE				
SOUTH RIVER, N 08882				
BLOCK 212				
LOT 16				
TOTAL				\$1,134.56

DATED: April 8, 1998

/s/James Jones

Councilman

/s/Donna Balazs

Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti

NAYS: None

RES:1998-290

APRIL 8, 1998

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 has been received from the Local School District for the following amount(s) to be paid by June 1, 1998.

CURRENT OPERATING EXPENSE:

RESTORED FUNDS:

DEBT SERVICE EXPENSE:	\$416,873.30
TOTAL OF	\$416,873.30

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, the State of New Jersey, that the Borough Treasurer is hereby authorized and directed to draw the above stated amount(s) from the proper accounts and pay to the treasurer of School District Funds the amount(s) so drawn pursuant to the applicable Statutes of the State of New Jersey.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS:	None

RES:1998-291

APRIL 8, 1998

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 has been received from the Local School District for the following amount(s) to be paid by May 11, 1998.

CURRENT OPERATING EXPENSE:	\$789,010.92
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RESTORED FUNDS:

DEBT SERVICE EXPENSE:	\$
TOTAL OF	\$789,010.92

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, the State of New Jersey, that the Borough Treasurer is hereby authorized and directed to draw the above stated amount(s) from the proper accounts and pay to the treasurer of School District Funds the amount(s) so drawn pursuant to the applicable Statutes of the State of New Jersey.

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RES.1998-292

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RESOLUTION

WHEREAS, the Borough of South River has in the past allowed residents within the municipality to conduct neighborhood block parties as a means of recreation, socializing and enjoyment, and

WHEREAS, the conducting of neighborhood block parties aids and assists in fostering community spirit in cooperation between residents of the Borough of South River, and

WHEREAS, a group of residents residing on Milton Avenue has requested approval for a block party to be held on May 24, 1998 commencing at 12:00 p.m. and ending at 11:00 p.m.; and

WHEREAS, the residents have requested that Milton Avenue be closed and vehicular traffic not be allowed on said road from the intersection of Elizabeth Street to the intersection of Russell Avenue to allow for the requested block party.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of South River that approval for the requested block party is hereby granted subject to the following conditions:

1. Pursuant to the code of the Borough of South River, no alcoholic beverages shall be allowed on the closed roadway or within the public right of way immediately adjacent to the roadway.
2. That any emergency vehicles (police, fire, rescue squad, etc.) be allowed through Milton Avenue, if necessary.
3. John Dominik or Lisa Dominik or another representative of the residents of Milton Avenue contact the South River Police Department two (2) hours prior to the commencement of the block party and advise that said block party is being held on the scheduled date and that the road will be closed and that said individual also contact the police department within fifteen (15) minutes of the completion of said block party to advise said road is now open to vehicular traffic.
4. That the residents of Milton Avenue are responsible for cleaning the closed portion of Milton Avenue from any debris, which may be a result of, said block party.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

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RES:1998-293

APRIL 8, 1998

RESOLUTION

WHEREAS, there exists in the Borough of South River various surplus equipment and materials; and

WHEREAS, the Mayor and Borough Council are responsible for the same and have determined that they are no longer needed for public use because of age or condition; and

WHEREAS, it is deemed in the best interests of the Borough that said equipment and material be sold at public auction to the highest bidder thereon; and

WHEREAS, said public sale shall take place in the manner and with the conditions and terms as are hereinafter specified:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the following equipment shall be disposed of at a sale:

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
1	1	GMC, Aerial-lift Bucket Truck, Model CE66703, 1977, Serial #TCE667V586801
2	1	GMC, Truck w/post hole digger, TC7D042, 1983, Serial #1GL1E8DV520984
3	1	IBM System 36, Model 5360 with Model 5225 Printer and several display terminals and smaller printers
4	1	Copier w/collator, Konica, Model 3540
5	1	Video Camera, Panasonic, Model WV3400 with stand
6	1	Video Monitor, Panasonic, Model CT500V
7	1	VCR, Panasonic, Model NVB58
8	1	Television, Panasonic, Model CT9020
9	1	Printer, Epson, Model FX-80, dot-matrix
10	1	Audio cassette player case
11	1	IBM PC Keyboard
12	1	Printer, dot-matrix
13	1	Microfiche reader w/stand
14	1	Duplicating Machine, A B Dick
15	2	Display Rack, record, wood,

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16	2	Display Rack, paperback book, metal
17	3	Filmstrip viewers
18	12	Computers, various manufacturers (to be sold separately or as a total package)

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to advertise same to be held on June 19, 1998 at 10:00 AM prevailing time, at the South River Public Works Yard, 435 Whitehead Avenue, South River, NJ, at which time the aforesaid equipment will be auctioned to the highest bidder thereon with the following terms and conditions:

1. The Borough of South River reserves the right to withdraw any items or items for sale without notice.
2. The equipment offered for sale is an "as is where is" condition with no warranties, guarantees or representations of any kind as to their condition or quality and sale will be on an individual basis unless otherwise specified.
3. A minimum price per item may be established prior to the beginning of sale.
4. A sale will be made to the highest bidder who shall pay the full purchase price in cash, certified check or money order at the time of conclusion of the bidding process for the item. In the event such successful bidder shall not pay the purchase price in full, the item shall immediately thereafter be put out for sale again upon the same terms and conditions.
5. Written sealed bids shall be accepted prior to verbal bids, providing said bid shall contain the full purchase price thereon.
6. The Mayor and Borough Council may at their next meeting either confirm or deny the sale of any or all items.
7. The successful bidder shall be required to remove same at the conclusion of said auction.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

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RES:1998-294

APRIL 8, 1998

RESOLUTION

WHEREAS, there exists the need for the services of a firm to provide labor counsel legal services for the year of 1998 for the Borough of South River in the County of Middlesex, the State of New Jersey; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires the Resolution authorizing the award of contract for professional services without competitive bidding be publicly advertised; and

WHEREAS, the Chief Financial Officer of the Borough of South River has provided a certification as to the availability of adequate funds for the awarding of the said contract described herein, as appropriated in the 1998 municipal budget and other accounts:

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, as follows:

1. The Mayor and the Borough Clerk are hereby authorized to execute an agreement with

Genova, Burns & Vernioia
Eisenhower Plaza-Suite 2575
354 Eisenhower Parkway
Livingston, New Jersey

2. This Contract is awarded without competitive bidding as a professional service under the provision of the Local Public Contract Law (NJSA 40A:11-5(1)) since this Contract is for the services performed by a person authorized by Law to practice a recognized profession and it is not possible to obtain competitive bidding.

3. A copy of this Resolution shall be published in the Official Newspaper of the Borough within ten (10) days of its passage.

4. Said contract is now of record and on file in the Office of the Borough Clerk for public inspection.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS:	None

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RES.1998-295

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Engineer is hereby authorized to present to all interested participants the final pro rata costs with respect to the curb and sidewalk rehabilitation program and, offer to the residents a fifteen (15%) percent discount if said residents shall paid in full their pro rata cost at the time of invoicing for the work.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES.1998-296

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to represent the Borough of South River with respect to all tax appeals being heard before the Middlesex County Board of Taxation located in New Brunswick, New Jersey.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES.1998-297

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to represent the Borough of South River with respect to the Tax Appeal file with the Tax Court of New Jersey with respect to Erness Apartments.

DATED: April 8, 1998

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/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES:1998-298

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RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to review the Comcast Cable Television Certificate of Insurance for and pursuant to the Cable Franchise Contract.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None
ABSTAIN: Balazs

RES:1998-299

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to review the proposed contract of the Labor Law Attorney and report with respect to the same.

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

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RES:1998-300

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RESOLUTION

WHEREAS, Chapter 47, Section 28E of the Code of the Borough of South River specified that each person appointed to the South River Police Department shall serve a probationary period of one (1) year; and

WHEREAS, the below listed officers have served in the capacity of probationary Patrolman for a period of one (1) year:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the following Police Officers are granted permanent status on the date so specified.

<u>NAME</u>	<u>DATE</u>
Pt. Edward Avallion	April 7, 1998
Pt. Jason Klein	March 17, 1998
Pt. Michael Kucharski	March 17, 1998
Pt. John McKenna	April 7, 1998
Pt. Mark Tinitigan	March 17, 1998
Pt. Richard Tulko	April 7, 1998

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE
YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES:1998-301

APRIL 8, 1998

RESOLUTION

WHEREAS, the 1998 salary ordinance provides for a method of increasing the salary/wage of an employee by means of a resolution; and

WHEREAS, the Governing Body has agreed by means of a contract to provide said increase:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the following employees be advanced to the next wage/salary grade as of the date specified:

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NAME	POSITION	EFFECTIVE DATE	SALARY
Avallon, Edward	Patrolman	April 7, 1998	\$31,614.00/yr
Klein, Jason	Patrolman	March 17, 1998	31,614.00/yr
Kucharski, Michael	Patrolman	March 17, 1998	31,614.00/yr
McKenna, John	Patrolman	April 7, 1998	31,614.00/yr
Tinitigan, Mark	Patrolman	March 17, 1998	31,614.00/yr
Tulko, Richard	Patrolman	April 7, 1998	31,614.00/yr

DATED: April 8, 1998

/s/James Jones
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES:1998-302

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Business Administrator is hereby authorized to prepare specifications with respect to the demolition of 1 Reid Street, advertise said bids and receive the same and report with respect to the results of said bidding.

