

REGULAR MEETING
MAYOR AND BOROUGH COUNCIL
MEETING NO. 10
PAGE NO. 8

MAY 13, 1998

CURRENT OPERATING EXPENSE: \$789,010.90

RESTORED FUNDS:

DEBT SERVICE EXPENSE:

TOTAL OF \$789,010.90

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: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegefi
Councilman

ROLL CALL VOTE

YEAS:
NAYS:

Balazs, Haussermann, Jones, Krenzel, Rafano, Szegefi
None

RES:1998-375

MAY 13, 1998

RESOLUTION

WHEREAS, New Jersey Environmental Federation (NJEF) is a non-profit organization; and

WHEREAS, NJEF located at 902 Main Street, Belmar, New Jersey has requested permission to solicit donations to protect waterways.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that NJEF is hereby granted permission to solicit donations between May 1, 1998 and November 1, 1998 upon the following conditions:

1. An authorized representative, advise the South River Police Department of the dates on which said representatives of NJEF will be in South River to solicit.
2. Said solicitation is to be done between the hours of 4:00 p.m. and 9:00 p.m.
3. The names and addresses along with a description of each solicitor be provided to the South River Police Department.
4. Each solicitor conspicuously wear or display some type of identification indicating that said individual is a solicitor of NJEF.
5. A sample of said identification be provided to the South River Police Department.
6. An authorized representative advise the South River police Department that said solicitation is completed.

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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:1998-376

May 13, 1998

RESOLUTION

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 Office on Aging Grant Agreement No. OAA-014 for the project known as South River Senior Center Transportation with the County of Middlesex is approved.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are authorized and empowered to sign said agreement.

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:1998-377

MAY 13, 1998

RESOLUTION

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 execute the Green Thumb Host Agreement Program.

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:1998-378

MAY 13, 1998

RESOLUTION

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 execute the Middlesex County Improvement Agreement with respect to improvements to Old Bridge Turnpike and Prospect Street intersection.

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:1998-379

MAY 13, 1998

RESOLUTION

WHEREAS, there exists the need for a Vehicle for the Fire Prevention Bureau in the Borough of South River in the County of Middlesex, State of New Jersey; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) permits a contracting unit to purchase any materials, supplies or equipment under any contract or contracts for such materials, supplies or equipment entered into on behalf of the Safety by the Division of Purchase and Property in the Department of the Treasury without advertising for bids; and

WHEREAS, it appears that the materials, supplies and/or equipment to be purchased pursuant tot his resolution, at the prices and upon the terms and conditions provided for herein, are the subject of a contract or contracts for such materials, supplies or equipment entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Chief Financial Officer of the Borough of South River has provided certification, in writing, as to the availability of adequate funds for the purchase of said equipment under state contract No. A83095 as appropriated in the 1998 municipal budget.

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

1. The appropriate Borough Officials are hereby authorized to sign those documents necessary for the purchase of a 1998 Ford Expedition from Lucas Motors Inc., of Route 130 & Columbus Rd., in Burlington, NJ, under State Contract No. A83095 for an amount not to exceed \$26,050.00.
2. This purchase is awarded without competitive bidding pursuant to the provisions of N.J.S.A. 40A:11-12

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3. Said Resolution is now of record and on file in the office of the
Borough Clerk for public inspection.

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:1998-380

MAY 13, 1998

RESOLUTION

WHEREAS, on Tuesday, May 12, 1998 there was a partial water/sanitary sewer main break on Reid Street, which is located solely within the boundaries of the Borough of South River; and

WHEREAS, upon inspection, it was determined that a water main and sewer main had partially collapsed and as a result thereof was also causing the roadway to become undermined, as well as causing a backup of sewerage and discharge of water; and

WHEREAS, said collapse required immediate repair in order to insure health and safety of the Borough residents; and

WHEREAS, pursuant to the attached recommendation of the Borough Engineer, an emergency situation does exist requiring the immediate repair of the affected water main, sanitary sewer system and related roadway,

NOW, THEREFORE, be it resolved, by the Mayor and Governing Body of the Borough of South River that an emergency affecting the health and safety does hereby exist with respect to the residents of the immediate area of Reid Street, and

BE IT FURTHER RESOLVED, that as a result of said emergency, a contract may be awarded for the repair of said sanitary sewer system, water main along with the related road work without Public Bidding pursuant to N.J.S.A. 40A:11-6; and

BE IT FURTHER RESOLVED, that said emergency shall remain in effect until such time as said sanitary sewer, water main and related road work is completed.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

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ROLL CALL VOTE

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

RES:1998-381

MAY 13, 1998

RESOLUTION

WHEREAS, an emergency affecting the public health and safety has been declared and does hereby exist in the Reid Street area in the Borough of South River; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6 a contract may be negotiated and awarded without public advertising in such an emergency situation; and

WHEREAS, the Mayor and Governing Body does hereby wish to remedy said emergency in the most expeditious manner possible;

NOW, THEREFORE, be it resolved, by the Mayor and Borough Council of the Borough of South River as follows:

- (1) That Straight Curb Corp., located at 25 1-L Marlboro, Rd., Old Bridge, New Jersey is hereby awarded to contract to immediately repair and resurface the affected sanitary sewer, water main and related road work.
- (2) That such work shall be approved by the Borough Engineer's Office prior to the payment for the same.

BE IT FURTHER RESOLVED, that the appropriate Borough Officials are hereby authorized to execute the contracts, as well as any and all other documents with respect to the same.

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:1998-382

MAY 13, 1998

RESOLUTION

WHEREAS, December, 1997, the Borough of South River did place for bid the purchase of one (1) new Emergency Medical Vehicle, said bids to be received and opened on Thursday, January 8, 1998; and

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WHEREAS, in response to said invitation t bid, the Borough of South River did receive two (2) proposals, most specifically proposals from Horton Emergency Vehicles, located in Grove City, Ohio and P.L. Custom Emergency Vehicles, located in Manasquan, New Jersey; and

WHEREAS, after reviewing said bid proposals, the Borough of South River wishes to reject both proposals and authorize the Borough Engineer to revise said bid specifications, re-advertise and place the same out for receipt of bids under the new specifications.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLED, by the Mayor and Borough Council of the Borough of South River that the bids received from Horton Emergency Vehicles and P.L. Custom Emergency Vehicles to supply one (1) new Emergency Medical Vehicle is hereby rejected; and

BE IT FURTHER RESOLVED, that the Borough Engineer is hereby authorized to revise the bid specifications, publish and accept bids for said vehicle under the revised specifications.

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.1998-383

MAY 13, 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 complete settlement with respect to the NJEF in the amount of \$7,500.00.

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:1998-384

MAY 13, 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 issue of whether the Board of Education and Council Liaison meetings should be open to the public.

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:1998-385

MAY 13, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of South River that the Borough Engineer is hereby authorized to prepare the fiscal 1998 municipal road grant application.

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:1998-386

MAY 13, 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 Contract for the Borough Clerk to receive New Jersey Administrative Code on CD-ROM.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

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/s/Robert Szegeti
Councilman

ROLL CALL VOTE

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

RES:1998-387

MAY 13, 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 1998 Office on Aging Grant for Senior Center Transportation and report with respect to the same.

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:1998-388

MAY 13, 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 amend the Borough's canvassing ordinance to allow canvassing until 9:00 p.m.

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:1998-389

MAY 13, 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, Chief Financial Officer, Business Administrator and Auditor are hereby authorized to prepare the specifications with respect to privatized billings in the electric department, upon review and acceptance of the same by the governing body place the same out to advertisement and receipt of bids.

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:1998-390

MAY 13, 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 and Chief Financial Officer are hereby authorized to amend the electric utility rate ordinance to bring the same in compliance with past practice with respect to the Board of Education.

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:1998-391

MAY 13, 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 amend the garbage collection ordinance within the Borough Code of the Borough of South River.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

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/s/Robert Szegeti
Councilman

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

RES:1998-392 MAY 13, 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 letter from the Recreation Commission with respect to Ordinance 1998-6 and report with respect to the same.

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:1998-393 MAY 13, 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 surrounding ordinances with respect to vacant buildings and report with respect to the same.

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:1998-394

MAY 13, 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 ordinance changes from the South River Fire Department and report with respect to the same.

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:1998-395

MAY 13, 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 Gillette Escrow Account and request with the CFO and report with respect to the same.

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:1998-396

MAY 13, 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 request with respect to vacating parts of Martin Avenue and Freeman Street with the Business Administrator and report with respect to the same.

DATED: May 13, 1998

/s/Christopher Rafano
Councilman

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/s/Robert Szegeti
Councilman

ROLL CALL VOTE

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

RES:1998-397

MAY 13, 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 bids with respect to the new ambulance and report with respect to the same.

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:1998-398

MAY 13, 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, **THE RAM'S HEAD** has filed an application dated April 1, 1998, with the Borough Clerk for an amusement license to be located at 32 Main 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: May 13, 1998

/s/Christopher Rafano
Councilman

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/s/Robert Szegeti
Councilman

ROLL CALL VOTE

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

RES:1998-399

MAY 13, 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, **SONNY'S BAR & GRILL** has filed an application dated April 1, 1998, with the Borough Clerk for an amusement license to be located at 69 DeVoe 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: May 13, 1998

/s/Christopher Rafano
Councilman

/s/Robert Szegeti
Councilman

ROLL CALL VOTE

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

RES:1998-400

MAY 13, 1998

RESOLUTION

WHEREAS, the Battleship New Jersey Commission has been established with the objective of returning the USS New Jersey to a New Jersey Hudson River site and to establish it as an Educational Museum as a tribute to veterans of all of the Armed Forces of the United States; and

WHEREAS, the World's most decorated Warship will also provide a learning experience in service and history for generations to come; and

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WHEREAS, the Battleship New Jersey Foundation has been established to raise funds for this project,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Borough Council of the Borough of South River in the County of Middlesex and the State of New Jersey hereby states its endorsement of this project and encourages the support of its citizens of New Jersey; and

BE IT FURTHER RESOLVED, that it supports the fund raising activities f the State of New Jersey License Plate program and Income Tax check-off as well as direct contribution to the Foundation; and

BE IT FURTHER RESOLVED, that the Middlesex Clerk shall send a copy of this resolution to the members of the New Jersey Legislature representing Middlesex County, to the Middlesex County Board of Chosen Freeholders to the governments of all Middlesex County municipalities, to the New Jersey State League of Municipalities, to the Battleship New Jersey Foundation, and to the Press serving Middlesex County.

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:1998-401

MAY 13, 1998

RESOLUTION

WHEREAS, the South River Planning Board by Resolution 1998-9 on March 17, 1998 to memorialize preliminary sub-division approval for an application filed by Matzel and Mumford for a project commonly known as Heritage Landing in Block 362, Lot 1 and Block 363, Lots 1, 2.02 and 3; and

WHEREAS, said Resolution contained a condition, specifically condition number 2 setting forth that "this approval is conditioned upon the connection of Colin Drive with the subject property and that the Mayor and Council determine if said connection shall be one-way into the project or two-way"; and

WHEREAS, the governing body of the Borough of South River has reviewed the approval as set forth by the South River Planning Board and does endorse said connection being a one-way connection into the development. Said one-way street beginning at the current conclusion on Colin Drive and extending into the development for the remainder of the new section of Colin Drive; and

WHEREAS, in addition, the governing body of the Borough of South River does recommend that Matzel and Mumford file an amended site plan application with the South River Planning Board evidencing such endorsement by the governing body of the Borough of South River and requesting a reduction of this thirty foot one-way roadway to a lesser width roadway to allow for only one-way traffic.

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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 governing body does hereby endorse the concept of a one-way street into the development which will be commonly known as Heritage Landing and that said roadway be reduced in size as set forth above to accommodate the same; and

BE IT FURTHER RESOLVED, that Matzel and Mumford present this concept to the Planning Board of the Borough of South River by submitting an amended site plan application for final determination by the Planning Board of the Borough of South River.

DATED: MAY 13, 1998

/s/ Shawn Haussermann
Councilman

/s/ Robert Szegeti
Councilman

Councilman Haussermann stated that Mr. David Fisher of the Matzel and Mumford Organization attended our business meeting this Monday and recommended a possible solution to the Colin Drive situation which may satisfy a number of the area residents' concern by making the roadway one-way and reduce its width. He added that he spoke to a number of the residents and they did express approval of this compromise.

Mayor Toto stated he could not be a part of the decision making on the subdivision application since he has a direct conflict in the his relative own part of the property. He explained that he received a number of telephone calls from the residents on this proposal. He asked the Borough Attorney what is happening. Mr. Roselli stated we can not designate the roadway as being one-way until after we accept the improved street.

Mayor Toto stated he wants the residents to know that the passing of this resolution does not resolve the problem at this time. Councilman Krenzel stated that the Traffic Safety Bureau is still against the opening of Colin Drive except as a gated emergency access.

ROLL CALL VOTE

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

BINGO LICENSE

RL-987. An application was submitted by Corpus Christi Holy Name Society to hold bingo games on the second Saturday of each month during the balance of the year of 1998. with the proceeds being used for supporting parish needs.

Councilwoman Balazs moved that the license be granted. Councilman Szegeti seconded the motion. So carried.

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ORDINANCES-FIRST READING BY TITLE ONLY

ORD:1998-14.

AN ORDINANCE AMENDING CHAPTER 125, ARTICLE 1 OF
THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER,
ENTITLED "PEDDLING AND SOLICITING".

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 may 28 1998, at 8:00 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:1998-402

MAY 13, 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.

STEPHEN KUZMACK	1134.56
ACTION TERMITE & PEST CONTROL	1400.00
MAGAW, JOHN	50.00
A & J CONSTRUCTION	4772.39
ACTION PEST CONTROL	200.00
ALMASY, DONALD P.	312.50
ALVAREZ PLUMBING & HEATING	179.00
ANASTASIO, COLLEEN R.N.	100.00
A R TECH. INC.	612.60
AT & T	5.80
AWARD PROS OF PRINCETON	196.08
M J BARONE & ASSOCIATES P.C.	7500.00
BELL ATLANTIC NYNEX MOBILE	180.59
BESTWAY TYPING UNLIMITED	171.00
BIBAWY, ADLEY A., MD	200.00
BIERNACKI, VERA	100.00
BINDER MACHINERY CO	189.52
BISON BUSINESS SUPPLIES	83.70
BOULOS, DR. B., D.V.M.	250.00
BRUNSWICK SUPPLY CO.	365.95
BUSINESS NEWS	56.00
CAPITAL HWY INC.	1102.00
CENTRAL JERSEY SECURITY	1472.22
COMCAST CELLULAR C/A	61.60
CEDE & CO.	91318.50

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CERTIFIED SPEEDOMETER SERVICE	135.00
COMP USA	3872.45
CONKLIN UNITED METHODIST CHURCH	200.00
COPY DYNAMICS INC.	145.00
COYLE, JANICE	37.50
CUMMINS	333.46
EAGLE TIRE SERVICE INC.	235.69
EDMUNDS & ASSOCIATES	20503.80
EIGHTEEN LUMBER CO.	411.20
EPSTEIN, FELICITY V.	70.00
FERNANDES, JOHN	40.50
FINGERS AUTO RADIATOR	18.00
FOODARAMA SUPERMARKETS, INC.	78.96
FREDS TOWING & RECOVERY	50.00
GLOBAL COMPUTER SUPPLIES	818.83
G.M.A.C. CORP.	1524.00
HACH COMPANY	13.00
HAMBY YOUNG POWER SUPPLY	24821.00
HERMSTEDT, ANITA M.	19.00
HOME NEWS TRIBUNE	2225.28
JERSEY FIRE & RESCUE	70.00
JERSEY POWER EQUIPMENT, INC.	1621.20
JERSEY CAMERA	24.95
JOHN'S INC.	409.00
KALDOR	75.00
KAMINSKY-CORDES, JANICE	103.95
KELLY, THERESA	1018.75
KELLY'S CAB CO.	825.00
KENNEDY, LORRAINE	150.00
KEY TECH	800.00
KNIGHTS OF COLUMBUS	500.00
LEE'S AUTO PARTS INC.	715.87
LIGAS, HEATHER	30.00
JEANNE LISS	122.25
LUCENT TECHNOLOGIES	215.10
LUCENT TECHNOLOGIES	85.85
MAGNATROL VALVE CORP.	436.66
MAIN STREET FLORIST	43.00
MALGIERI, DEBBIE	110.89
MATES, JONATHAN	30.00
MAY, CAROL	110.00
MAKITA USA, INC.	206.04
MCS BUSINESS SOLUTIONS INC.	162.50
MC MASTER - CARR SUPPLY CO.	511.90
MGL FORMS SYSTEMS	1006.50
MIDDLESEX COUNTY UTILITIES	139922.38
MIDDLESEX WELDING SALES	16.50
MIDDLESEX COUNTY TREASURER	16042.75
MIDD.CTY.IMPROVEMENT AUTHORITY	6523.00
MIDD. CTY MUN JOINT INS. FUND	2397.83
M.K. FIRE TRUCK REPAIR INC.	996.00
NJ-IAAI	525.00
BELL ATLANTIC	3201.82
NJ PLANNING OFFICIALS	65.00

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STATE OF NEW JERSEY	111.00
N.J. ASSOC. CHIEF POLICE	3115.00
NJDA	50.00
NORTHEAST PUBLISHING GROUP	129.00
NOTO, THOMAS J., P.E.	350.00
OLSEN, MAUREEN R.N.	375.00
OLSEN, ROBERT	30.00
PAGNET OF NEW JERSEY	132.00
PECO INC.	1253.00
PEET BROS.	64.50
PUBLIC SERVICE ELECTRIC & GAS	474.23
PRINCE SPEEDY INK.	71.10
PUBLIC POWER ASSN. OF NJ CITY	10962.11
RAYCO	245.00
RARITAN VALLEY OFFICE SUPPLIES	4239.63
RED & BLACK	58.00
REDA, MAUREEN	37.50
RAPHAEL BUS COMPANY INC.	1320.00
ROBERTS MACHINE SHOP	385.29
ROSELLI, THOMAS C., ESQ.	3534.00
ROYAL TRANSMISSIONS INC.	60.79
RT. #18 SPORTS	5712.00
RUTGERS, THE STATE UNIVERSITY	475.00
BOROUGH OF SOUTH RIVER	76.04
SATELLITE SCREENS INC.	492.00
SAYREVILLE, BORO OF (DPW)	2575.00
SAVREBROOK VETERINARY	500.00
SCANLON, MICHAEL J.	970.00
SERVICE PRESS, INC.	95.00
SCHWARTZ, GARY M. ESQ.	395.00
SEELY EQUIPMENT COMPANY	1699.00
GREATER MEDIA NEWSPAPER	150.00
SHALUHA, DEBBIE	25.00
SHEEHAN CONSULTING GROUP	3855.00
SHORE POWER & SPORT	2708.17
SIR SPEEDY PRINT	78.00
SIPERSTEIN'S	67.45
S. RIVER BOROUGH PAYROLL ACCT.	184044.43
SOUTH RIVER WRESTLING CLUB	50.00
SOUTH RIVER GLASS	150.00
SS PETER & PAUL CHURCH	250.00
STAGECRAFTERS	300.00
STORR TRACTOR CO.	89.96
STS AUTO CENTER	80.00
SYSTEM OFFICE PRODUCTS INC.	89.50
SZABO'S LAWN & LANDSCAPING	301.95
TEITELBAUM, HOWARD S., ESQ.	1200.00
TOP HAT UNIFORM RENTAL	350.00
TOWER CLEANING SYSTEMS	602.46
TRYGAR & SONS HARDWARE	149.20
TRICO EQUIPMENT	129.66
TRI-COUNTY POWER EQUIPMENT	564.40
UNITED STATES POST OFFICE	9500.00
UNITED STATES POSTAL SERVICE	10000.00

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VANYO INC.	63162.00
VETERANS OF FOREIGN WARS	250.00
VFIS, INC.	2706.00
VITAL COMPUTER RESOURCES	288.00
W.E. TIMMERMAN CO., INC.	490.49
WHALEN, TERENCE M. TREASURER	141.98
WILLIE, VERONICA	129.00
WINDSOR SOIL	960.00
FENGOU LIS, VICKY	30.00
YUHAS PLUMBING & HEATING	105.50
Z & Z HARDWARE	436.46

DATED: May 13, 1998

/s/ Shawn Haussermann
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. 98-1291 payable to Middlesex, County Utilities Authority, Purchase Order No. 98-1184 payable to Middlesex County Treasurer, Purchase Order No. 98-0990 payable to Middlesex County Improvement Authority, Purchase Order No. 98-1312, payable to Maureen Olsen, Purchase Order No. 98-1194 payable to Robert Olsen, and Purchase Order No. 98-1167 payable to South River Glass.

PUBLIC COMMENTS

David Sliker, Chairman of the South River Economic Development Commission, spoke on the purchase and placement of “Welcome” signs in the Borough which are being sponsored by businesses at little cost to the residents. He explained that there will be six (6) “Welcome” signs and two “Come Again” signs. Councilman Rafano asked when will the work be started. Mr. Sliker stated the first sign should be installed by July 15th, adding it is to be done by the Borough employees.

John Mamrak of 57 New Street questioned the bill for M J Barone & Associates in the amount of \$5,700.00. Mr. Kolakowski stated it is for preparation of revised plans for the police/court building. Mr. Mamrak asked if this amount is in additional to his contractual fee. Mr. Kolakowski stated it is, adding that the reason was the changes were required by outside organizations.

Mr. Mamrak asked as to the number of trailers to be used to temporarily house the municipal offices. Mr. Kolakowski stated about four trailers would be needed. Mr. Mamrak asked as to the estimated cost. Mr. Kolakowski stated in would be between \$800.00 to \$1,100.00 per month per trailer. Mr. Mamrak asked what is the anticipated cost of relocating the offices. Mr. Kolakowski stated that would vary depending how it is to be done.

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Mr. Mamrak asked that is the cost for the relocation of the communication system. Mr. Kolakowski stated Sgt. Karaniewsky is to meet to New Jersey Bell Telephone representative and hopes to have it by next week. Mr. Mamrak asked what will be happening to the court. Mr. Kolakowski stated that the violation bureau and administrative offices will be in another trailer or building. Councilman Haussermann stated that court may be held in Milltown.

Councilman Krenzel asked if these matter are to be discussed at a committee meeting. Councilman Haussermann stated the Buildings and Grounds Committee is to meet on May 27th at 7:30 PM in the WAR Memorial Building at which time the final plans are to be reviewed.

Mayor Toto stated he has received a letter from the Board of Education asking if the Borough would like to take over any of the vacant school buildings. He asked if we are going to look at any of them. Mr. Kolakowski stated he received the letter last week. Councilman Krenzel asked that a letter be sent to the Board asking them to extend their deadline for a response because we can not make a decision by May 28th. Mr. Kolakowski stated he will asked them.

Councilman Krenzel moved that the Borough Administrator send a letter to the Board of Education requesting an extension of their deadline for the transfer of the Middle or Willett School until June 26th. Councilman Jones seconded the motion.

Mayor Toto stated the school board may want to sell the buildings by then, adding we need an answer from the Building and Grounds Committee by the next council meeting.

Councilman Haussermann stated he would like to change the Buildings and Grounds Committee meeting to 7 PM on May 26th if the other members can be there.

ROLL CALL VOTE

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

Mr. Mamrak stated he does not favor either position of a new building or renovating the old buildings. He explained that since he can not get any answers to his questions, he would like to have this matter placed on the general election ballot in November and let the voters decide.

Councilman Szegeti stated that he feels that the municipal building should be kept in the downtown business area and that we should refurbish our old buildings. Mayor Toto stated that it is a poor decision to place \$1,100,000 into renovating an old building when the real estate appraised value is \$600,000. Councilman Haussermann stated that the appraised value has no meaning. Mayor Toto stated that South River is 3 square miles and the municipal building does not need to be in the center of town. He added that if Spotswood and Milltown can build a new building, so can South River.

Councilman Haussermann stated that many options were considered and the final decision was to renovate 61 Main Street and 33 Gordon Street. He explained that the 1.13 million dollar cost was an architect's estimate only based on current square footage prices. He added that we have to wait and see what the bids will be. He said that the costs have escalated based on the input from the police and court.

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Councilman Haussermann stated that renovating either school can be costly which was rejected by the Board of Education. Mr. Mamrak stated that the Council decided not to look at the new building option because it was too costly and now, you are telling me that you may not be able to afford the proposed revisions. Councilman Haussermann stated that when you make decisions, you incur costs.

Mayor Toto stated that we should dictate what the cost of a new building is to be to the architect and if he can not build what we want, then we should get another architect. Councilman Rafano stated that a number of years ago, we did three studies, i.e., space needs, ADA compliance and code compliance. Based on the data, we gave our architect the direction to go and he came up with the figure of \$5,000,000 for a new building. He added that the Council chose not to go in that direction and decided to focus on the renovation process.

Mr. Mamrak asked why the cost increase for 61 Main Street. Councilman Haussermann stated we are adding 2,000 sf to the building which gives us more options. Mr. Mamrak stated he would like to see the question placed on the ballot for the public to decide. Councilman Haussermann asked how is the question to be worded.

Councilman Krenzel stated the question placing the matter of the ballot has been decided. He asked when will we see the light at the end of the tunnel as to how much of the 1.4 million dollars will be used on 61 Main Street, adding that 33 Gordon Street has serious problems and something has to be done with it. Councilman Haussermann stated that when we received bids on the Old School Baptist Church, you saw what happened.

Councilman Krenzel stated we have no plan of action, questioning the reason for bonding. Councilman Haussermann stated we do have a plan. Councilman Krenzel stated it has fallen apart. Councilman Haussermann stated changes were required by State agencies. Mr. Mamrak stated he would like to have the cost by next month.