DATED: April 8, 1998

/s/ John Krenzel
Councilman

/s/ James Jones
Councilman

Councilman Krenzel questioned the method of payment adding if we bond they become taxable and more expensive. Mr. Kolakowski stated we have been advised by our bond counsel of this legal requirement since we do not own the property. Councilman Krenzel stated what financing method we chose, the situation requires that the problem be resolved. He asked the Borough Administrator to speak to the Bond Counsel, adding that we may have to bring this matter to the attention of our State representatives.

Mayor Toto asked what is the cost. Mr. Kolakowski stated we have to bid the project to obtain that information. Councilman Jones asked if we will be doing test borings. Mr. Kolakowski stated we are only going to take the building down and remove the debris.

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ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES.1998-303

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to prepare a site plan application with respect to the Police Department renovation and present the same with the Business Administrator before the South River Planning Board.

DATED: April 8, 1998

/s/ Shawn Haussermann
Councilman

/s/ Robert Szegeti
Councilman

Mr. Kolakowski asked if the site plan will be a completed application or a minimal submission. Mr. Roselli stated that would be a decision of the Planning Board. Councilman Krenzel suggested waiving the fees. Mr. Roselli again stated that is the Board's decision.

Mayor Toto asked what is the cost of the police building project. Mr. Kolakowski stated the architect estimated the cost to be \$1.1 million dollars. Mayor Toto asked what are the relocation costs. Mr. Kolakowski stated he is still obtaining data on this part of the project. He explained that the Chief now would like to have the dispatchers placed in a building, not a trailer for safety purposes. He added that Sgt. Karaniewsky is obtaining the cost for relocating the communications system.

Mayor Toto asked what is cost for rehabilitation of 33 Gordon Street and the Clerk's Office. Mr. Kolakowski stated the WAR Memorial Building is being done under a separate ordinance with the financial assistance of a state grant and minimal work is to be done at 33 Gordon Street with the expenses being charged to the municipal budget.

Councilman Krenzel asked if the costs for the police will come from a bond ordinance. Mr. Kolakowski stated they are. Councilman Krenzel asked how much will be left for 33 Gordon Street. Mr. Kolakowski stated that will depend on what is to be done to 61 Main Street. Councilman Krenzel stated that nothing is to be done to 33 Gordon Street until 61 Main Street is completed. Mr. Kolakowski stated some work needs to be done to make 33 Gordon Street more handicap accessible but there are no set plans. He added that certain changes in the municipal operation will change what is to be done at 33 Gordon Street.

Councilman Krenzel asked if we are in full compliance with the ADA requirements now. Mr. Kolakowski stated the Borough is late in bring itself into compliance. He explained that access is one thing but our building do require additional modifications. He added that we can be in compliance until someone with a certain type of disability comes and requires further modifications.

Mayor Toto stated that he can not in his wildest dreams place 1.4 million dollars into the police department. He asked the Council to find one person in the Borough who agrees with their decision.

ROLL CALL VOTE

YEAS: Haussermann, Jones, Rafano, Szegeti

NAYS: Balazs, Krenzel

RAFFLE LICENSES

RL-993. An application was submitted by St. Thomas Suburban Women’s Club to cancel their license to hold an on premise cash raffle on April 24, 1998.

Councilman Rafano moved that the application be approved. Councilman Szegeti seconded the motion. So carried.

ORDINANCES-FIRST READING BY TITLE ONLY

ORD:1998-13.

BOND ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, NEW JERSEY, AMENDING BOND ORDINANCE NUMBER 1996-7, AS PREVIOUSLY AMENDED BY BOND ORDINANCE 1997-8, IN ORDER TO AMEND THE USEFUL LIFE THEREOF.

Councilman Rafano 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 April 22 1998, at 8:02 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilwoman Balazs seconded the motion.

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti

NAYS: None

BILLS ORDERED PAID

RES:1998-304

APRIL 8, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River 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 ordered paid.

A & J CONSTRUCTION	\$4,772.39
ADVANCED GENERATOR	\$39.00
AIR BRAKE EXCHANGE	\$13.50
A.P.W.A. NEW JERSEY CHAPTER	\$15.00
ANASTASIO, COLLEEN R.N.	\$100.00
APPROVED RESTORATION SERVICES	\$1,750.00
BELL ATLANTIC NYNEX MOBILE	\$163.69
BEN FRANKLIN STORE	\$110.00

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BESTWAY TYPING UNLIMITED	\$165.00
BIBAWY, ADLEY A., MD	\$200.00
BRASNO, ANDREW T., JR.	\$2,057.50
BRUNSWICK CIRCLE CAR WASH INC.	\$154.00
BURK, RACHELLE	\$150.00
CAMBRIA MACK	\$215.84
CENTRAL JERSEY TCTA	\$50.00
CEDE & CO.	\$91,206.25
CME ASSOCIATES, ESP	\$7,956.25
COPPAS TOWING	\$50.00
DARYL GRAPHICS INC.	\$2,385.00
EAGLE TIRE SERVICE INC.	\$1,254.74
MARIA FERRO	\$1,624.53
FREDS TOWING & RECOVERY	\$45.00
GANN LAW BOOKS	\$86.00
GARDEN STATE ELECT INSP. SERV.	\$4,083.00
SAMUEL KLEIN & COMPANY	\$7,042.50
GENOVA, BURNS & VERNOLA	\$2,990.00
HERMSTEDT, ANITA M.	\$30.00
INSTRUMENT TECH. SERV. (I.T.S)	\$1,554.50
KAMINSKY-CORDES, JANICE	\$65.11
KENNEDY, LORRAINE	\$50.00
KNOBLOCK AUTO BODY	\$50.00
KOELLHOFFER, LOUISE CTC/CMFO	\$75.00
KULESSA, S.L., D.O.	\$110.00
LAUMAR ROOFING CO. INC.	\$2,700.00
LEE'S AUTO PARTS INC.	\$695.03
LEE CO.	\$858.00
GEORGE LOGANS TOWING SERVICE	\$45.00
LUCENT TECHNOLOGIES	\$572.91
MAIN STREET FLORIST	\$43.00
MCS CANON	\$295.50
MIDD.CTY.IMPROVEMENT AUTHORITY	\$6,523.00
MID HUDSON FORKLIFTS	\$49.00
MIRACLE CHEMICAL CO.	\$508.00
BELL ATLANTIC	\$2,612.11
NEW JERSEY LABORATORIES	\$270.00
NJ PLANNING OFFICIALS	\$373.00
STATE OF NEW JERSEY PWT	\$1,204.97
NORTH BRUNSWICK WRESTLING CLUB	\$150.00
OLSEN, MAUREEN R.N.	\$350.00
PAGENET OF NEW JERSEY	\$136.10
PDC COMMUNITIES, L.L.C.	\$54,576.63
PUBLIC SERVICE ELECTRIC & GAS	\$253.48
PUCHIK, LAUREL	\$20.00
ROBERTS MACHINE SHOP	\$1,373.36
ROSELLI, THOMAS C., ESQ.	\$3,401.00
RUTGERS THE STATE UNIVERSITY	\$441.00
SAFETY KLEEN CORP.	\$290.25
SAYREVILLE, BORO OF (DPW)	\$253.76
SAYREBROOK VETERINARY	\$500.00
SCANLON, MICHAEL J.	\$830.00
SHEEHAN CONSULTING GROUP	\$1,943.75
SIR SPEEDY PRINT	\$94.28
SOMERSET TIRE SERVICE	\$40.00

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S.RIVER BOROUGH PAYROLL ACCT.	\$202,237.32
SYSTEM OFFICE PRODUCTS INC.	\$515.64
TAYLOR OIL CO INC.	\$1,885.95
TAX COLLECTOR & TREAS. ASSOC.	\$390.00
THOMPSON PUBLISHING GROUP	\$248.00
TICES CORNER CAR WASH	\$200.00
TOP HAT UNIFORM RENTAL	\$371.50
TROPICANA CASINO & RESORT	\$158.00
VITAL COMPUTER RESOURCES	\$288.00
W.E. TIMMERMAN CO., INC.	\$104.35
WBSR	\$44,870.70
ZOUBEK	\$450.00

DATED: APRIL 8, 1998

/s/ Christopher Rafano
Councilman

/s/ Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano*, Szegeti
NAYS: None

NOTE: Councilman Rafano abstained on Purchase Order No. 98-0984 payable to Maria Ferro and Purchase Order No. 98-1023 payable to Maureen Olsen.

PUBLIC COMMENTS

Anita Hermstedt, Deputy Borough Clerk, reminded the Governing Body of the need to get a very good count for the census since the information provided determines the amount of moneys the Borough will be allocated by the state and federal government.

John Scala of 440 Old Bridge Turnpike asked if the owners of 3 Reid Street have been notified to do something about their building. Mr. Kolakowski stated the owners were in municipal court and were ordered by the judge to demolish the building, adding if they refuse to do it, we will have to do something because of the safety of the public.

Mr. Scala stated the Borough will lose money on this deal while the corporation is very large and can afford it. Mr. Kolakowski stated we have to act quickly for the safety of the public, adding we will be attempting to recover our costs from the owners. Mr. Scala stated safety is more important than the money. Mr. Kolakowski stated we are also being penalized by having to pay higher interest rates on the bonds.

Mr. Scala asked where will the next business meeting be held. Mayor Toto explained that the Governing Body has received permission to use the High School. He asked the Clerk to read the Resolution which will implement the location change.

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RES.1998-305.

APRIL 8, 1998

RESOLUTION

WHEREAS, by Resolution 1998-1 adopted on January 1, 1998, the Borough Council established the location for all business meetings; and

WHEREAS, the Governing Body desires to change said meeting location:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, that Resolution 1998-1 be amended so that the business meetings are held in the South River High School at 15 Montgomery Street in South River, NJ.

DATED: APRIL 8, 1998

/s/ James C. Jones
Councilman

/s/ Donna M. Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti

NAYS: None

Mr. Scala stated that from Friday night through Sunday, residents are placing garbage out for collection which is in violation of our existing laws. He added that these section of town look terrible and something needs to be done, especially before the Easter weekend.

Denise Marchisotta, owner of Serenity Day Spa at 330 Old Bridge Turnpike stated that she submitted revised site plans for the Borough professionals' review/approval. Councilman Rafano asked if this matter is part of her litigation. Mr. Roselli stated it is, adding that final plans/documents are to be submitted by April 15, 1998. Ms. Marchisotta stated she hopes to be in full compliance with the court order by then.

There being no other comments, Councilman Rafano moved that this part of the meeting be closed. Councilwoman Balazs seconded the motion. So carried.

COUNCIL COMMENTS

Councilman Krenzel stated there was a nice article in the newspaper concerning the Triad Program involving the police keeping a listing of the residents medication on their computer, further reducing the time spent looking such information when they find an unconscious person at home.

Councilman Krenzel stated that the school board election is to be held on April 21st and he urged the public to exercise their right to vote, adding if you don't like what the elected official is doing, don't complain if you don't vote.

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Councilman Krenzel asked where will the \$9,000 rent for the Office on Aging lease come from. Mr. Kolakowski stated it will come from the Building/Grounds budget which needs to be amended. Councilman Krenzel asked if it will effect the tax rate. Councilman Rafano stated he does not believe it will, adding the funding for certain projects may be delayed to next year in order to not increase the taxes.

Councilman Krenzel wished all a happy Easter and Passover.

Councilman Jones stated that Mr. Koch, Mr. Kolakowski and he met and reviewed the streets which are to be included in this year's repair/improvement program, adding that improvements to Charles Street and Jeffrey Avenue are being funded by the State. He asked if Mr. Kolakowski attended the County breakfast meeting on joint purchasing of material. Mr. Kolakowski stated he did, adding that Freeholder Daina is working on such a program which will also include the schools.

Councilman Jones stated that the Fire department responded quickly to last Tuesday's house fire on Albourne Street. He explained that the He thanked the firemen for a job well done.

Councilman Jones stated that the 1998 municipal directories were mailed out, adding that it has more information this year. He stated that new residents can call the Borough's Clerk's Office for a copy.

Councilman Jones stated he spoke with Detective Joe Grekoski about having the DARE graduation ceremonies held in the evening so more parents can attend. He requested that Dr. Ambrogi be asked to reschedule the event.

Councilman Jones stated that last week we honored a local student who won the state championship in wrestling in his weight class.. He added that another group won the state championship in its divisional class in the mock trial competition.

Councilman Szegeti stated that various girl scout troops have adopted a park to maintain, wishing them well in their efforts. He stated that through the Delaware Raritan Valley Council 15 trees are to be donated and planted by the scouts on May 9th. He asked the Mayor to have for a proclamation.

Councilman Szegeti stated that at next meeting members of the Recreation Commission's baseball all-star team will be here to received Certificate of Sportsmanship awards.

Councilwoman Balazs stated that as of April 6th Middlesex County is handling all of the Borough's welfare cases. Mr. Kolakowski stated that all copies of the documents were given to them. Councilwoman Balazs thanked Debbie Shatuha for her assistance.

Councilwoman Balazs stated that former resident and councilman, Glen Berman, was appointed as the County Prosecutor. She added that he will do a good job. She stated that this weekend, she will traverse the streets of the Borough and give a list to the police of those who have their garbage and trash out for collection before Monday. She wished all a happy holiday.

Councilman Haussermann reminded the Borough that the Office on Aging is now on the internet, and the triad program is working . He wished all a happy holiday, adding that the annual Easter egg hunt will be held this Saturday.

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Councilman Rafano stated that Councilman Krenzel, Councilwoman Balazs and he attended the park cleanup at Bissett's Pond. He added that the dredging has been completed and the grass seed planted. He stated that benches are to be installed and the park to be re-opened soon. He asked Mr. Kolakowski to send a thank you letter to the County.

Councilman Krenzel moved that a letter of thanks be sent to the County. Councilman Szegeti seconded the motion. All voted in favor except Councilman Rafano who abstained.

Mayor Toto stated he did attend the County meeting at which they spoke about future cooperative purchasing with the County acting as the lead agency. He stated the Easter egg hunt will start at 10:35 AM on April 11th at Varga Park. He wished all a happy Passover and a happy Easter.

Mayor Toto stated the Governing Body will be going into a closed session. He asked the Clerk to read the required resolution.

RES:1998-306.

APRIL 8, 1998

RESOLUTION

WHEREAS, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and the Council of the Borough of South River are of the opinion such circumstance(s) presently exist:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex, the State of New Jersey, that the public be excluded upon the hereinafter specified subject matter(s) and that such subject matter(s) to be so discussed is (are) as follows:

Litigation

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when resolved and that this resolution shall become effective immediately upon its passage.

DATED: APRIL 8, 1998

/s/ Donna Balazs
Councilwoman

/s/ James Jones
Councilman

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CLOSED SESSION

Mr. Roselli stated that Patrolman Richard Benedict has filed a lawsuit against Chief Eib, Captain Bomba, Lieutenant and the South River Police Department in the United States District Court for violation of his civil rights. He explained that the notice was sent to the Borough's insurance carrier, asking if they provide coverage. He reminded the Governing Body that each officer may be requesting attorneys to represent them.

Mr. Roselli stated that he has the completed transcripts of the Monek and Benedict which was before the grand jury.

Councilman Rafano questioned if the Governing Body has the legal obligation to appoint separate attorneys for each police officer. He asked the Borough Attorney to contact the labor attorney as to what needs to be done. He asked Mr. Kolakowski to contact the insurance carrier and request that they use the firm of Jurgensen and Barnes to represent us, adding that they are experienced in these matters.

Councilwoman Balazs moved that the Governing Body return to open session. Councilman Jones seconded the motion. So carried.

ADJOURNMENT

Councilwoman Balazs moved that the meeting be adjourned. Councilman Krenzel seconded the motion. So carried.

Respectfully submitted
on May 11, 1998.

Albert M. Seaman
Borough Clerk

Approved at the regular meeting
held on May 28, 1998.

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ADEQUATE NOTICE OF THIS MEETING HAS BEEN
PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC
LAW 1975 AND BY RESOLUTION 1998-1, WITH THE
REQUEST OF THE HOME NEWS AND 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, the State of New Jersey was held April 22, 1998 and was called to order by Mayor Thomas J. Toto at 8:00 PM in the South River High School Library at 15 Montgomery Street in South River, NJ, with the following Councilmembers in attendance:

Councilmember: Balazs, Haussermann, Rafano, Szegeti
Councilmembers Jones and Krenzel were absent.

Also attending this meeting were Thomas C. Roselli, Borough Attorney, and Charles P. Kolakowski, Borough Administrator,

MINUTES

The minutes of meeting no. 5 held on February 25, 1998, and meeting no. 6 held on March 11, 1998, were submitted for acceptance or amendment. Councilwoman Balazs moved that the minutes be accepted. Councilman Szegeti seconded the motion. So carried.