Mr. Mamrak stated that the Municipal Alliance will hold its next meeting in the new school on May 20th at 7:00 PM. He explained that the holding of the Heritage Day festivities will be discussed, adding that it is to be held on September 12th and volunteers are needed.

Terry Wright of 10 Frandsen Avenue questioned what is the square footage proposed for the renovation of the municipal buildings. Mr. Haussermann stated that would be based on what the Governing Body decides, adding that the only decision to date is on 61 Main Street but that is changing after each State review.

Mr. Wright stated he worked in the construction industry for 21 years and he asked a firm to provide him with an estimate based on current footage and an adult community center for a one-story building. He explained that the cost is estimated to be 2.5 million dollars, adding that he never said it would be 5 million dollars as is quoted in the newspapers.

Mr. Wright stated that a referendum issue is still a viable issue, adding that people should decide. Councilman Haussermann asked Mr. Wright to have his professional certify the cost. Mr. Wright agreed. Councilman Haussermann stated that to obtain an estimate, you need some type of drawing and he asked Mr. Wright if he has them. Mr. Wright stated they can be made if he needs them.

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Councilman Rafano asked Mr. Wright as to the square footage of his proposal. Mr. Wright stated it would be 20,000 sf. Councilman Rafano asked as to the footage for the court. Mr. Wright stated it would be the same as they have now with a meeting room added. Councilman Rafano stated he would be willing to take Mr. Wright's data and drawings to the Borough's architect and have him tell us if it can be done. Mr. Wright stated that on new construction, you tell him what you want.

Councilman Haussermann asked where is this new building to be placed. Mr. Wright stated wherever the Borough has property it owns. He added that the Council is planning to spend 1.3 million dollars to renovate two buildings and he is proposing a new building with an adult center for 2.5 million dollars. He asked Councilman Jones as to his cost for a new senior center. Councilman Jones stated he does not have such information.

Councilman Haussermann stated that Mr. Wright appears to be giving them one large room. He asked where will their administrative offices be. Mr. Wright stated in municipal building.

Councilman Haussermann asked Mr. Wright to have his professional come and speak to the Governing Body. Mr. Wright asked the Governing Body to come up with the numbers for the building renovations and the cost of a new building and place the question on the November ballot.

Tracy Bingert of 33 Terry Avenue distributed a copy of an East Brunswick Township resolution No. 11309 to the Mayor and Councilmembers which referred to a meeting of with Planning Board representatives on the issue of opening up Colin Drive. She asked when did this meeting occur and who attended. Mr. Roselli stated he is not familiar with the meeting. Ms. Bingert questioned if the meeting was proper. Mayor Toto stated he has no knowledge on such a meeting.

Councilman Szegeit asked Ms. Bingert if she spoke with the East Brunswick Clerk. Mr. Bingert stated she spoke with Mrs. Kiss who advised that she is not aware of the meeting since she did not attend it.

Ms. Bingert asked how can she find out about the meeting. Councilman Krenzel stated she can asked the Planning Board if there was such a meeting with East Brunswick. Mayor Toto stated he does not believe that such a meeting was held. Councilman Krenzel stated that from the way the resolution is drawn, it appears to be referring to the Master Plan. Councilman Szegeit stated that the issue may go back to when the Gillette and Cyktor developments came before the Planning Board. He added that prior actions of the Planning Board does not mean current or future members have to go along with it.

Mayor Toto suggested that Ms. Bingert should take her complaint to the Planning Board. Councilman Roselli stated if there is a possible violation of law, it should be brought to the Governing Body's attention.

Joseph Zemaits of 21 Terry Avenue stated he does not understand the lack of outrage on the part of the Governing Body, adding that the residents are being told to go and find out and report back. He stated that the Governing Body should ask the Planning Board to explain it actions and its inability in not allowing the residents to speak beyond 10:30 PM at its meetings so they can conduct their other business.

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Mr. Zemaitis recommended that the Governing Body pass a resolution stating that the road should be closed but it may not have any effect. He asked that the Governing Body to investigate if the Planning Board acted properly. Councilman Haussermann asked what is the procedure to be followed in this situation. Mr. Roselli stated we have to speak with the officials in East Brunswick and the South River Planning Board.

Mr. Zemaitis stated that East Brunswick tells us to remove our asphalt plant to another location to eliminate the trucks on River Road. He added that we should not be worried about traffic on their streets but our own.

Mr. Zemaitis recommended that the Governing Body demolish the Middle School and built a new municipal complex there. He asked if this option was considered. Councilman Haussermann indicated that it was not.

Debra Krussis of 29 Colin Drive stated that the members of the Planning Board should be working for the South River residents and keep Colin Drive closed.. She added that she does not want it opened.

Ronald Krussis of 29 Colin Drive stated he felt there was predetermination by the Planning Board as to the opening of Colin Drive and that there is some concrete basis behind the statements in the East Brunswick resolution. He complained that South River should not have to take care of the East Brunswick residents and Colin Drive should be closed.

Mr. Krussis stated his neighbors have raised the necessary funds to appeal the Planning Board decision but the taxpayers will have to pay the other costs.. He asked the Governing Body to close Colin Drive.

Eric Waksmunski of 28 Florence Avenue stated he was under the impression that Colin Drive issue was settled with having a gate installed. He recommended that Willett School be converted into senior housing with a center. as soon as possible. He added that the costs for the renovation of the municipal buildings seem to be out of line and he recommended re-examining all options for ADA and Uniform Construction Code compliance.

Councilwoman Balazs moved that the Borough Attorney investigate the contents of East Brunswick Resolution 11309 as to the meeting between South River and East Brunswick representatives with respect to Colin Drive and report his findings to the Governing Body. Councilman Haussermann seconded the motion.

Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

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

Denise Daley of 17 Ferris Street stated she is the President of the South River Rescue Squad and she asked why are the bid for a new ambulance being rejected. Mr. Roselli stated the lower bid has substantial differences from the specifications and there was only one other bidder who did comply. He explained it appears that the specifications are drawn in such a way that only one company is able to comply. He added that no matter which choice we make, we can be sued.

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Councilman Krenzel explained that the specifications will be redrawn and the Public Safety Committee will meet with the Rescue Squad to review them and make further recommendations to be included. He added that this process can take some time before we can seek new bids. Ms. Daley asked how will this action effect the funding. Councilman Krenzel stated it is in place.

John Adamusik of 3 Mitchell Avenue stated the specifications are the same ones they used in 1992 and if other manufacturers can not meet them it is because they do not have the engineering to do it. He added the Squad needs a quality unit. He stated the Governing Body has promised the Squad a new ambulance since 1996.

Mayor Foto stated that more Rescue Squad members are to be included in the review process for reviewing the specifications. Mr. Kolakowski stated that we are required by law to develop specifications where more than one company can bid on the item. Mr. Adamusik asked why can we not require the other companies to come up to our requirements. He stated that their 1986 rig is constantly breaking down and their newest one is more than five years old. He added the people of South River need a new ambulance now.

Councilman Krenzel asked how are the efforts of the Rescue Squad on fund raising. Mr. Adamusik stated that requests have been mailed to the residents and other activities are planned. He added the Squad is not seeking additional funds from the Governing Body but without additional funds, the Squad will die.

Joe Basham, a driver with the Rescue Squad, stated he was responding to a call today and his rig conked out which he termed very frustrating. He reminded the Council that without the volunteers, paid services would be costly. He added that the Rescue Squad members are there to serve the people. He asked the Governing Body to act more quickly in getting the new ambulance.

Mayor Toto asked as to what is the delivery time for a new ambulance. Mr. Basham stated it is 3 to 4 months for one company and 5 to 6 months for the other company.

Anita Hermsedt, co-chairperson of the South River public Library, thanked Councilman Jones for getting the Girl Scouts to plant some of the donated shade trees at the Library site. She added that at Councilman Jones's suggestion the Library is looking at the prospect having conducting some of its children's programs outside.

Ms. Hermsedt stated that the Library is looking for any interested group who would like to adopt the library and maintain its property like the scouts are doing for the recreation areas.

Ron Grismali, a member of the South River Rescue Squad, agreed with Joe Basham's comments. He stated it is a shame that the Squad members have to spend their own personal funds to buy supplies for the ambulances. He added that the members have to be continuously re-certified by taking lengthy classes besides responding to numerous calls. He added that to undertake extensive fund raising makes it more difficult for all. He asked the Governing Body for its help.

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Councilman Rafano asked if the Squad has made any decision about giving its vehicles to the Borough so we can pay the insurance and maintain them. Mr. Adamusik stated it being extensively discussed and there are many concerns. Mr. Grismali stated that he has heard many rumor that the Squad will be made a part of the fire department. Mayor Toto stated he is not aware of such efforts or discussions. Councilman Rafano agreed.

Mike Ayres of 55 Jeffrey Avenue stated that the people should decide if they want a new building or renovate the old ones. He asked the Governing Body to help the residents of Colin Drive and close the roadway.

Vic Meyers of Professional Vehicle Sales, stated his firm submitted one of the two bids for a new ambulance, adding they met the specifications. He added that other firms can duplicate or provide the required items but chose not to do so. He added that he can provide documentation which will show that certain items are not proprietary as claimed by others. He added that if the specifications are drawn too loosely, you will get a piece of junk. He advised the Governing Body that Monroe Township had two bids for a new ambulance and awarded the contract to the higher bidder since the lower bidder could not meet the specifications. He added that no suit was filed.

John Scala of 440 Old Bridge Turnpike asked Councilman Haussermann if he has seen what the Clerk's Office looks like., adding that they need more space. Councilman Haussermann stated he was there last Tuesday and it appears to be fine. Mr. Scala stated they are packed like sardines and it is impossible to move if more than one customers is being served. Mr. Scala stated it is ridiculous to have to place a typewriter on top of a filing cabinet so that it can be used.

Mr. Scala complained about the heavy trucks using Whitehead Avenue which are causing vibration and are damaging the homes. He asked that a letter be sent to the County asking for their help.

Mr. Scala asked that sidewalks be installed on Southside Avenue at Fitzpatrick's Field. Mr. Kolakowski stated that they are included in the proposed curb and sidewalk program. He agreed with Mr. Scala in that there is a problem with a steep grading and the fence will need to be relocated.

Mr. Scala thanked Mr. Rafano for his help in reducing the truck traffic on the Old Bridge Turnpike. He agreed with Councilman Jones to change the time to 7:00 PM before garbage can be placed at the curb for collection. He asked why the rest of the Council is not behind his efforts. Councilman Rafano stated it was referred to committee to review the entire ordinance so that the changes will not be done piecemeal.

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

COUNCIL COMMENTS

Councilman Krenzel stated that the Juvenile Aid Committee needs a temporary meeting place during the renovations of 61 Main Street. He referred their request to the Buildings and Grounds Committee. He recommended that the Council on Aging convene a meeting for the purpose of examining the proposal for converting Willett School into senior housing. He added that the Public Safety Committee will be holding a meeting next week to discuss the purchase of a new ambulance, building renovations, parking on Montgomery Street and various other matters of importance.

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Councilman Krenzel stated that the police did an excellent job of rerouting traffic during the repairs to the collapsed sewer line on Reid Street. He added that he experienced the delays but traffic did move without any incidents.

Councilman Krenzel wish all happy Memorial Day and invite all resident to watch our parade which will be held on May 25th.

Councilman Szegeti thanked Greg Palaski for his service on the Grants Search Committee. He stated that the Borough will be participating in the Green Thumb program which is to employ senior citizens in subsidized jobs. He explained that when a similar unsubsidized position becomes available, the participant has the right to be appointed to that position.

Councilman Szegeti stated that Engine No. 2 in the South River Fire Department received second place honors in the recent Spotswood parade. He add that three police officers have graduated from the bicycle patrol program and will soon be patrolling our parks and recreation areas on their bicycles.

Councilman Szegeti stated that due to several recent retirements in the Utility collection/billing office, the Governing Body has decided to consider privatizing the operation, adding that the required bid documents are being prepared.

Councilwoman Balazs stated she attended a meeting of the Willow Tree Program, adding members who have made it a success. She announced the DARE graduation will be held next week for St. Mary's School, Corpus Christi School and the Middle School students and she urged the Councilmembers to attend.

Councilman Haussermann stated that a decision was made some time ago to renovate our existing buildings since it would be less costly to the taxpayers. He reminded everyone that costs can not be determined, only estimated before bids are received. He added that the Administrator of the Courts is the responsible party for the increased costs to 61 Main Street in that he required numerous revisions to the plan including additional space. He explained that Milltown's new building is too small for their needs and the Spotswood is now looking at constructing a larger building than the one that was torn down. He added that their costs will be increased.

Councilman Haussermann stated he hopes to introduce an Ordinance at the next meeting to further relieve the traffic problems around the new school site. He explained that the proposal was referred to the Public Safety Committee for their review.

Councilman Rafano stated he has a lengthy statement to make. He stated "Tonight, I am announcing my resignation from the Borough Council of South River, effective immediately. This decision to step down has been a difficult one for me.