ORDINANCES-SECOND READING & PUBLIC HEARING

Mayor Toto 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 and he directed the Clerk to proceed.

Prior to the reading of the Ordinance, the Clerk submitted to the Council proof of publication from the Home News and Tribune, a newspaper published in East Brunswick and circulated within the Borough giving notice of the Second Reading and Public hearing on the following Ordinance.

ORD.1998-12.

AN ORDINANCE AMENDING ARTICLE II ENTITLED "ZONING BOARD OF ADJUSTMENT" IN CHAPTER 34 OF THE CODE OF THE BOROUGH OF SOUTH RIVER.

SECTION 1. WHEREAS, the Zoning Board of Adjustment of the Borough of South River has requested that the Borough adopt an amendment to it's Land Use Ordinance providing that land use agency approvals shall lapse and become null and void if all specified conditions precedent and subsequent are not fulfilled within a timely manner from the date of conditional approvals; and

WHEREAS, it is in the best interest of the Borough of South River to cause all approvals to be acted upon in a timely fashion so as to allow continuity in the growth of the Borough of South River and to allow and encourage proper completion of improvement projects.

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NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex and State of New Jersey that Article II of Chapter 34 of the Borough Code entitled "Zoning Board of Adjustment" is hereby amended as follows:

Section 34-21 Conditional Approvals, Expiration of Variance.

A. Conditions Precedent.

1. Whenever any application for development is approved subject to specified conditions intended to be fulfilled before the approval becomes effective, said conditional approval shall lapse and become null and void unless all specified conditions, other than those contemplated by N.J.S. 40:55D-22b are fulfilled within one hundred and eighty (180) days of the date of conditional approval.
2. Proof that applications have been filed with all other agencies having jurisdiction over any aspect of the application for development shall be filed with the municipal agency.
3. The fulfillment of all conditions precedent shall be reported in writing to the municipal agency, which may cause such reports to be verified in an appropriate manner. Only upon fulfillment of all conditions shall any subdivision map or site plan be signed or any required building permit, occupancy permit, or zoning permit be issued.
4. When all conditions have been fulfilled with respect to any minor or major subdivision, applicant shall, within forty-five (45) days of the fulfillment of all such conditions, submit his Deed or map for signature in accordance with N.J.S. 40:55D-47 or 40:55D-54 or any such approval shall lapse and be of no force and effect; provided, however, that the applicant may, for good cause shown, obtain an extension either before or after the lapse of said forty-five (45) day period within a reasonable exercise of the Board's judgment.

B. Conditions Subsequent.

1. Whenever any application for development is approved subject to conditions, which by their terms are incapable of being fulfilled, or are not required to be fulfilled prior to the final approval of the application, the performance of which are not guaranteed by bonds or securities of any type, failure to fulfill any such conditions within one hundred eighty (180) days from the date of final approval of the application for development shall be grounds for the issuance of a stop work order by the enforcing official and the withholding of any zoning permit, certificate of occupancy or any other approval until such condition or conditions are fulfilled.
2. Nothing herein contained shall be construed as preventing the municipal agency from specifying a longer period of time within which any specific condition must be fulfilled, or from granting upon a ex parte application, an extension of time for good cause showing.

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3. The fulfillment of all conditions shall be reported in writing to the municipal agency which may cause such reports to verified in an appropriate manner.
4. For purposes of calculating the time period in which conditions must be fulfilled, such time period shall commence from the date on which the resolution memorializing an approval was adopted.

C. Any variance from the terms of this chapter hereafter granted by the Board of Adjustment permitting the erection or alteration on any structure or structures or permitting a specified use of any premises shall expire by limitation unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance, or unless such permitted use has actually been commenced, within nine (9) months from the date of entry of the judgment or determination of the Board of Adjustment; except, however, that the running of the period of limitation herein provided shall be told from the date of filing an appeal from the decision of the Board of Adjustment to the governing body, or to a Court of competent jurisdiction until the determination in any manner of such appeal or proceeding.

SECTION 2. If any part of this ordinance shall be declare invalid by a Court of competent jurisdiction, then only that portion of the ordinance shall be declared invalid, the remainder of the ordinance shall be full force and effect.

SECTION 3. Any sections of the Code of the Borough of South River inconsistent with this ordinance shall be superseded by this ordinance and shall be considered null and void.

SECTION 4. This ordinance shall take effect when passed on final hearing and published as required by law.

Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Rafano moved that the hearing be closed. Councilwoman Balazs seconded the motion. So carried.

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

There being no comments, Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

APRIL 22 1998

ORD:1998-13.

BOND ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, NEW JERSEY AMENDING BOND ORDINANCE NUMBER 1996-7, AS PREVIOUSLY AMENDED BY BOND ORDINANCE 1997-8, IN ORDER TO AMEND THE USEFUL LIFE THEREOF.

WHEREAS, the Borough Council of the Borough of South River in the County of Middlesex, New Jersey (the "Borough") did heretofore adopt Ordinance No. 1996-7 on April 10, 1996 entitled "BOND ORDINANCE PROVIDING FOR THE REHABILITATION AND IMPROVEMENT OF THE WATER TANK BY THE WATER UTILITY, IN AND OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"); and

WHEREAS, the Borough did heretofore adopt Ordinance No. 1997-8 on April 16, 1997 entitled "BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 1996-7 HERETOFORE FINALLY ADOPTED ON APRIL 24, 1996 BY AND FOR THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, TO APPROPRIATE AN ADDITIONAL \$220,000 THEREFOR AND TO AUTHORIZE THE ISSUANCE OF AN ADDITIONAL \$220,000 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF"; and

WHEREAS, it is now deemed necessary and in the best interest of the Borough that the Original Ordinance be amended to increase the useful life from five (5) years to ten (10) years.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

SECTION 1. Section 7 (b) of the Original Ordinance is hereby amended to read as follows:

"The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years".

SECTION 2. Except as otherwise amended by Section 1 of this ordinance, the Original Ordinance shall remain in full force and effect.

SECTION 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by N.J.S.A. 40A:2-1 et (the Local Bond Law)-

Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Rafano moved that the hearing be closed. Councilman Haussermann seconded the motion. So carried.

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

There being no comments, Mayor Toto asked the Clerk to call the roll.

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ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

COMMUNICATIONS

COMM:1998-43. A letter dated April 4, 1998, was received from the American Legion requesting permission to sell poppies within the Borough starting ten (10) days before Memorial Day.

Councilman Szegeti moved that this communication be received and held for action later on the agenda. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-44. A letter dated April 15, 1998, was received from Edward Bartz resigned his membership position on the Economic Development Commission.

Councilman Szegeti moved that this communication be received and held for action later on the agenda. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-45. A letter dated April 20, 1998, was received from Karen Walczak of the Raritan Bay Federal Credit Union volunteering to be a member of the Economic Development Commission.

Councilman Szegeti moved that this communication be received and held for action later on the agenda. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-46. A letter dated April 10, 1998, was received from Lawrence Hanko responding to the comments of the School Superintendent's letter concerning their reason why Project Act Now is not needed.

Councilman Szegeti moved that this communication be received and filed. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-47. A letter dated April 20, 1998, was received from the Borough Administrator in which he requests that the Borough's application be included in the Razed Vacant Building Program for the structure located at 3 Reid Street.

Councilman Szegeti moved that this communication be received and filed. Councilman Rafano seconded the motion. So carried.

COMM:1998-48. A letter was received from the New Jersey Environmental Federation requesting approval to conduct a door-to-door education and fund-raising drive during the hours of 4 PM to 9 PM Monday to Friday, May 1, 1998 to November 1, 1998.

Councilman Rafano moved that this communication be received and placed on the next business agenda. Councilman Szegeti seconded the motion. So carried.

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RESOLUTIONS

RES:1998-307

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **EDWARD BARTZ**, from his position as a member of the Economic Development Commission, be and the same is hereby accepted.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-308

APRIL 22, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, **KAREN WALCZAK**, as a member of the Economic Development Commission for the term of January 1, 1997 to December 31, 1999.

DATED: APRIL 22, 1998

/s/Thomas J. Toto, Mayor

MOTION TO CONFIRM:

/s/Robert Szegeti
Councilman

SECOND TO MOTION:

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

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RES:1998-309

APRIL 22, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, **HELEN GOSTKOWSKI**, as a member of the Board of Health for the term of January 1, 1996 to December 31, 1998.

DATED: APRIL 22, 1998

/s/Thomas J. Toto, Mayor

MOTION TO CONFIRM:

/s/Robert Szegeti
Councilman

SECOND TO MOTION:

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

RES:1998-310

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Conch of the Borough of South River that the Borough Clerk is authorized to advertised for the receipt of applications for temporary help in the Finance Office.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

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RES:1998-311

APRIL 22, 1998

RESOLUTION

WHEREAS, the consumers deposit account of the Borough of South River shows that certain refunds should be made onto certain accounts; 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 as listed:

ACCOUNT #	PAYABLE TO:	AMOUNT OF CHECK
01-112-07	BOROUGH OF SOUTH RIVER	\$37.68
01-112-07	JEANNETTE GWIAZDOWSKI	\$42.02
01-215-06	BOROUGH OF SOUTH RIVER	\$102.60
04-013-07	PAUL STEINBERG	\$72.09
04-013-07	BOROUGH OF SOUTH RIVER	\$28.58
04-045-10	MARCIA ROQUE	\$58.04
04-045-10	BOROUGH OF SOUTH RIVER	\$42.87
04-053-06	BOROUGH OF SOUTH RIVER	\$81.05
04-132-07	JURKIEWICZ KRZYSZTOP	\$50.10
04-132-07	BOROUGH OF SOUTH RIVER	\$29.56
06-032-08	JOHN SILVA	\$70.75
06-032-08	BOROUGH OF SOUTH RIVER	\$32.31
06-096-15	BRIAN E. SANCHEZ	\$28.14
06-096-15	BOROUGH OF SOUTH RIVER	\$52.12
08-210-15	ROSA ANNA DEMPSKI	\$3.32
08-210-15	BOROUGH OF SOUTH RIVER	\$76.53
10-061-11	PAULA ELIZABETH ROCHA	\$83.35
10-061-11	BOROUGH OF SOUTH RIVER	\$18.22
10-088-05	DANUTA PIETRACZENKO	\$15.44
10-088-05	BOROUGH OF SOUTH RIVER	\$90.17
11-132-06	BOROUGH OF SOUTH RIVER	\$13.29
11-132-06	RHONDA C. MURPHY	\$92.43
12-113-05	EDITH BUNCH	\$86.73
12-113-05	BOROUGH OF SOUTH RIVER	\$18.22
13-082-07	MEGAN SQUINDO	\$101.86
14-032-12	BOROUGH OF SOUTH RIVER	\$20.50
14-032-12	DONNA KROHN	\$82.46
14-109-12	BOROUGH OF SOUTH RIVER	\$88.93
14-109-12	ERIC WILLIAMS	\$15.60
14-130-04	ELIZABETH J. SULLIVAN	\$65.21
14-130-04	BOROUGH OF SOUTH RIVER	\$15.76
15-011-03	BOROUGH OF SOUTH RIVER	\$52.10
16-063-14	BOROUGH OF SOUTH RIVER	\$102.71
16-092-06	GERALDINE KATKO	\$91.74
16-092-06	BOROUGH OF SOUTH RIVER	\$13.82
17-144-01	BOROUGH OF SOUTH RIVER	\$81.16
18-085-09	BOROUGH OF SOUTH RIVER	\$63.83
18-085-09	MICHAEL PHILLIP	\$37.81
18-087-17	TAMMY KADY	\$79.36
18-087-17	BOROUGH OF SOUTH RIVER	\$22.27

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18-172-05	BOROUGH OF SOUTH RIVER	\$14.00
18-172-05	ILIDIO PEREIRA	\$69.62
21-013-13	MELISSA CRAWFORD	\$2.47
21-013-13	BOROUGH OF SOUTH RIVER	\$100.00
24-014-06	BOROUGH OF SOUTH RIVER	\$17.87
24-014-06	JAINO P. PRADO	\$86.20
24-238-01	MARY ROSELLI	\$85.02
24-242-01	TESSIE SMYKAJ	\$85.01
26-104-18	BOROUGH OF SOUTH RIVER	\$49.48
26-104-18	LISA BECHTOL	\$53.15
26-125-13	IWONA WOLF	\$65.99
26-125-13	BOROUGH OF SOUTH RIVER	\$14.70
26-200-20	BOROUGH OF SOUTH RIVER	\$102.42
26-216-14	BOROUGH OF SOUTH RIVER	\$97.62
26-216-14	DORIS VARGAS	\$2.83
26-219-16	ANA E. ROJAS	\$94.20
26-219-16	BOROUGH OF SOUTH RIVER	\$8.43
26-266-14	BOROUGH OF SOUTH RIVER	\$81.29
26-267-13	BOROUGH OF SOUTH RIVER	\$101.51
26-270-10	ANTHONY MUSICA	\$93.45
26-298-19	SHANNA WEINBERG	\$13.26
26-298-19	BOROUGH OF SOUTH RIVER	\$89.50
26-301-09	LISA MITCHELL	\$67.70
26-301-09	BOROUGH OF SOUTH RIVER	\$37.15
29-021-14	SANDI GOODRICH	\$88.74
29-021-14	BOROUGH OF SOUTH RIVER	\$13.29
29-102-56	BOROUGH OF SOUTH RIVER	\$33.65
29-102-56	ANDRAYE BEGLEY	\$68.82

Total		\$3,798.10
Consumer Deposits		\$3,610.00
Interest		\$188.10

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE
YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

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RES:1998-312

APRIL 22, 1998

RESOLUTION

WHEREAS, a tree currently exists between the curb and sidewalk in front of 21 Hollander St. in the Borough of South River, County of Middlesex and State of New Jersey; and

WHEREAS, the property owner J. Kristoff has advised the Borough of South River that said tree is hazardous; and

WHEREAS, said property owner has requested the permission of the Borough of South River to remove said tree at his/her sole cost and expense; and

WHEREAS, said property owner would be obligated to execute the appropriate Hold Harmless and Indemnification Agreement with the Borough of South River.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that J. Kristoff is hereby authorized to remove the tree located 21 Hollander St. between the curb and sidewalk area, in the Borough of South River, County of Middlesex and State of New Jersey:

BE IT FURTHER RESOLVED that prior to said removal, J. Kristoff shall execute the attached Hold Harmless and Indemnification Agreement with the Borough of South River.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-313

APRIL 22, 1998

RESOLUTION

WHEREAS, the Frandsen-Levandowski Post 214 of the American Legion located in South River, New Jersey, has requested permission to sell poppies within the Borough of South River in honor of the heroic veterans who have served this country; and

WHEREAS, the selling of poppies by the American Legion is a traditional pre-Memorial Day activity which takes place annually, prior to the Memorial Day parade which this year shall take place on May 25, 1998; and

WHEREAS, the Frandsen-Levandowski Post 214 of the American Legion wishes to once again take part in this yearly tradition.

AGENDA:
MAYOR AND BOROUGH COUNCIL
MEETING NO. 14
DATE: 6/18/98 1:00 PM

BUSINESS ()
REGULAR ()
SPECIAL (X)
OTHER _____

ROLL CALL Mayor Toto ()
Cltw. Balazs () Clm. Krenzel () Atty: _____
Cltm. Haussermann () Clm. Silker () Eng: _____
Cltm. Jones () Clm. Szegeti () _____

Public Announcement - Chapter 231, P. L. 1975

RESOLUTION
RES:1998-1. 1998 Budget Amendment No. 1

B H J K S S

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NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Frandsen-Levandowski Post 214 of the American Legion is hereby authorized to sell poppies within the Borough of South River to honor the heroic veterans of this country and said sale shall take place approximately ten (10) days before the Memorial Day Parade and continue through Memorial Day.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-314

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Engineer is hereby authorized to update the Borough's 911 MSAG/MAP.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-315

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to review and report with respect to the Green Thumb Program.

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DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

RES.1998-316

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to obtain an appraisal with respect to properties owned by the Borough of South River located in the North End Industrial Park.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

RES.1998-317

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to research the location of Borough vacant land along with any conditions of sale placed on said properties.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

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ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

RES:1998-318

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to represent the Borough of South River with respect to a Tax Appeal pending before the Tax Court of New Jersey with respect to Ind. Dev. And Leasing Corporation, c/o Frank Greek.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

RES:1998-319

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the Borough Attorney is hereby authorized to proceed on foreclosure with respect to all tax sales certificates held by the Borough of South River.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

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RES.1998-320

APRIL 22, 1998

RESOLUTION

WHEREAS, the County of Middlesex has adopted an Emergency Response Cost Recovery Ordinance pursuant to the County Environmental Health Act, N.J.S.A. 26:3A-2-21 et seq., and the Spill Compensation and Control Act N.J.S.A. 58:23.11, et seq.; and

WHEREAS, said Ordinance was approved by the Commissioner of the department of Environmental Protection on July 10, 1997; and

WHEREAS, it is necessary to establish a procedure and protocol for emergency response action and the recovery of costs incurred by the County of Middlesex and/or Middlesex County municipalities in an emergency hazardous materials incident; and

WHEREAS, an inter-local agreement must be approved and executed between the County and any municipality without an approval local ordinance for the purpose of coordination of the aforementioned activities; and

WHEREAS, the Borough of South River is desirous of participating and contracting with the County for coordination of services pursuant to this Ordinance; and

WHEREAS, the parties herein are authorized to enter into an agreement for said services pursuant to N.J.S.A. 40:8A-1 et seq.;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE Mayor and Borough Council of the Borough of South River that the appropriate Borough officials are hereby authorized to enter into the inter-local service agreement with the County of Middlesex for the purpose of coordinating response and cost recovery efforts in the Borough of South River pursuant to the Middlesex County Emergency Response Cost Recovery Ordinance.