I started my career in elected service when I ran for Council in 1992 and was elected and again re-elected along with Councilman Bob Szegeti. This past February, I was appointed to the Middlesex County Board of Chosen Freeholders. I am honored that I am the first person from South River to serve since George Applegate in 1919. My goal at the County is the same as my goal here at home, to make a difference. I believe that as a Councilman I have made a difference for the residents of the Borough of South River.

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When the Democrats assumed the majority on the council, I was appointed Chairman of Finance and Administration. In the first year, the tax rate went down 11 points and we have enjoyed a stable rate since then. We have accomplished this by simply demanding justification for our expenditures. We have also integrated communication with our residents with a letter enclosed in our tax bill to explain where the tax dollars are spent.

Although I can concede that change is often difficult and resisted, there have been changes made which I believe should stay and will prove over time to ease the operation of our government. For example, in the past, the Borough did not have a centralized method of purchasing. We now do.

We have created a citizens ad hoc budget committee to help in the preparation of our budget. We have successfully explained to our residents that the local tax rate, that is the tax that the mayor and council have control over, represents only a portion of the overall tax bill. With the local municipal tax rate, we enjoy the benefit of fire protection, police protection, garbage pick up, sewer and a host of other benefits. Many communities have seen fit to bill the residents for separately for many of these services. We still enjoy electric utility rates that are 10 to 20 percent lower than GPU or PSE&G. I urge you to ask your friends in other communities what they pay in taxes and what they receive for their tax dollar, and I firmly believe that the service that we provide is unparalleled.

We have been conservative in our approach to borrowing, and still, to this day, our percentage of borrowing is conservative at 1% of our assessed value. This translates into less than 1/3 of the State permitted 3.5%. We have been putting money away to pay off a \$775,000.00, 6.3% Note in the Electric Utility. The Note will be paid off in the Early 2000, five years ahead of schedule which should mean a substantial savings. We have also set up a definitive repayment plan for the payment of all the Borough's debt. Many recommendations contained in our annual audits have either been eliminated or reduced. Overall, I believe that the finances of the Borough are in good shape, and I can comfortably leave them in the hands of the next Chairman of Finance and Administration.

I would also like to take this opportunity to reflect on other changes that I have seen in my tenure as a councilman. When I first came on the council, I was a liaison to the Downtown Development Commission and Industrial Commission. Both had been non-functioning for a number of years. They have now evolved into the South River Economic Development Commission headed by Dave Sliker, who I can say, single-handedly has made the Commission what it is today. Most of our stores on Main Street are filled. Dave Sliker has worked to fill 14 of the 24 vacant buildings in town. We have a small business loan program and a tax abatement program to encourage commercial development. And I can say that I have met personally with many potential businesses in an effort to encourage them to locate to South River. I am pleased to report our ratables are now significantly higher than they were. In fact, the 1998 preliminary total ratable is 385,776,000 compared to 1994 of 361,554,906, up \$24,000,000.00.

We obtained a grant for the planting of trees on our Main Street, and hopefully any day now we are going to start our curb and sidewalk replacement project on the lower portion of Main Street.

Thanks to the efforts of Councilman Bob Szegeti, our parks have now seen improvement with badly needed playground equipment. Bissetts Pond has just been dredged at no cost to the Borough by Middlesex.

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The reason my decision was to vote for the renovation of the police station was that the cost of a new municipal complex was four times the cost. Part of the reason was that the Borough must address its aging infrastructure. Yesterday is a prime example of the need for us to address our water and sewer system. We have had preliminary numbers of anywhere from \$1 million to \$10 million to deal with those problems. I certainly believe that these should be our primary concern, not a new governmental building. Further, keep in mind that there is debt for the school of \$19 million, another \$6 million from the Borough. Another \$4 or 5 million would then take the debt of the Borough up to \$30 million without even having to address the potential \$1 to 10 million for the repair of our infrastructure.

I believe the single largest challenge of any elected official is to motivate, encourage and excite excel. We are at a major crossroad. I cannot remember when this Borough has seen as much activity as it has in these last four years. Growth in rentals, new homes, improvements to our parks, roads, downtown, stable taxes, all of this comes from hard work. I can confidently challenge anyone to compare this town today with how it was five years ago.

I can honestly say that I have enjoyed working with this council and mayor. To all of you, I say thank you and it has been a pleasure. Sometimes it has not been an easy task. I can assure you that any decision I have made and any votes I have cast were done for the best interest of the overall community.

Now, I am moving on in my career as an elected public service and can no longer serve two masters. Above all else, I enjoyed being a Councilman and enjoyed serving the people of the Borough of South River more than I can express. I will continue to live here and raise my family here as my father had done and my grandfather had done. My door is always open; my phone is always there.

I sincerely thank everyone for all the support I have enjoyed over the years."

Mayor Toto wished Councilman Rafano the best in his career as a Freeholder, hoping that he will win the November election. He explained that Councilman Rafano did a fantastic job for the Borough and should do the same as a Freeholder. He asked for a motion to accept the resignation.

Councilman Szegeti moved to accept Councilman Rafano's resignation.
Councilwoman Balazs seconded the motion.

Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

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

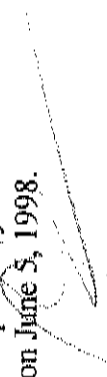
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ADJOURNMENT

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

Respectfully submitted
on June 5, 1998.


Albert M. Seaman
Borough Clerk

Approved at the regular meeting
held on June 10, 1998.

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MAY 28, 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 28, 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, Jones, Krenzel, Szegeti

Councilman Haussermann arrived later in the meeting.

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

MINUTES

The minutes of meeting no. 8 held on April 8, 1998, and meeting no. 9 held on April 22, 1998, were submitted for acceptance or amendment. Councilwoman Balazs moved that the minutes be accepted. Councilman Krenzel seconded the motion. So carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL

The Clerk announced that all active plenary liquor licenses, retail consumption, retail distribution and club, have filed their applications for the renewal for the period of July 1, 1998 to June 30, 1999. He added that pursuant to legal advertisement, this is the date, time and place for the hearing on said renewal.

The Clerk stated that no written objections have been filed concerning the renewal of said licenses.

Mayor Toto opened the hearing to the public for comment. No comments were made. Councilwoman Balazs moved that the hearing be closed. Councilman Jones seconded the motion. So carried. Mayor Toto asked the Clerk to read the following Resolution.

RES. 1998-403

MAY 28, 1998

RESOLUTION GRANTING RENEWAL TO
PLENARY LICENSES IN THE BOROUGH
OF SOUTH RIVER THE PERIOD
JULY 1, 1998 TO JUNE 30, 1999

WHEREAS, the Borough Council of the Borough of South River in the County of Middlesex, New Jersey has received applications for the renewal of Plenary Licenses for the period of July 1st, 1998 until June 30th, 1999; and

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WHEREAS, all said applications filed are completed and are on file in the Office of the Borough Clerk for public inspection; and

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

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

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

PLENARY RETAIL CONSUMPTION LICENSES:

STATE/LOCAL NUMBERS:	HOLDERS:	TRADE NAME
C-5 BROAD C 1223-32-037-008	NEEL & NIRAL CORP. 216 OLD BRIDGE TURNPIKE	NATIONAL WINE AND LIQUOR
C-6 1223-33-006-003	SCHOFF'S INC. 99 WATER ST.	JOHNNIE'S BAR & RESTAURANT
C-8 1223-33-008-003	KNODRON CORPORATION 700 OLD BRIDGE TURNPIKE	BAMBOO GARDENS
C-9 1223-33-021-002	DOLORES A. LAWNICK 32 MAIN STREET	RAMS HEAD TAVERN
C-13 1223-33-034-002	SMITTY'S CABARET INC. 68 JACKSON STREET	SMITTY'S CABARET
C-14 1223-33-024-003	BUDNEY'S INC. 14 WASHINGTON ST.	BUDNEY'S TAVERN
C-15 1223-33-026-001	VERA MESEKA 46 WHITEHEAD AVE.	VERA'S TAVERN
C-19 1223-33-031-003	CHASWAY INC. 183 PROSPECT ST.	PROSPECT TAVERN
C-21 1223-33-004-005	SOUTH RIVER PUB MLB INC. 85 MAIN ST.	NONE ON FILE
C-22 1223-33-039-005	FOZ-LEIRIA INC. 11 JACKSON ST.	PORTUGUESE FISHERMAN
C-23 1223-33-002-005	J.M. NETO INC. 16 WILLIAM ST.	BEST FRIENDS BAR & RESTAURANT

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C-24	EDWIN C. & HENRY A. KOLAKOWSKI	THE CRESTWOOD
C-26	J.J.'S BAR & GRILL, INC 26 REID STREET	J.J.'S BAR & GRILL
C-28	GOLDSTAR BAR INC. 33 WHITEHEAD AVE.	GOLDSTAR BAR
C-30	JOSEPH HAGE 148 OLD BRIDGE TURNPIKE	MY DAD'S PLACE
C-32	SOUTH RIVER PUB MLB INC. 66 MAIN STREET	SOUTH RIVER PUB
C-36	PORTUGUESE VENTURE INC. 25 WHITEHEAD AVE	RIA MAR BAR & RESTAURANT

PLENARY RETAIL DISTRIBUTION

D-1	WITTY'S LIQUORS INC. 478 OLD BRIDGE TPKE.	WITTY'S BUY- RITE LIQUORS
D-2	GEERLING'S WADE INC. 223 WILLIAM ST.	GEERLING'S & WADE INC.
D-3	VIDA INC. 64 JACKSON ST.	EXPRESS LIQUORS
D-4	EUGENE & SONS INC. 49-51 OBERT ST.	OTTO'S LIQUORS

PLENARY CLUBS

CB-3	POLISH FALCONS OF AMERICA NEST 822 INC. 45 FERRY ST.	POLISH POLISH FALCONS OF AMERICA NEST 822
CB-4	COLUMBUS CLUB OF S.R. INC. 88 JACKSON ST.	COLUMBUS CLUB OF SOUTH RIVER
CB-5	SOUTH RIVER LODGE 165 LOYAL ORDER OF THE MOOSE 49 REID ST.	SO. RIVER LODGE 165 LOYAL ORDER
CB-6	LYONS-SCHEPSCO POST 1451 VFW 31 REID ST.	LYONS SCHEPSCO POST 1451 VFW
CB-7	FRANDSEN-LEVANDOWSKI POST 214 AMERICAN LEGION 1 LEGION PLACE	AMERICAN LEGION

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CB-8 1223-31-046-001	SOUTH RIVER LODGE 2033 2033 BPOE 205 MAIN ST.	NONE ON FILE
CB-10 1223-31-048-001	LEVEL CLUB OF S.R. INC. 120 OLD BRIDGE TPKE.	LEVEL CLUB
CB-11 1223-31-054-002	S.R. BOAT CLUB INC. WHITEHEAD AVE. POB 293	S.R. BOAT CLUB
CB-13 1223-31-044-001	BYELORUSSIAN AMERICAN COMMUNITY CENTER 284 WHITEHEAD AVE.	NONE ON FILE
CB-14 1223-31-055-002	S.R. PORTUGUESE CLUB INC. 100 JOHN ST.	S.R. PORTUGUESE CLUB
CB-15 1223-31-058-001	POLISH ARMY VET. ASS'N OF AMERICAN POST #208 INC. 209 WILLIAM ST.	POLISH VETERANS CLUB

Dated: May 28, 1998

/s/ Donna Balazs
Councilwoman

/s/ James Jones
Councilman

ROLL CALL VOTE

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

Note: Councilman Krenzel abstained on license no. 1223-31-045-001 issued to the Columbus Club of South River Inc. and Councilman Szegeti abstained on license no. 1223-31-048-001 issued to the Level Club of South River Inc.

BIDDER PREQUALIFICATION REGULATIONS
WAR MEMORIAL BUILDING

Mayor Toto announced that the Borough is the recipient of a \$210,630 grant from the New Jersey Historic Trust for the rehabilitation of the WAR Memorial Building. He stated that the appearance of the structure is to be returned to the time period when it was built. He explained that the only those contractors who have the experience in this type of work, i.e., rehabilitating historic buildings, will be permitted to submit bids on the repair work. He added that the purpose of this hearing is to solicit input from the public on the proposed qualifications which any bidder must meet. He stated the proposed criteria can be modified to exceed the State's minimum standards.

The Clerk stated that legal advertisement was published in the Home News and Tribune and the Star Ledger newspapers giving notice of this hearing. Mayor Toto opened the hearing to the public for their input.

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MAY 28, 1998

No comments were made. Councilwoman Balazs moved that the hearing be closed. Councilman Szegeti seconded the motion. So carried. Mayor Toto asked the Clerk to read the following Resolution of approval.

RES.1998-404.

MAY 28, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Governing Body does hereby approve the prequalification regulations with respect to the restoration and rehabilitation of the WAR Memorial Building as attached hereto:

DATED: MAY 28, 1998

/s/ John M. Krenzel
Councilman

/s/ James C. Jones
Councilman

ROLL CALL VOTE

YEAS: Balazs, Jones, Krenzel, Szegeti

NAYS: None

ABSENT: Haussermann

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.1998-14.