BE IT AND IT IS HEREBY FURTHER RESOLVED, that the Borough Clerk shall forward certified copies of this resolution to the Department of Health, the HAZMAT/Youth Services Administrator, and the Middlesex County Department of Public Safety.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE
YEAS: Balazs, Haussermann, Szegeti
NAYS: None
ABSENT: Jones, Krenzel
ABSTAIN: Rafano

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RES:1998-321

APRIL 22, 1998

RESOLUTION

WHEREAS, the Code of the Borough of South River, Chapter 196, Section 196-3, 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 provided therein; and

WHEREAS, **BUDNEY'S TAVERN** has filed an application dated March 23, 1998, with the Borough Clerk for an amusement license to be located at 14 Washington St., South River, N. J., pursuant to said Code provisions; and

WHEREAS, the Borough Clerk has referred said application to the proper officers of the Borough for the purpose of making investigations and/or inspections of the proposed premises, in accordance with said Code provisions; and

WHEREAS, it appears from the reports and investigations of the appropriate Borough officials that said application should be approved.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of South River that the above referenced application for a vending machine license be and the same is hereby approved.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-322

APRIL 22, 1998

RESOLUTION

WHEREAS, the Code of the Borough of South River, Chapter 196, Section 196-3, 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 provided therein; and

WHEREAS, **MY DAD'S PLACE** has filed an application dated March 31, 1998, with the Borough Clerk for an amusement license to be located at 148 Old Bridge Turnpike, South River, N. J., pursuant to said Code provisions; and

WHEREAS, the Borough Clerk has referred said application to the proper officers of the Borough for the purpose of making investigations and/or inspections of the proposed premises, in accordance with said Code provisions; and

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WHEREAS, it appears from the reports and investigations of the appropriate Borough officials that said application should be approved.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of South River that the above referenced application for a vending machine license be and the same is hereby approved.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

RES:1998-323

APRIL 22, 1998

RESOLUTION

WHEREAS, the Code of the Borough of South River, Chapter 125, Article 11, et seq., requires all persons, firms or corporations who desire to conduct, engage in or carry on any business, trade, occupation or activity within the Borough of South River to first comply with the provisions of said Code, and to obtain a license therefore, as provided therein; and

WHEREAS, **FRANCISCO DA COSTA** has filed an application dated February 25, 1998, with the Borough Clerk for an mercantile license for the conduct of a business known as PAU BRASIL to be located at 10 Ferry St, South River, N. J., pursuant to said Code provisions; and

WHEREAS, the Borough Clerk has referred said application to the proper officers of the Borough for the purpose of making investigations and/or inspections of the proposed business, in accordance with said Code provisions; and

WHEREAS, it appears from the reports and investigations of the appropriate Borough officials that said application should be denied.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of South River that the above referenced application for a mercantile license be and the same is hereby denied.

DATED: April 22, 1998

/s/Robert Szegeti
Councilman

/s/Christopher Rafano
Councilman

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ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel
ABSTAIN:	Rafano

RES:1998-324

APRIL 22, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River 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 ordered paid.

TRACY HEHLO	11.49
ANGEL NEGRON	100.00
CIULLA, ANTHONY	25.50
A & J CONSTRUCTION	4772.39
ABSOLUTE FIRE PROTECTION INC.	369.40
AIR BRAKE EXCHANGE	449.71
ALTEC	39300.00
AMERICAN PUBLIC POWER ASSOC.	593.20
AT&T	96.91
AUTOMATED RECYCLING	593.20
BETTS & HOLT	1697.25
BLUE CROSS/BLUE SHIELD OF N.J.	13256.35
CANON CORP.	2727.00
COMCAST CELLULAR C/A	121.54
CME ASSOCIATES, ESP	17377.23
CONCANNON, RONALD	400.00
CUSTOM BANDAG INC.	2873.44
MICHAEL DIETRICH	202.50
TWNSP OF EAST BRUNSWICK	29590.28
EPSTEIN, FELICITY V.	110.00
MARIA FERRO	1000.00
FORT DEARBORN LIFE INS. CO.	2160.70
GARDEN STATE ELECT INSP. SERV.	2988.00
SAMUEL KLEIN & COMPANY	375.00
J.A.G. SALES CORP.	158.00
GREKOSKI, BETH	22.50
HANKO, LAWRENCE A.,MS,MSW,LCSW	1545.05
HEMLOCK HILL FARMS	75.00
HOFFMAN, JOSEPH (JUDGE)	200.00
INTERNATIONAL INSTITUTE OF JOHN'S INC.	130.00
KENNEDY, LORRAINE	620.00
LEE'S AUTO PARTS INC.	160.00
LUCENT TECHNOLOGIES	109.00
MAIN STREET FLORIST	85.85
MATTY'S AUTO PARTS INC.	100.00
MCS CANON BUSINESS SOLUTIONS	63.34
MCMANIMON & SCOTLAND, L.L.C.	376.41
MIDDLESEX COUNTY COLLEGE	3542.90
MIAMI SYSTEMS	720.00
	109.42

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MIDD CTY UTILITY AUTHORITY	26140.80
MIDDLESEX WELDING SALES	63.20
MIDDLESEX COUNTY TREASURER	15759.42
MIDDLESEX COUNTY TREASURER	648746.80
MIDD.CTY.IMPROVEMENT AUTHORITY	177.75
MIDDLESEX CTY FIRE ACADEMY	1760.00
MIDD. CTY MUN JOINT INS. FUND	75724.50
MIRACLE CHEMICAL CO.	508.00
M.K. FIRE TRUCK REPAIR INC.	571.85
MONROE SYSTEMS	182.46
ST. OF N.J.DIV. OF PENSION	47809.70
NEW JERSEY LABORATORIES	150.00
NJ DEPT OF LABOR	4529.07
NEW JERSEY BUS. & IND. ASSOC.	33.00
NOTO, THOMAS J., P.E.	4575.00
OLD MONMOUTH CANDY FACTORY	800.00
ORIENTAL TRADING CO.	366.64
PAGENET OF NEW JERSEY	119.51
PUBLIC SERVICE ELECTRIC & GAS	3340.05
PRINCE SPEEDY INK.	196.40
PUMPING SERVICES INC.	360.00
RENN, ROBERT M.	126.00
RODIO TRACTOR SALES	80.92
ROSELLI, THOMAS C., ESQ.	2964.00
RUTGERS THE STATE UNIVERSITY	410.00
SAVREBROOK VETERINARY	270.50
SCHWARTZ, GARY M. ESQ.	247.00
SIPERSTEIN'S	238.60
SMUTKO, KENNETH	45.00
SOUTH RIVER BD. OF ED.(TAXES)	1205884.20
S.RIVER BOROUGH PAYROLL ACCT.	207504.63
SO. RIVER EXEMPT FIREMENS	300.00
TAYLOR OIL CO INC.	1394.96
TREASURER, STATE OF NJ	1246.00
TRIZNADEL, BETSY	20.00
UNITED FIXTURE CORP	457.23
USHER PUBLISHING CO	609.50
VITAL COMPUTER RESOURCES	1716.00
W.E. TIMMERMAN CO., INC.	1407.77
WEST GROUP	92.50
Z & Z HARDWARE	98.08

DATED: April 22, 1998

/s/Christopher Rafano
Councilman

/s/Shawn Haussermann
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Rafano * Szegeti
NAYS:	None
ABSENT:	Jones, Krenzel

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NOTE: Councilman Rafano abstained on the following:

<u>Vendor</u>	<u>Purchase Order No.</u>	<u>Amount</u>
Middlesex County Utilities Authority	98-1091	\$26,140.80
Middlesex County	98-1114	\$15,759.42
Middlesex County	98-1116	\$648,746.80
Middlesex County Improvement Authority	98-0990	\$177.75

PUBLIC COMMENTS

John Mamrak of 57 New Street thanked the Borough Council for its study of Project Act Now. He asked what is the status of the demolition grant application of 3 Reid Street. Councilman Rafano stated that last year Dave Sliker wrote to the about some of our buildings we would like to demolish and this Tuesday the State will be reviewing the requests. Mr. Mamrak stated since we don't own the buildings, we should not be involved in their removal, which will cost us money.

Councilman Rafano stated we are trying to get on the State list to take advantage of the program funding and save our residents the costs.

Mr. Mamrak asked as to how much money was made by the Public Defender. Mr. Kolakowski stated we have not received any reports to date. Councilman Rafano stated the Public Defender has already been assigned over a dozen cases. Mr. Mamrak stated he does not understand why the State is not paying for this program.

Mr. Mamrak stated that the Borough has bonded 1.4 million dollars to renovate its public buildings and 1.1 million dollars is being allocated to 61 Main Street. He added funds have already been expended. He stated it appears that the relocation costs are escalating. He asked how much will the relocation cost be. Mr. Kolakowski stated that will depend on a number of factors which are still changing. He added that we should need no more than four (4) trailers and he is trying to reduce that number.

Mr. Mamrak asked as to the cost for the transfer of 911 system. Mr. Kolakowski stated that Sgt. Karaniewsky does not have those details at this time. Mr. Mamrak asked why his questions can not be answered. Mr. Kolakowski stated we are still looking at different options, explaining that as of last week, the judge now wants to keep his operation in town.

Mr. Mamrak stated he feels that the Borough will go over the 1.4 million dollar limit in renovating its buildings. He explained that he sent a letter to the Governing Body asking that the issue of renovation vs. new be placed as a question on the general election ballot.

Councilman Haussermann stated that last year, Mr. Jones and he ran on the platform to renovate the old buildings instead of constructing a new building and the taxpayers made their decision when Councilman Jones and he were elected. He added that the losing candidates ran on the issue of a new building. He asked the Mayor to show the Council how to construct a new building without having to raise taxes. Mayor Toto stated that the surplus could be used.

Councilman Rafano stated that the 1.4 million dollar debt will not have an impact on the tax rate. Mr. Mamrak questioned if the 1997 election outcome was the result of the building issue. Councilman Rafano stated it was the major thrust of the campaign, adding that he is satisfied with the decision and feels there is no need to place such a question on the ballot.

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Mr. Mamrak stated that the political parties are arguing about this matter. He asked that the matter be placed on the ballot and let the public decide, hoping the bickering will stop. He added that a few months delay will not hurt the project. Councilwoman Balazs agreed with Mr. Mamrak. Councilman Rafano stated the issue should have been placed on the ballot four (4) years ago.

John Hohner of 11 Mercer Street asked about 3 Reid Street. Mr. Kolakowski stated that the owners are scheduled to appear in municipal court to explain to the judge what they are going to do to resolve the safety issue. He hoped that the ruling would be to tear it down, and if not, to properly secure the property. Mr. Hohner stated the principals will probably bankrupt the corporation, forcing the town to take the building over.

Mr. Hohner asked about the status of 4-8 Reid Street. Mr. Kolakowski the building appears to be in a similar condition but another solution is in the offering that may resolve that problem.

Mr. Hohner stated that the Council passes ordinances and he questioned who enforces them. He cited as an example that a property owner on Ferris Street cut down all their trees when told they were diseased without obtaining any approvals. He stated that a few months ago, a group of residents from Terry Avenue and Colin Drive asked the Governing Body to help them keep Colin Drive closed. He agreed that the Board makes the decision but if they are not doing their job, the members should be removed.

Ron Krussis of 29 Colin Drive stated the residents have asked the Governing Body to help them keep Colin Drive closed, adding that they went to the Planning Board meetings and did express their opinions but the Board decided otherwise. He explained that the residents feel the vote was compromised by a board member who wanted to get more open space behind certain houses on Terry Avenue. Mr. Roselli stated that at the direction of the Governing Body he looked at several possibilities but found that legally the Governing Body could do them. He added he is still looking into other possibilities.

Mayor Toto stated that what the Planning Board did is legal. Mr. Krussis asked about the possible conflict for the one member. Mayor Toto explained that he is not going to remove her explaining that such a decision may have to be done in a court of law. Mr. Krussis asked if the residents have to file the lawsuit, who will pay us back.

Mayor Toto stated that the Boards have to make many difficult decisions and a difference of opinion is not legal grounds for removal of a member or overturning a decision. He added that the embattled member did not receive any personal gain.

Mr. Krussis stated they residents are not getting any relief from the Governing Body.

John Scala of 440 Old Bridge Turnpike, stated that when Councilman Haussermann campaigned for the Council he was against a new building because it would raise taxes. He explained that other options were considered such a renovating Lincoln School with an addition for a cost of 2.4 million dollars. Councilman Haussermann stated the correct estimate was 3.4 million dollars. Mr. Scala stated that instead of arguing, let the public decide what they want. Councilman Haussermann stated he feels that our selection was the best plan. Mr. Scala stated his opinion that it is the worse plan. Councilman Haussermann stated Mr. Scala will be proud of the renovated building when the work is done.

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Mr. Scala stated that the Borough will need five (5) trailers and at \$900.00 per month, the rent for one year would be \$45,000.00. He added that does not include the cost of the utilities. Councilman Haussermann disagreed with Mr. Scala's assumption. Councilman Rafano asked Mr. Scala if he would be willing to pay higher taxes for a new building. Mr. Scala stated he would. Councilman Rafano thanked Mr. Scala for agreeing that a new building would raise taxes.

Mr. Scala stated that the 3 Reid Street building should have been demolished a long time ago and the people should decide as to the municipal building. Councilman Haussermann asked Mr. Scala if the new school is saving the taxpayers any money. Mr. Scala stated it is not and there are many problem with it.

Councilman Haussermann stated he respects Mr. Scala's opinion. He explained that the republican party candidates will campaign on the issue of a new building and the democrats will support the Council's decision so the matter is on the ballot.

Mr. Scala stated that Councilwoman Balazs did a wonderful job for the Easter weekend but what happened this Sunday was a disgrace. Councilwoman Balazs stated she did not have the opportunity to drive around this weekend. Mr. Scala asked if the Borough picks up garbage from contractors. Mayor Toto stated they are required to have a dumpster. Mr. Scala stated contractors are bring their garbage into town and placing it at the curb for the Borough to pick it up.

Mr. Scala asked what is the status on the backup ambulance service. Mr. Kolakowski advised that they gave us the required thirty day notice for the termination of the contract with the Borough. He added that the issue of the need for the continuation of such service is to be discussed by the Public Safety Committee.

Mr. Scala asked the Governing Body to get the Squad a new ambulance because they need it. He asked when will Bissett's Pond be fully opened. Mr. Kolakowski stated it should be by this weekend. Mayor Toto asked if the ponds will be stocked with fish. Councilman Rafano stated he will speak with the Division of Fish Games and Wildlife.

Mr. Scala asked the Governing Body to sent a letter to the Township of East Brunswick concerning the scattering of stones onto the Old Bridge Turnpike by vehicles entering and exiting from the truck terminal. He added that the condition is unsafe. Councilman Rafano stated he will call the County Road Supervisor.

Nadia Naumczyk of 42 Colin Drive asked if the Planning Board decision is absolutely final. Mayor Toto stated the Governing Body can not override their decision. Ms. Naumczyk stated she has lived there over thirty-five years and she knows that it is impossible to fight city hall but she will not stop trying to make people understand their situation.

Mr. Roselli stated that the only way to overturn the decision is if someone files a suit in superior court and can prove that the decision was arbitrary, capricious and unreasonable. Ms. Naumczyk stated that the Governing Body works for the residents and is not being helpful.

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

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COUNCIL COMMENTS

Councilman Szegeti stated that last Saturday, the Girl Scouts made a rock garden at Daily's Pond, planted flowers and trees. He explained that they will continue these efforts throughout the year. He stated that the annual rabies clinic will be held this Saturday at the George Street Firehouse with dogs receiving the inoculations from 2 to 4 PM and the cats from 4 to 5 PM.

Councilman Szegeti explained that we have joined the Green Thumb Program which is to employ senior citizens who have low incomes on a part-time basis. He added that the only requirement is if a job becomes available at which they are employed, they get it.

Councilwoman Balazs stated the Municipal Alliance is looking for members and at the next meeting they will be discussing the holding of Heritage Day.

Mayor Toto stated that the school budget has passed and there is to be a reduction in their tax rate of seven cents. He congratulated the winners. He wished Glen Berman, a former South River resident and Councilman, the best in his appointment as the County Prosecutor.

Mayor Toto explained that the Governing Body will be going into closed session at this time and he asked the Clerk to read the required Resolution.

RES.1998-325.

APRIL 22, 1998

RESOLUTION

WHEREAS, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and the Council of the Borough of South River are of the opinion such circumstance(s) presently exist:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex, the State of New Jersey, that the public be excluded upon the hereinafter specified subject matter(s) and that such subject matter(s) to be so discussed is (are) as follows:

Litigation

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when resolved, that this resolution shall become effective immediately upon its passage.