AN ORDINANCE AMENDING CHAPTER 125, ARTICLE 1 OF
THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER,
ENTITLED "PEDDLING AND SOLICITING".

SECTION 1: WHEREAS, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, that Chapter 125, entitled "Peddling and Soliciting" be amended as follows:

Section 125-14: Hours of Operation

Paragraph A. No commercial soliciting and/or peddling shall be take place on Sundays or other than between the hours of 9:00 a.m. and 5:00 p.m. on weekdays, except by appointment prearranged by the prospective purchaser.

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Paragraph B. Not with standing the above, any non-profit, not for profit, bona fide religious, veterans, civic or charitable organizations, the Rescue Squad and public utility organizations or any other bona fide organization which is exempted from full compliance of this ordinance by Section 125-13 shall be allowed to canvass the Borough between the hours of 9:00 a.m. and 9:00 p.m. on such days as set forth in the request for canvassing.

SECTION 2: All ordinances and parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect upon passage, approval and publication as is required by law.

Mayor Toto opened the hearing to the public for comment. There being no comment, Councilman Krenzel 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 Krenzel moved that the Ordinance be approved and the Clerk authorized to publish same as is required by law. Councilman Szegeti seconded the motion.

Councilman Krenzel questioned why the Council is adopting these changes. Mr. Roselli stated both federal and case law allow charitable organizations to canvass or solicit until 9:00 PM.

Councilman Krenzel asked what do people do who object. Mr. Roselli sated that they can post a sign stating that no solicitation or no solicitation after a certain hour is permitted.

Mayor Toto asked the Clerk to call the roll.

ROLL CALL VOTE

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

COMMUNICATIONS

COMM:1998-57. A letter May 15, 1998, was received from the Middlesex County Human Relations Commission recommending the appointment of Dr. Jacob Kirshner to the South River Human Relations Commission.

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

COMM:1998-58. A letter dated May 13, 1998, was received from Police Chief Francis Eib recommending that Police Sergeant Thomas Karaniewsky be appoint as the Police Department liaison to the Human Relations Commission.

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

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COMM:1998-59. A letter dated April 22, 1998, was received from the New Jersey Public Interest Research Group Citizen Lobby advising that they will be conducting an environmental campaign and membership drive to fight air pollution and protect public health during the period of June 1 to June 30.

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

COMM:1998-60. A letter dated May 19, 1998, was received from the Middlesex County Department of Highways and Bridges advising that Water Street, Reid Street and Prospect Street are to be milled and repaved starting June 5, 1998.

Councilman Krenzel moved that this communication be received and filed. Councilwoman Balazs seconded the motion. Mr. Kolakowski stated that due to a conflict, the work may be delayed. Councilman Krenzel asked if the work is to be done in the future. Mr. Kolakowski stated that notices will be sent to the property owner prior to the start of the work.

COMM:1998-61. A letter dated May 13, 1998, was received from the Middlesex County Freeholders Christopher Rafano asking if the Borough would like to participate in a program of using minimum security inmate trustees supervised by two Correction Officers to bag litter for pick-up at areas designated by the Borough's Public Works Department.

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

COMM:1998-62. A letter dated May 26, 1998, was received from the Police Chief Francis Eib recommending that the application for a solicitor's permit for Craig Ward-Teens Against Drugs/Alcohol not be issued based on erroneous data contained on his application.

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

COMM:1998-63. A letter dated May 27, 1998, was received from Robert C. Rafano, Chairman of the South River Democratic Organization, recommending the appointment of David Sliker, Barbara Jensen and Anthony Ciulla to the unexpired term of Christopher D. Rafano on the Borough Council.

Councilman Szegeti moved that this communication be received and placed on the agenda of the next regular meeting. Councilman Jones seconded the motion. So carried.

RES:1998-405.

MAY 28, 1998

RESOLUTION

I, Thomas J. Toto, Mayor of the Borough of South River do hereby appoint Dr. Jacob Kushner, as a Member of the Human Relations Commission for the term of January 1, 1998 to December 31, 2000.

DATED: May 28, 1998

/s/Thomas J. Toto, Mayor

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Second to motion:

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES. 1998-409

MAY 28, 1998

RESOLUTION

I, Thomas J. Toto, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Charles Powell to the position of Maintenance Man under the Clean Communities Program, effective as of June 1, 1998, and to be paid at the rate of \$8.00 per hour.

DATED: MAY 28, 1998

/s/Thomas J. Toto, Mayor

MOTION TO CONFIRM:

/s/Robert Szegeti
Councilman

SECOND TO MOTION:

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES. 1998-410

MAY 28, 1998

RESOLUTION

WHEREAS, the Borough of South River is desirous of hiring various individuals for the Department of Public Works to be utilized on a temporary, "as needed", part-time basis; and

WHEREAS, various individuals have applied for said positions; and

WHEREAS, the hiring of such persons have been recommended by the Borough Administrator who will regulate the hours and days of work:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the following persons be appointed as temporary, part-time employees at the rate of \$7.50 per hour for the Department of Public Works:

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<u>NAME</u>	<u>POSITION</u>	<u>HIRE DATE</u>
Barbara Zwolinski	Clerk	6-8-1998
Andrea Zelanko	Clerk	6-22-1998

DATED: May 28, 1998

/s/Thomas J. Toto, Mayor

MOTION TO CONFIRM:

/s/Robert Szegeti
Councilman

SECOND TO MOTION:

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES: 1998-411

MAY 28, 1998

RESOLUTION

WHEREAS, the Borough of South River is desirous of hiring various individuals for the Department of Public Works to be utilized on a temporary, "as needed", part-time basis; and

WHEREAS, various individuals have applied for said positions; and

WHEREAS, the hiring of such persons have been recommended by the Borough Administrator who will regulate the hours and days of work:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the following persons be appointed as temporary, part-time employees at the rate of \$7.50 per hour for the Department of Public Works:

<u>NAME</u>	<u>POSITION</u>	<u>HIRE DATE</u>
Jonathan Magaw	Laborer "A"	June 1, 1998
Thomas Alfrey	Laborer "A"	June 1, 1998
Michael Gorman III	Laborer "A"	June 1, 1998
Dan Kaminski	Laborer "A"	June 1, 1998
Chris Wilson	Laborer "A"	June 8, 1998
Robert Alfrey	Laborer "A"	June 8, 1998
Matt Ruzicki	Laborer "A"	June 8, 1998
Jill Johnson	Laborer "A"	June 8, 1998

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Paul Disporto
Matt Jacko

Laborer "A"
Laborer "A"

July 6, 1998
July 6, 1998

BE IT FURTHER RESOLVED that said employment shall terminate on
September 11, 1998.

DATED: MAY 28, 1998

/s/Thomas J. Toto, Mayor

MOTION TO CONFIRM

/s/Robert Szegeti
Councilman

SECOND TO MOTION

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Jones, Krenzel, Szegeti

NAYS: None

ABSENT: Haussermann

RES.1998-412

MAY 28, 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
02-009-16	BOROUGH OF SOUTH RIVER	\$98.68
02-009-16	VICTOR PELAEZ	\$6.22
03-057-08	BOROUGH OF SOUTH RIVER	\$85.83
04-016-06	BOROUGH OF SOUTH RIVER	\$12.68
04-016-06	ELENA MORALES	\$67.33
04-056-02	MITCHELL & HARRIET ARNOLD	\$13.51
04-056-02	BOROUGH OF SOUTH RIVER	\$87.26
08-179-12	ANNETTE CORCORAN	\$54.53
08-179-12	BOROUGH OF SOUTH RIVER	\$50.62
09-029-06	KELLI PIMENTEL	\$52.43
09-029-06	BOROUGH OF SOUTH RIVER	\$50.36
12-188-09	GARY ALLEN BASS	\$91.12
12-188-09	BOROUGH OF SOUTH RIVER	\$10.77
14-012-05	FERNANDO TENDEIRO	\$63.96
14-012-05	BOROUGH OF SOUTH RIVER	\$22.98

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14-047-13	JOSEPH R. CHOATE III	\$76.07
14-047-13	BOROUGH OF SOUTH RIVER	\$10.07
14-191-11	NETA F. GUIMARAES	\$36.79
14-191-11	BOROUGH OF SOUTH RIVER	\$64.44
15-002-06	BOROUGH OF SOUTH RIVER	\$81.75
15-002-38	ROBIN YOCK	\$66.97
15-002-38	BOROUGH OF SOUTH RIVER	\$37.24
16-036-07	BOROUGH OF SOUTH RIVER	\$4.10
16-036-07	HARRY C. JOERGER	\$79.46
16-043-12	GREGORY KUSHNIR	\$86.01
16-043-12	BOROUGH OF SOUTH RIVER	\$17.17
17-081-05	BOROUGH OF SOUTH RIVER	\$100.83
18-104-13	BOROUGH OF SOUTH RIVER	\$18.22
18-104-13	ANTHONY CUSUMANO	\$86.10
19-008-05	BOROUGH OF SOUTH RIVER	\$83.41
21-084-09	BOROUGH OF SOUTH RIVER	\$16.99
21-084-09	LISA J. RATCLIFFE	\$86.39
21-170-15	BOROUGH OF SOUTH RIVER	\$33.01
21-170-15	OMAR RUIZ	\$72.32
23-030-14	BOROUGH OF SOUTH RIVER	\$103.39
24-046-02	BOROUGH OF SOUTH RIVER	\$101.10
24-081-05	BOROUGH OF SOUTH RIVER	\$40.85
24-081-05	ALADAR MOLNAR	\$50.35
26-032-11	BOROUGH OF SOUTH RIVER	\$26.29
26-032-11	S.M. PENDHARKAR	\$77.46
26-035-12	ROBERT RUALES	\$91.04
26-035-12	BOROUGH OF SOUTH RIVER	\$14.70
26-053-06	MARIA LUCIA ALVES	\$51.84
26-053-06	BOROUGH OF SOUTH RIVER	\$28.26
26-124-14	DAVID A. KENNEDY	\$70.51
26-124-14	BOROUGH OF SOUTH RIVER	\$31.96
26-208-15	BOROUGH OF SOUTH RIVER	\$23.15
26-208-15	JIANPING ZHANG	\$77.85
26-245-14	ETELA HELMECZI	\$77.75
26-245-14	BOROUGH OF SOUTH RIVER	\$24.03
26-246-15	VIOLETTA MARCISZ	\$95.07
26-246-15	BOROUGH OF SOUTH RIVER	\$9.60
26-272-18	BOROUGH OF SOUTH RIVER	\$101.53
26-272-18	MIREYA ZARAZUA	\$0.54

Total		\$2,922.89
Consumer Deposits	\$2,775.00	
Interest	\$147.89	

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

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ROLL CALL VOTE

YEAS: Balazs, Jones, Krenzel, Szegeti

NAYS: None

ABSENT: Haussermann

RES:1998-413

MAY 28, 1998

RESOLUTION

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

WHEREAS, the collector recommends these change 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
ROBERT CERTO C/O WEINER & WEINER 197 RT 18 SUITE 3000 EAST BRUNSWICK, N.J. 08816 BLOCK 98/ LOT 1	OVERPAYMENT	REFUND	1998	\$624.96
BRIAN KRIZNER C/O PHILIP BOROW, ESQ 24 KIRKPATRICK ST P.O.BOX 1844 NEW BRUNSWICK, N.J. 08903 BLOCK 101/ LOT 1	OVERPAYMENT	REFUND	1998	\$329.76
GE CAPITAL MORTGAGE SERVICES 8435 STEMMONS FREEWAY DALLAS, TEXAS 75247 BLOCK 166/ LOT 24.1	OVERPAYMENT	REFUND	1998	\$747.04
PRESENDELL SYLVAIN, PIERRE & GERTRUDE ALPHE 67 MORINGSIDE AVE SOUTH RIVER, N.J. 08882 BLOCK 201/ LOT 6	OVERPAYMENT	REFUND	1998	\$1,096.48
JOHN & ANNE MARIE MAMBAK 57 NEW ST SOUTH RIVER, N.J. 08882 BLOCK 224/ LOT 4	OVERPAYMENT	REFUND	1998	\$990.08
JOHN & ANNE MARIE MAMBAK 57 NEW ST SOUTH RIVER, N.J. 08882 BLOCK 224/ LOT 4	OVERPAYMENT, INTEREST	REFUND	1998	\$10.78
JOHN & JULIE L. FERRO C/O CHRISTOPHER RAFANO, ESQ. 129 MAIN ST SOUTH RIVER, N.J. 08882 BLOCK 275 / LOT 3	OVERPAYMENT	REFUND	1998	\$1,079.68
JIKANG WANG & LI YANG C/O TRI STATE TITLE AGENCY 87 PARK ST MONTCLAIR, N.J. 07042 BLOCK 354 / LOT 1.13	OVERPAYMENT	REFUND	1998	\$1,457.12

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JOSEPH KELLY & DOROTHY BURKE 45 HERITAGE DR SOUTH RIVER, N.J. 08882 BLOCK 354.2/ LOT 7	OVERPAYMENT	REFUND	1998	\$1,462.72
ERNST & MARIE D. MARCELIN 16 CONTINENTAL COURT SOUTH RIVER, N.J. 08882 BLOCK 354.2 / LOT 11	OVERPAYMENT	REFUND	1998	\$1,724.80
SANDRA H.V. BREDWOOD 22 CONTINENTAL COURT SOUTH RIVER, N.J. 08882 BLOCK 354.2/ LOT 14	OVERPAYMENT	REFUND	1998	\$1,548.07
GENNADY & TATIANA KROLIK 7 SAMUEL DR SOUTH RIVER, N.J. 08882 BLOCK 366/ LOT 1.2	OVERPAYMENT	REFUND	1998	\$339.52
JANUSZ BUCZEK BLOCK 103/ LOT 7	OVERPAYMENT	CANCEL	1998	\$0.01
MICHAEL SCHUBIGER BLOCK 367/ LOT 1.9	OVERPAYMENT	CANCEL	1998	\$0.30
TOTAL:				\$11,631.32

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-414

MAY 28, 1998

RESOLUTION

WHEREAS, New Jersey Public Interest Research Group Citizen Lobby (NJPIRG) is a non-profit organization; and

WHEREAS, NJPIRG located at 11 North Willow Street, Trenton, New Jersey has requested permission to solicit donations to protect public health and fight air pollution.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that NJPIRG is hereby granted permission to solicit donations between June 1, 19898 and June 30, 1998 upon the following conditions:

1. An authorized representative, advise the South River Police Department of the dates on which said representatives of NJPIRG will be in South River to solicit.
2. Said solicitation is to be done between the hours of 4:00 pm and 9:00 pm Monday through Friday as requested.