DATED: APRIL 22, 1998

/s/ Christopher Rafano
Councilman

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APRIL 22 1998

/s/ Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Rafano, Szegeti
NAYS: None
ABSENT: Jones, Krenzel

CLOSED SESSION

Mr. Roselli stated that the Monek case was postponed at the request of his attorney and Gary Brown's attorney. He explained that the hearing officer found Patrolman Benedict guilty of the disciplinary charges filed against him for violation of department rules. He added that the Police Chief is to decide the penalty. He stated if termination is recommended, the Governing Body will decide.

Councilman Rafano stated that since Patrolman Benedict has filed suit in federal court against Chief Eib, Captain Bomba and Lieutenant Kolakowski, he advised the Borough Administrator to steer clear of this matter.

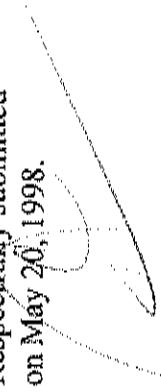
Councilman Rafano asked if Mr. Benedict has the right of appeal. Mr. Roselli stated he does.

There being no further business in closed session, Councilwoman Balazs moved that the Governing Body return to open session. Councilman Szegeti seconded the motion. So carried.

ADJOURNMENT

Councilwoman Balazs moved that the meeting be adjourned. Councilman Rafano seconded the motion. So carried.

Respectfully submitted
on May 20, 1998.


Albert M. Seaman
Borough Clerk

Approved at the regular meeting
held on May 28, 1998.

REGULAR MEETING
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MAY 13, 1998

ADEQUATE NOTICE OF THIS MEETING HAS BEEN
PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC
LAW 1975 AND BY RESOLUTION 1998-1, WITH THE
REQUEST OF THE HOME NEWS AND 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, the State of New Jersey was held May 13, 1998 and was called to order by Mayor Thomas J. Toto at 8:00 PM in the South River High School Library at 15 Montgomery Street in South River, NJ, with the following Councilmembers in attendance:

Councilmember: Balazs, Hausseman, Jones, Krenzel, Rafano, Szegeti

Also attending this meeting were Thomas C. Roselli, Borough Attorney, and Charles P. Kolakowski, Borough Administrator,

MINUTES

The minutes of meeting no. 7 held on March 25, 1998, were submitted for acceptance or amendment. Councilman Rafano moved that the minutes be accepted. Councilman Szegeti seconded the motion. So carried.

COMMUNICATIONS

COMM:1998-49. A letter was received from the NJ Department of Transportation advising that applications are to be submitted for participation in the FY99 Municipal Aid Program.

Councilman Krenzel moved that this communication be received and filed. Councilman Szegeti seconded the motion. S carried.

COMM:1998-50. A letter dated May 5, 1998, was received from Rev. Barron O. Wilson thanking the Governing Body for the opportunity to explain his request for property to construct a new community center, include a church and hall.

Councilman Krenzel moved that this communication be received and filed. Councilman Rafano seconded the motion. So carried.

COMM:1998-51. A notice was received from the Transportation Division of the MC Department of Human as to a public hearing on the New Jersey Transit Senior Citizen and Disabled Resident Transportation Assistance Program 1999.

Councilman Krenzel moved that this communication be received and filed. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-52. A letter dated May 7, 1998, was received from Joyce Stassi resigning her position on the Economic Development Commission.

Councilman Krenzel moved that this communication be received and held for action later on the agenda. Councilman Rafano seconded the motion. So carried.

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COMM:1998-53. A letter dated February 9, 1998 was received from Gregory Palaski resigning this position on the Grant Search Committee.

Councilman Rafano moved that this communication be received and held for action later on the agenda. Councilman Szegeti seconded the motion. So carried.

COMM:1998-54. A letter dated May 1, 1998, was received from the South River Board of Education requesting transfer of property taxes in the amount of \$789,010.90 by June 10, 1998.

Councilman Rafano moved that this communication be received and held for action later on the agenda. Councilwoman Balazs seconded the motion. So carried.

COMM:1998-55. A letter dated April 28, 1998, was received from Denise Daly, President of the South River Rescue Squad Inc. advising that they will not be starting third party billings at this time.

Councilman Krenzel moved that this communication be received and filed. Councilman Rafano seconded the motion. So carried.

COMM:1998-56. A letter dated May 8, 1998, was received from the Matzel and Mumford Organization requesting the designation of Colin between Terry and their proposed roadway "A" as one-way eastward.

Councilman Krenzel moved that this communication be received and held for action later on the agenda. Councilman Szegeti seconded the motion. So carried.

RESOLUTIONS

RES:1998-362

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **JOSEPH KNOBLOCK** from his position as Clerk in the Finance Dept., as of May 1, 1998.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS:	Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS:	None

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RES. 1998-363

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **VERONICA WILLE**, from her position as Clerk in the Finance Dept., as of May 30, 1998

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES. 1998-364

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **GISELE G. SNYDER**, from her position as a substitute Crossing Guard as of May 8, 1998, is hereby received and accepted.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES. 1998-365

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **GREGORY PALASKI**, from his position as a member of the Grant Search Committee, be and the same is hereby accepted.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

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ROLL CALL VOTE

YEAS:
NAYS:

Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
None

RES: 1998-366

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **JOYCE STASSE**, from her position as a member of the Economic Development Commission as of May 6, 1998.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS:
NAYS:

Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
None

RES: 1998-367

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the resignation of **MICHAEL NAUMCVK** from his position as a fireman in Engine Co. No. One of the South River Fire Department as of May 4, 1998 is accepted.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS:
NAYS:

Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
None

RES: 1998-368

MAY 13, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following named to the position of fire police in the South River Fire Department for the term of January 1, 1998 to December 31, 1998.

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ENGINE CO. NO. 1

FRANK MACKO

DATED: May 13, 1998

/s/Thomas J. Toto
Mayor

Motion to Confirm:

/s/Christopher Rafano
Councilman

Second to Motion

/s/Robert Szegei
Councilman

RES. 1998-369

MAY 13, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, **JOAN FEKETTE**, as a member of the Grant Search Committee for the term of January 1, 1997 to December 31, 1999.

DATED: May 13, 1998

/s/Thomas J. Toto
Mayor

Motion to Confirm:

/s/Christopher Rafano
Councilman

Second to Motion

/s/Robert Szegei
Councilman

RES. 1998-370

MAY 13, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, **SHARON CAMPBELL**, as a member of the Economic Development Commission.

DATED: May 13, 1998

/s/Thomas J. Toto
Mayor

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MAY 13, 1998

Motion to Confirm:

/s/Christopher Rafano
Councilman

Second to Motion

/s/Robert Szegefi
Councilman

RES: 1998-371

MAY 13, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, ANNE LAMANNA, as a temporary part-time clerk in the Finance Department at \$8.00 per hour, as of April 28, 1998.

DATED: May 13, 1998

Motion to Confirm:

/s/Christopher Rafano
Councilman

Second to Motion

/s/Robert Szegefi
Councilman

RES: 1998-372

/s/Thomas J. Toto
Mayor

MAY 13, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint, EVELYN JUCEWICZ, as temporary Deputy Collector of Utility Revenue in the Finance Department at \$15.00 per hour, as of May 8, 1998.

DATED: May 13, 1998

Motion to Confirm:

/s/Christopher Rafano
Councilman

Second to Motion

/s/Robert Szegefi
Councilman

/s/Thomas J. Toto
Mayor

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MAY 13, 1998

RES.1998-373

MAY 13, 1998

RESOLUTION

WHEREAS, on or about March 14, 1997, the Borough of South River passed Resolution Number 1997-240, appointing Richard Benedict as a probationary Police Officer with the Borough of South River Police Department;

WHEREAS, probationary Police Officer Richard Benedict was found by Hearing Officer Donald Almasy to have violated the following South River Police Department Rules and Regulations: (1) Section 3.1.6 (Conduct not in accordance with high ethical standards); (2) Section 4.12.6 (Failure to be truthful); (3) Section 7.1.10 (Knowingly and willfully making a false entry in any departmental report or record); (4)Section 7.1.22 (Conduct subversive of good order and discipline of the Department); (5) Section 7.1.30 (Failure to take police action when necessary and/or failure to make a written report of same to commanding officer); (6) Section 7.1.34 (Failure to comply with the Chief's orders, directives, regulations and also those of superiors and supervisors); and (7) Section 7.1.43 (Neglect of duty);

WHEREAS, Chief Francis X Eib has reviewed the decision of Hearing Officer Donald Almasy and recommended that probationary Police Officer Richard Benedict be terminated from employment with the Borough of South River Police Department.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that probationary Police Officer Richard Benedict is hereby terminated from employment with the Borough of South River Police Department.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Rafano, Szegeti
NAYS: None

RES.1998-374

MAY 13, 1998

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 has been received from the Local School District for the following amount(s) to be paid by June 10, 1998.