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- 3. The names and addresses along with a description of each solicitor be provided to the South River Police department.
- 4. Each solicitor conspicuously wear or display some type of identification indicating that said individual is a solicitor of NJPIRG.
- 5. A sample of said identification be provided to the South River Police Department.
- 6. An authorized representative advise the South River Police Department that said solicitation is completed.

DATED: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

~~RES.1998-415~~

MAY 28, 1998

RESOLUTION

WHEREAS, WSRB Inc. has requested the release of their cash performance bonds posted for Lots 1.6, 1.7 and 1.8 in Block 366, Lot 1.17 in Block 367 and Lots 3 and 6 in Block 367.1; and

WHEREAS, the Borough Engineer has inspected the said sites and determined that all the site work has been performed and the punch list items corrected; and

WHEREAS, the Borough Engineer has recommended the release of said performance bonds:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the cash performance bonds posted by WSRB Inc. be released.

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

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RES:1998-416

MAY 28, 1998

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the Borough Engineer is authorized to prepare and submit grant applications to the New Jersey Department of Transportation pursuant to the New Jersey Trust Act (Municipal Aid Program) for the following project, prioritized in the manner indicated:

ROADS:

1. Division Street from Willett Avenue to Whitehead Avenue
2. Willett Avenue from Railroad Tracks to Willett Lane

SIDEWALKS:

1. Whitehead Avenue from Wojie Way to Kamm Avenue

DATED: May 28, 1998

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-417

MAY 28, 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 prepare the plans, specifications and bidding documents and to advertise and receive bids and make recommendations for the 1998 Roadway Program within the Borough of South River.

DATED: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

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MAY 28, 1998

ROLL CALL VOTE

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

RES:1998-418

MAY 28, 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 Architect's contract amendment for the War Memorial Building Rehabilitation Project.

Dated: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-419

MAY 28, 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 agreement with respect to the Public Power Association of New Jersey.

Dated: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-420

MAY 28, 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 New Jersey Department of Law and Public Safety Guidelines for implementation of P.L. 1987 c. 387 and report with respect thereto.

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Dated: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-421

MAY 28, 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 authorized to amend the Borough Ordinance with respect to handicapped parking to add additional handicapped spaces on Beryl Street and Milton Avenue.

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-422

MAY 28, 1998

RESOLUTION

WHEREAS, the Borough of South River, Department of Health has been advised of a possible public health violation located at 97 Willett Avenue; and

Upon receiving said information, the Department of Public Health inspected said property and determined that said property was in violation of South River Borough Ordinance Chapter 151, Article I, Section 2 requiring property owners to cut and remove all overgrown vegetation from vacant lots; and

Upon inspection, a written notification was forwarded to the property owner, Alice Blackwell, advising that all overgrown vegetation be removed and said property be maintained thereafter and if said is not completed in a timely manner, the Borough of South River would do the same and place a lien on said property; and

To date, no action has been taken by the landlord and the Department of Health is requesting that the Borough of South River cut and remove all overgrown vegetation.

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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 Business Administrator is authorize to direct the appropriate Borough employees to cut and remove all overgrown grass, weeds, and vegetation from the vacant lot located at 97 Willett Avenue in the Borough of South River, known as Block 268, Lot 1.1;

BE IT FURTHER RESOLVED that the Business Administrator is to determine the Borough's cost for the same and upon determining such report to the governing body with a request to allow a lien to be placed on the property reimbursing all Borough costs.

May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

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

RES.1998-423

MAY 28, 1998

RESOLUTION

WHEREAS, the Borough of South River requires all individuals wishing to solicit within the Borough of South River to apply for a license prior to beginning any solicitation; and

On or about May 7, 1998, Craig A. Ward/Teens Against Drugs and Alcohol, Inc. located at 26 New Arnwell Road, Somerville, New Jersey applied for said license; and

WHEREAS, upon investigating said individual and his application, it became apparent that said applicant did have a criminal record, specifically, convictions of grand larceny and possession of cocaine; and

It also became apparent that said applicant was previously granted a solicitors license in the Borough of South River in 1997 and said license was revoked on March 7, 1997 due to the fact that it was reported to the South River Police by the East Brunswick Police that Mr. Ward's permit in East Brunswick was denied for misleading information and discrepancies in his application; and

WHEREAS, the South River Police Department has recommended against the granting of this license due to the applicant's character being unsatisfactory.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application for a permit and license for solicitation by Craig A. Ward/Teens Against Drugs and Alcohol, Inc. is hereby denied for the reasons set forth above.

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May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-424

MAY 28, 1998

TEMPORARY EMERGENCY RESOLUTION #2

WHEREAS, an emergent condition has arisen with respect to the Municipal Budget of the Borough of South River, and no adequate provision has been made in the 1998 Temporary Budget for the said purpose, and N.J.S. 40a:4-20 provides for the creation of the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 1998 pursuant to the provisions of Chapter 96, P.L.1951(N.J.S. 40A:4-20) including this resolution total:

Water Utility	\$ 687,400.00
Electric Utility	\$2,140,000.00
Current Fund	\$3,567,044.04

NOW, THEREFORE BE IT RESOLVED, by not less than two-thirds of all the members thereof affirmatively concurring, that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the months of June, July, August and September as shown below in the amounts of:

Water Utility	\$ 325,700.00
Electric Utility	\$1,035,000.00
Current Fund	\$1,535,600.00

2. That said emergency temporary appropriation will be provided for in the 1998 Budget as described as follows:

WATER UTILITY

<u>DEPARTMENT</u>	<u>DEPARTMENT</u>	<u>EMERGENCY</u>
<u>NUMBERS</u>	<u>NUMBERS</u>	<u>#2</u>

<u>OPERATING:</u>		
SALARIES	505	\$ 85,000.00
OPERATING EXP		\$ 40,000.00
OFFICE EXPENSE	510	\$ 10,000.00
PURCHASE OF		

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WATER	515	\$ 110,000.00
INSURANCE OE	517	\$ 50,000.00
PROF. SVCS. OE	518	\$ 7,000.00

CAPITAL OUTLAY	525	\$ -
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BOND PRINCIPAL	530	
BOND INTEREST	535	\$ 15,000.00

STATUTORY:		
SOC. SECURITY	550	\$ 7,000.00
P.E.R.S.	555	
UNEMPLOYMENT	560	\$ 1,700.00
TOTAL		\$ 325,700.00

ELECTRIC UTILITY

OPERATING:	605	
SALARIES		\$ 175,000.00
OTHER EXPENSE		\$ 80,000.00
OFF. EXP/ADMIN.	610	\$ 25,000.00
PURCHASE OF		
POWER	615	\$ 650,000.00
INSURANCE OE	617	\$ 70,000.00
PROF. SVCS. OE	618	\$ 20,000.00

CAPITAL OUTLAY	620	\$ -
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BOND PRINCIPAL	630	
BOND INTEREST	635	

STATUTORY:		
SOC. SECURITY	650	\$ 12,000.00
P.E.R.S	655	
UNEMPLOYMENT	660	\$ 3,000.00
TOTAL		\$ 1,035,000.00

CURRENT FUND

ADM. & EXEC.	5	
SALARIES		\$ 12,000.00
OTHER EXP.		\$ 2,000.00

CLERK	10	
SALARIES		\$ 30,000.00

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BOARD OF ADJUST.	75	
SALARIES		\$ 1,000.00
OTHER EXP.		\$ 1,000.00
SHADE TREE COMM.	78	
OTHER EXP.		
ECON. DEV. COMM.	80	
OTHER EXP.		
ENVIRON. COMM.	90	
OTHER EXP.		
INSURANCE:		
SURETY BOND	95	
WORKERS COMP.	96	\$ 10,000.00
HEALTH BENEFITS	97	\$ 75,000.00
OTHER	98	\$ 20,000.00
FIRE:		
FIRE PREVENTION	100	
OTHER EXP.		
FIRE DEPT.	105	
OTHER EXP.		\$ 15,000.00
FIRE PROTECTION	110	
SALARIES		\$ 8,000.00
OTHER EXP.		\$ 1,500.00
PURCHASE OF VEHICLE	112	\$ 27,000.00
POLICE	115	
SALARIES		\$ 350,000.00
OTHER EXP.		\$ 10,000.00
POLICE VEHICLES	116	
SPECIAL POLICE	120	
SALARIES		\$ 2,000.00
OTHER EXP.		
CROSSING GUARDS	130	
SALARIES		\$ 10,000.00
OTHER EXP.		
JUVENILE CONF.	135	
OTHER EXP.		
FIRST AID SQUAD	140	

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OTHER EXP.		
EMERGENCY MGMT.	145	
SALARIES		
OTHER EXP.		\$ 1,000.00
STREETS:	150	
ROAD REPAIR		
SALARIES		\$ 65,000.00
OTHER EXP.		\$ 20,000.00
SANITATION	155	
SALARIES		\$ 200,000.00
OTHER EXP.		\$ 15,000.00
SEWER DEPT.	160	
SALARIES		\$ 30,000.00
OTHER EXP.		\$ 25,000.00
LANDFILL	165	
OTHER EXP.		\$ 60,000.00
STREET CLEANING	170	
SALARIES		\$ 13,000.00
OTHER EXP.		
BOARD OF HEALTH	180	
SALARIES		\$ 1,300.00
OTHER EXP.		\$ 2,500.00
COUNTY CONTRACT	185	\$ 20,000.00
VISITING NURSES	190	
OTHER EXP.		
ANIMAL CONTROL	195	
SALARIES		
OTHER EXP.		\$ 4,000.00
PUBLIC ASSISTANCE	196	
SALARIES		
OTHER EXP.		
OFFICE ON AGING	200	
SALARIES		\$ 9,000.00
OTHER EXP.		\$ 1,000.00
RECREATION:	215	

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SALARIES

OTHER EXP.

\$ 15,000.00

\$ 12,000.00

PARKS DEPT.

SALARIES

OTHER EXP.

216

\$ 20,000.00

\$ 5,000.00

CELEBRATION OF
PUB. EVENTS:

FIREWORKS

MEMOR. DAY

SENIOR PICNIC

CHRISTMAS

ST. FAIR

SALARIES & WAGES

OTHER EXPENSES

KIDDIE KEEPPWELL

219

220

221

222

223

218

CULTURAL HERITAGE

OTHER EXP.

224

\$ 300.00

PAPER RECYCLING

SALARIES

OTHER EXP.

225

\$ -

\$ 2,500.00

HUMAN RELATIONS

OTHER EXP.

230

GRANT SEARCH

OTHER EXP.

232

CONSTRUCTION

SALARIES

OTHER EXP.

235

\$ 28,000.00

\$ 10,000.00

UNCLASSIFIED

GASOLINE

POSTAGE

HEATING OIL

TELEPHONE

240

245

250

255

\$ 11,000.00

\$ 5,000.00

\$ 2,000.00

\$ 10,000.00

CONTINGENT

260

\$ -

DEFERED CHARGES

PRIOR YR. GRANTS

265

\$ -

STATUTORY

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P.F.R.S.	270	\$	-
P.F.R.S.	275	\$	-
SOCIAL SECURITY	280	\$	50,000.00
C.P.F.P.F.	285	\$	-
UNEMPLOYMENT	290	\$	5,000.00

TOTAL WITHIN
CAPS \$1,339,600.00

EXCLUDED
FROM "CAPS"

COURT	300		
SALARIES		\$	25,000.00
OTHER EXP.		\$	2,000.00

SEWER CONTRACT	305	\$	80,000.00
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AID TO LIBRARY OTHER EXP.	310	\$	60,000.00
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FIRE (O.S.H.A.) OTHER EXP.	315		
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HEPATITIS B. OTHER EXP.	320		
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MCIA RECYCLING OTHER EXP.	323	\$	25,000.00
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MUNICIPAL ALLIANCE GRANT	325	\$	4,000.00
BORO MATCH	326	\$	-

CLEAN COMM.	330		
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RECYCLING: STATE GRANT	340		
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OFFICE ON AGING GNT. SALARIES	350		
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COPS FAST GRANT S&W	365		
BOROUGH MATCH	366		

SAFE HSNG	370		
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D.D.E.F.	375	
ALCOHOL ED	376	
RESV. FRM TEXAS AM	380	
RESV. PISTOL RANGE	381	
COPS MORE GRANT	385	
BOROUGH MATCH	386	
DEF. CHGS. 1997 EMERGENCY	395	
CAP. IMP. FUND	400	
BOND PRINCIPAL	405	\$ -
BOND INTEREST	410	\$ -
B.A.N. INTEREST	415	\$ -
B.A.N. PRINCIPAL	420	\$ -
MCIA LEASE	425	\$ -
SALE OF ASTS	430	\$ -
TOTAL EXCL. FROM "CAPS"		\$ 196,000.00
OPERATIONS		\$ 1,535,600.00
R. U. T.	\$ -	
GRAND TOTAL		\$ 1,535,600.00

3. That certified copies of this resolution be filed with the Director of the Division of Local Government Services, and the Borough Auditor.

Dated: May 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

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

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MAY 28, 1998

RES:1998-425.

MAY 28, 1998

RESOLUTION

WHEREAS, the Borough's architect, Herbert J. Githens, in his correspondence dated April 28, 1998, has advised the Mayor and Council of the Borough of South River that the project known as the Rehabilitation of the WAR Memorial Building has been completed; and

WHEREAS, the Borough's architect has recommended to the Governing Body that the work on the above-referenced project be accepted; and

WHEREAS, the Borough's architect has recommended to the Governing Body approval of Change Order No. 1 in the amount of \$1,290.00 and Final Payment for the work on the above-referenced project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that Change Order No. 1 and Final Payment on the above-referenced project in the amount of \$11,943.10, to L.G. II Co. Inc. subject to the posting of a one-year maintenance bond in the amount of \$56,521.00 be it and the same is hereby approved.

DATED: MAY 28, 1998

/s/Robert Szegeti
Councilman

/s/Donna Balazs
Councilwoman

ROLL CALL VOTE

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

RES:1998-426

MAY 28, 1998

RESOLUTION

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 execute the Rider to Contract between the Borough of South River and Herbert J. Githens, Architect with respect to the stabilization, rehabilitation, restoration and conservation of the War Memorial Building.

DATED: May 28, 1998

/s/ John Krenzel
Councilman

/s/ Donna Balazs
Councilwoman

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Councilman Krenzel asked why the additional funds. Mr. Kolakowski stated they are needed for preparation of the revised plan and rebidding process. Councilman Krenzel asked if the last bids were over the amount of funds available. Mr. Kolakowski stated that a certain amount of work was done in order to keep the Borough from losing the grant application. He added that the kitchenette and upstairs bathroom were eliminated. He explained that certain non-historical work was removed from that part of the contract in order to achieve a lower price for it. He added that a few items were made as options.

Councilman Krenzel asked where will these additional funds come from. Mr. Kolakowski stated from our share and the grant. Mayor Toto stated he has a question as to this additional architectural fee, asking if Mr. Githens specializes in this type of work. He asked for an explanation of the fee to see if it is justified. Councilman Szegeti stated Mr. Githens should be able to justify it. Mr. Kolakowski stated he will contact Mr. Githens tomorrow for a breakdown.

ROLL CALL VOTE

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

RAFFLE LICENSE

RL-998. An application was filed by Corpus Christi Church to hold off-premise cash raffles on the last Thursday of each month for the second half of the year of 1998 in the church basement.

Councilman Szegeti moved that the license be granted. Councilwoman Balazs seconded the motion. So carried.

ORDINANCES-FIRST READING BY TITLE ONLY

ORD:1998-15.

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT
OF VARIOUS SIDEWALKS AND CURBS, BY AND IN THE
BOROUGH OF SOUTH RIVER, IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING
\$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$380,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.

Councilman Krenzel 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 June 10 1998, at 8:00 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilman Szegeti seconded the motion.

ROLL CALL VOTE

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

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MAY 28, 1998

ORD:1998-16.

BOND ORDINANCE PROVIDING FOR THE
REHABILITATION OF WELL NUMBER 2 BY THE WATER
UTILITY, IN, OF AND BY THE BOROUGH OF SOUTH
RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF
NEW JERSEY; APPROPRIATING \$125,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$125,000 BONDS
OR NOTES TO FINANCE THE COST THEREOF

Councilman Krenzel 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 June 10 1998, at 8:01 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilman Szegeti seconded the motion.

ROLL CALL VOTE

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

ORD:1998-17.

BOND ORDINANCE PROVIDING FOR VARIOUS 1998 CAPITAL
IMPROVEMENTS BY AND FOR THE BOROUGH OF SOUTH RIVER,
IN THE COUNTY OF MIDDLESEX, THE STATE OF NEW JERSEY;
APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$1,330,000 BONDS OR NOTES TO FINANCE
PART OF THE COST THEREOF

Councilman Szegeti 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 June 10 1998, at 8:02 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilman Jones seconded the motion.

ROLL CALL VOTE

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

ORD:1998-18.

AN ORDINANCE AMENDING CHAPTER 93
ENTITLED "ELECTRICAL CONNECTIONS"
OF THE BOROUGH OF SOUTH RIVER.

Councilman Krenzel 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 June 10 1998, at 8:03 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilman Szegeti seconded the motion.

ROLL CALL VOTE

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

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ORD:1998-19.

AN ORDINANCE TO AMEND SECTION 193-31.1, SCHEDULE IIA
ENTITLED "HANDICAPPED PARKING" IN THE BOROUGH CODE
OF THE BOROUGH OF SOUTH RIVER.

Councilman Krenzel 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 June 10 1998, at 8:04 PM or soon thereafter when called in the South River High School at 15 Montgomery Street. Councilman Szegeti seconded the motion.

ROLL CALL VOTE

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

BILLS ORDERED PAID

RES:1998-427

MAY 28, 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.

ACTION TERMITE & PEST CONTROL	120.00
A & J CONSTRUCTION	4772.39
ACTION PEST CONTROL	120.00
AIR BRAKE EXCHANGE	134.49
ALVAREZ PLUMBING & HEATING	402.82
APPROVED RESTORATION SERVICES	501.66
AT&T	111.74
BACA, REGINA E.	165.00
BETTS & HOLT	2335.93
BENEDETTI WOODWORKING CO.,INC.	2500.00
BLUE CROSS/BLUE SHIELD OF N.J.	18865.20
BRUNSWICK SUPPLY CO.	161.70
BUS BODY WORKS INC	86.63
CAMPBELL FOUNDRY CO	130.00
CENTRAL JERSEY SECURITY	1841.60
COMCAST CELLULAR C/A	86.87
CME ASSOCIATES, ESP	23358.75
CONTINENTAL FIRE & SAFETY INC.	9929.70
COPPA'S TOWING	45.00
D'AMICO LINCOLN-MERCURY, INC.	131.00
DURO TEST	191.93
TWNSP OF EAST BRUNSWICK	58330.88
EDMUNDS & ASSOCIATES	6024.00
EPSTEIN, FELICITY V.	70.00
FERRO, MARIO	1000.00
FLEET FINANCIAL	250.00
FORT DEARBORN LIFE INS. CO.	1649.78

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GASKO	145.94
GLOBAL COMPUTER SUPPLIES	1214.85
HOME NEWS TRIBUNE	780.04
JET VAC INC.	123.38
JOHN'S INC.	794.50
KELLY'S CAB CO.	1016.00
KENNEDY, LORRAINE	100.00
NOBLOCK AUTO BODY	50.00
KOLAKOWSKI, CHARLES	145.76
L.G. II CO. INC.	11943.30
MATTY'S AUTO PARTS INC.	709.75
MIDDLESEX WELDING SALES	31.60
MICHAELSONS	80.00
MIRACLE CHEMICAL CO.	508.00
M.K. FIRE TRUCK REPAIR INC.	885.70
MOTO PHOTO	61.76
NAT'L FIRE PROTECTION ASSN.	450.00
NEW YORK YANKEES	1040.00
ST. OF N.J.DIV. OF PENSION	42123.76
NEW JERSEY LABORATORIES	250.00
NORCIA CORP.	1025.43
NOTO, THOMAS J., P.E.	8350.00
ONE CALL SYSTEMS INC	36.75
PASSONS SPORTS	279.00
PROJECT GRADUATION C/O DEVLIN	500.00
PUBLIC SERVICE ELECTRIC & GAS	191.38
QUALITY ELECT MOTOR	50.00
QUALITY COPIERS INC.	140.00
RADIO EXCHANGE	35.00
V.E. RALPH & SON INC.	351.08
RAYCO	395.00
RIVERSIDE SUPPLY CO.	676.24
ROSELLI, THOMAS C., ESQ.	3885.50
S&B ELECTRIC INC.	975.00
A.SCHMIDT & SONS, INC.	3850.00
SEELY EQUIPMENT COMPANY	1422.00
GREATER MEDIA NEWSPAPER	150.00
SERVON	707.50
SLIKER, DAVID	179.10
SMITH OF GALETON GLOVES, INC.	444.10
SO RIVER TRUSTEES	9500.00
S.RIVER BOROUGH PAYROLL ACCT.	365802.07
STAR LEDGER	28.50
SOUTH RIVER GLASS	650.00
SYSTEM OFFICE PRODUCTS INC.	145.00
TAYLOR OIL CO. INC.	2460.13
THOMPSON PUBLISHING GROUP	275.00
TOWN SUB SHOP	75.00
TOWER CLEANING SYSTEMS	864.00
TRYGAR & SONS HARDWARE	551.98
USA BLUE BOOK	315.72
USHER PUBLISHING CO	67.50
VANMETER & ASSOC INC.	95.00
VARELA, SANTOS	85.00
WEST GROUP	110.00

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DATED: MAY 28, 1998

/s/ Robert Szegei
Councilman

/s/ Donna Balazs
Councilwoman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Szegei
NAYS: None

PUBLIC COMMENTS

John Mamrak of 57 New Street asked what is the status of the request to fund Project Act Now. Mayor Toto stated that funding is included in the proposed 1998 municipal budget.

Mr. Mamrak asked who is the new Chairman of the Council Finance Committee. Councilman Szegei stated the current position is vacant and may be filled at the next meeting after the new Councilmember is appointed.

Mr. Mamrak asked as to how much revenue has the Public Defender generated. Mr. Kolakowski stated the Court has not provide the requested information.

Mr. Mamrak stated that New Street never was entirely paved last year. He asked if it will ever be. Mr. Kolakowski stated each year we assess our roads to determine which ones are to be repaved, adding many are in worse shape than New Street.

Mr. Mamrak asked what does Ordinance 1998-17 include. Mr. Kolakowski stated that the Ordinance includes the purchase of a sewer jet, tractor, sanitation truck body, recreation equipment, and real property known as 3 Causeway; the renovation of Tile Yard and Jackson Street Sewer Pumping Stations and existing park facilities; removal of underground storage tanks and repaving of various streets.

Mr. Mamrak stated that the WAR Memorial Building is suppose to be brought back to its original condition and he is hearing horror stories as to current condition. He asked the Governing Body to re-examine its commitment to rehabilitate this building. Mr. Kolakowski stated we don't have any choice, explaining that the building is on the historic register and we have a signed agreement with the State that we will do it. Mr. Mamrak stated that the costs are escalating. Mr. Kolakowski stated we are reducing them.

Councilman Haussermann stated we will be going out for bids in July so we should have more information. Mr. Mamrak asked what will happen if the bids are higher than the allocation. Councilman Haussermann stated we want to go ahead with this project and we are currently seeking additional funding.

Mr. Mamrak stated at a workshop in January 1997, various options were discussed as to our municipal buildings. He stated there were three options, one being the renovation of Lincoln School with an addition for \$1,162,000 and now the remodeling of 61 Main Street is \$1,100,000. Councilman Haussermann stated that the original estimate was \$800,000 so one can anticipate that the other costs have also gone up.

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Mr. Mamrak asked what are the costs for relocating the police and court. Councilman Haussermann stated we are still looking at different options. Mr. Mamrak asked what is the cost for relocating the communication system. Mr. Kolakowski stated it is estimated to be \$40,000 and if we use the Middle School, the cost could be lower. Mr. Mamrak asked if the cost includes relocating the system to 61 Main Street. Mr. Kolakowski stated that this expense is included in the complete rewiring of the building and is part of the construction estimate.

Mr. Mamrak stated that four options were discussed and nothing has been decided. Councilman Haussermann stated that he hopes to have a report for the next business meeting. Mr. Mamrak stated that costs continue to escalate and no ground has been broken. He added that he gets a little information each time but not the entire answer. Councilman Haussermann stated we do not have the bottom line numbers you are seeking and we are still discussing options.

Mayor Toto stated that we should move on to other business since we don't have any clue as to what the renovations are going to cost. Councilman Haussermann stated the mayor has received all the information we have.

Frank Enerson of 133 Kamm Avenue asked that certain Borough owned property be developed as park land with nature walking trails. He asked that this property be designated as open space to prevent development. He added that we don't need more housing. Councilman Szegeti asked if it can be done. Mr. Roselli stated he will need to research the matter.

Councilman Jones stated that the Public Library did discuss this issue at their last meeting and they agreed with the concept, including developing an area for children library activities. Councilman Szegeti stated that that we will discuss at our next business meeting as to having our attorney research how we can dedicate this property as open space.

Ron Krussis of 29 Colin Drive handed a copy of a letter written by Jack Stapleton of East Brunswick to the Governing Body for them to read at their leisure. He asked if the Borough Attorney found out anything about the East Brunswick Resolution. Mr. Roselli stated that he sent a letter to the Mayor and Council of East Brunswick asking for a response. He added that he made the same request to the South River Planning Board. He hoped there would be an answer by next week.

Mr. Krussis stated that in a recent news article the Franklin Township Board rejected a residential development because of a road that would have been cut thought and the cost for municipal services. He added that our Planning Board told us that they could not reject it for such reasons for it would be against the law or court decisions.

Mr. Krussis stated that Ms. Bingert and her husband reviewed the Planning Board minutes back to 1993 and in the Cyktor application, Mr. Stapleton was pushing for the opening of Colin Drive. He added that this issue appears to be going on for many years and it seems no one from his area knew anything about it.

Mayor Toto stated that Mr. Krussis wants to know if the Planning Board has made any deals with the East Brunswick Governing Body. He explained they have not. Mr. Krussis stated that we pay taxes and it appears that what East Brunswick wants they get even if it hurts us. He added we should get what we want.

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Terry Wright of 10 Frandsen Avenue asked the Governing Body to substantiate the cost of their building proposals, adding that his proposal will cost three million dollars. He stated that from one of three Buildings and Grounds Committee meetings, the data provided was that a new municipal building would cost \$3,150,00 if the existing buildings were sold. He explained that this estimate falls in line with what he has been stating.

Mr. Wright questioned why is the Borough Council steaming ahead with renovating the old buildings and not placing the issue on the November ballot for the public to decide. He added that the people he has spoke with all favor a new building. Mayor Toto agreed that the people should decide.

Joseph Zemaitis of 21 Terry Avenue complained that the public can not hear what is being said due to the noise from air conditioning units. He asked that something be done. He asked what is the hourly rate charged by the architect, Mr. Githens. Mr. Kolakowski stated it is about \$100.00. Mr. Zemaitis stated that the process would take 92 hours. Mr. Kolakowski stated that is correct due to the added requirements of law in which the State exercises a great deal of control.

Mr. Zemaitis stated that the Council does not have the necessary information to make an informed decision as to the buildings. He suggested that the Governing Body cut is losses and convene a special committee to determine what the real needs are. He accused the elected officials of making a decision not to spend money in order to be elected.

Councilman Haussermann stated that Mr. Zemaitis was not involved from the beginning and some people want to make it seem that the Council is rushing this matter through without any serious consideration what should be done. He explained that the process was started in 1996 by Councilman Vaughn. He added that more than seven meetings were held including a public forum. He added then a decision was made. Mr. Zemaitis stated that some are concerned with the costs only, adding that more space needs to be provided. He asked that the Governing Body reconsider its decision to renovate.

Mayor Toto stated he agrees with Mr. Zemaitis and asked that a workshop be held on this issue. He added that we are not solving anything at these meetings. Councilman Krenzel intoned that there originally was a plan which has gone astray while the costs have escalated.

Eric Waskmunki of 31 Florence Street stated that the employees are feeling frustrated because the talking stage has lasted over two years without having a plan and nothing is getting done. He cited the request for a new ambulance from the Rescue Squad as an example.

Mr. Waskmunki stated we may not agree with the decision but the Governing Body should have a plan of action so we can get answers to the questions that we are asking.

John Mamrak stated that the only figures that were given to him were estimates of the construction cost and not the relocation costs. He added he wants to know what the bottom line will be.

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John Adamusik of 3 Mitchell Avenue stated he wants the people of South River to know that the Rescue Squad is working with the Borough Council to develop the specifications for a new ambulance. He added that the Squad will hold a car wash on June 6th from 9 AM to 5 PM with the proceeds to be used for the Squad's operations.

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

COUNCIL COMMENTS

Councilman Krenzel stated it appears that we will be starting all over again to make a decision as to what will be done with our buildings. He added that the Public Safety Committee will have a meeting on June 2nd at 7 PM in the Police Headquarters to discuss the new ambulance.

Councilman Krenzel congratulated Art Londensky for being chosen as the outstanding New Jersey State Fire Official for the year of 1998.

Councilman Krenzel stated we have amended our solicitation ordinance which now complies with federal court decisions permitting firms to knock on your door until 9 PM. He explained that the only way to prevent it is to have a sign posted saying 'no soliciting' or "no soliciting after a certain hour". He added that everyone should contribute the Rescue Squad fund drive.

Councilman Jones stated the cost estimates for the curb and sidewalk program were sent out today and any questions are to be directed to the Borough Administrator. He stated that Sergeant Karaniewsky will be attend a seminar on the 2000 census on June 15th. He recommended that Debbie Shaluha be allowed to attend.

Councilman Jones asked all residents to contribute to the annual fund drive by the local Rescue Squad.

Councilman Szegeti stated there was a fire today and one store was totally demolished while the adjoining stores had some smoke damage but are operating. He added that he attended the DARE graduating ceremonies at Corpus Christi School today. He explained that another program was started by the police department called Officer Phil for children in kindergarten through fifth grade to instruct them not to talk to strangers.

Councilman Szegeti stated the police bike patrol participated in the Memorial Day parade and many people saw them for the first time.

Councilwoman Balazs stated that 225 children participated in the May 16th PBA fishing tournament at Daley's Pond. She added that 150 trout were placed in to the pond before the start of the tournament.

Mayor Toto stated he attended a meeting of the New Jersey Alliance for Action, which has over 600 members from the business community. He explained that this group is dedicated to improving the quality of life in New Jersey and they support the gas tax which is needed to improve our transportation system and purchase property for open space preservation.

Mayor Toto read a letter from Debbie Zeiman thanking the Governing Body for its support of the Girl Scouts in their tree planting project.

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Mayor Toto asked the Clerk to read the following resolution so that the Governing Body could go into closed session.

RES:1998-428

MAY 28, 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
Contract negotiations

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: MAY 28, 1998

/s/ Donna Balazs
Councilwoman

/s/ James Jones
Councilman

ROLL CALL VOTE

YEAS: Balazs, Haussermann, Jones, Krenzel, Szegeti

NAYS: None

CLOSED SESSION

Mr. Roselli stated there are conflicting opinions as to the need for an outside service provider for emergency medical transport. He added that if and when more data becomes available, it will be provided to the Governing Body.

Mr. Roselli stated that Garry Brown has filed a counter suit against former Police Officer Benedict and the Borough, naming several individual members of the police department. He explained that the Borough will need to provide an attorney for Mr. Benedict, adding that the matter has been referred to the Borough's insurance carrier for their handling.

Mr. Kolakowski reported that in the contract negotiations with the School Crossing Guard Association, they agreed to accept a four (4) percent salary increase and an adjustment in their steps.

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MAY 28, 1998

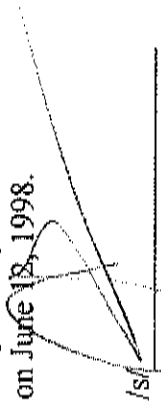
Mr. Kolakowski stated that in the contract negotiations with the Dispatchers Association, they are willing to accept an \$800.00 increase effective as of January 1, 1998 and another \$800.00 increase effective on July 1, 1998. He explained that they received two (2) percent increase last year and this increase should bring them in line with the increases given to the other unions. he added that they agreed to the same givebacks as the other unions.

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

ADJOURNMENT

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

Respectfully submitted
on June 12, 1998.

/s/ 
Albert M. Seaman
Borough Clerk

Approved at the regular meeting
held on June 24, 1998.

REGULAR MEETING
MAYOR AND BOROUGH COUNCIL
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PAGE NO. 1

JUNE 10, 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 June 10, 1998 and was called to order by Council President Robert P. Szegeti 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, Jones, Krenzel, Szegeti

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

APPOINTMENT OF COUNCIL MEMBER

Council President Szegeti called for nominations for the position of Councilmember to the Borough Council. Councilman Jones nominated David A. Sliker. Councilman Haussermann seconded the nomination.

Council President Szegeti asked if there be any other names. None were submitted. A motion was duly adopted that the nomination be closed. Council President Szegeti asked the Clerk to read the following Resolution.

RES:1998-429.

JUNE 10, 1998

RESOLUTION

WHEREAS, a vacancy has been created in the membership of the Council of the Borough of South River by the resignation of Christopher D. Rafano:

NOW, THEREFORE, WE, the Members of the Council of the Borough of South River, do hereby appoint David A. Sliker as a Member of the Borough Council to the term of January 1, 1996 to December 31, 1998.

DATED: June 10, 1998

/s/ Shawn Haussermann
Councilman

/s/ James Jones
Councilman

Councilman Krenzel stated as in the past when there is a vacancy involving the other political party, he abstained since it is an intra-party matter. He added he will abstain on this Resolution. Councilwoman Balazs stated she will do likewise.

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MAYOR AND BOROUGH COUNCIL
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JUNE 10, 1998

ROLL CALL VOTE

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

The Clerk announced that David A. Sliker was appointed to the vacant council position. Council President Szegeti asked Mr. Sliker to come forward and he was administered his Oath of Office. He then assumed his seat on the dais.

ADDRESS BY NEWLY-APPOINTED COUNCIL MEMBER.

Councilman Sliker stated "I would like everyone to know how much I appreciate your presence here this evening. I am honored to accept this position as a Councilman in South River and I accept the challenge with open arms and an open mind.

It seems appropriate to thank all of my supporters, friends, family and the Democratic Organization. Most of all, I would like to thank my loving wife, Barbara, for supporting me in my endeavors. Her patience has been enduring.

As we all know, I am being appointed to fill the unexpired term of former Councilman, now Freeholder, Christopher Rafano. Everyone talks about filling his shoes. I don't think I can do that. We are two different people and we have two different shoe sizes. I do hope that I can continue the enthusiasm and the dedication that Chris has shown to the Borough of South River and that I am sure I can do.

In 1993, I was appointed to the South River Industrial Commission and never realized at that time that from there I would get here. In 1995, I became the chairman of that Commission and while serving as chairman managed to the lines of communication between our business community, our local government and the community at large. And this was the South River Economic Development Commission of which I am proud to serve as chairman.

Through the efforts of so many people, we were able to assist and attract twelve new businesses to locate in South River. It resulted in a 21% increase in our industrial and commercial tax base. This was extremely important since it reduced our dependence on raising taxes from homeowners.

But we have done more than that.

We established an expedient and concise mercantile license process.

We developed a tax abatement program for our industrial and commercial businesses.

We coordinated a business retention and expansion program.

We, for the first time, compiled an information welcome package for businesses who are interested in moving to South River.

We held a promotional events that attracted close to four thousand people to our community, which resulted in a financial gain for many on our nonprofit organizations as well as valuable publicity regarding our community.

These accomplishments have confirmed what I have always believed. South River is a great place to live and work. We are small in size, yet large in heart and history. We have a diverse ethnic population, a community pride, a sensitivity that runs deep in our residents and a town center. I am positive about our community, South River.

Look at the great outpouring of support for the tragic circumstances surrounding Melissa Soto.

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JUNE 10, 1998

Witness all the support for our athletic accomplishments, our most recent one, the State Wrestling Championship for Thomas Noto.

The wide support for the efforts to register the War Memorial Building as a historical building, adding even more historical integrity to our community.

Witness our Brownie and Girl and Boy Scout Troops as they are involved in community programs.

Witness so many of our volunteers that in many large and in many small ways make South River a great place to live.

I have a positive outlook for our residents and South River, and I have the utmost confidence about being a Councilman here in South River, and helping this community welcome the next century.

I pledge to you that 100% of the time the welfare of our growing community will come first in my work as a Councilman. THAT YOU CAN COUNT ON. I look forward to the opportunity to meet our residents so that I can share with them my enthusiasm for South River and I am positive we can continue to make South River a great place to live."

Councilman Krenzel moved that the his address be spread on the record.
Councilman Jones seconded the motion. So carried.

MINUTES

The minutes of meeting no. 10 held on May 13, 1998 were submitted for acceptance or amendment. Councilman Jones moved that the minutes be accepted. Councilman Szegeti seconded the motion. So carried.

ORDINANCES-SECOND READING & PUBLIC HEARING

Council President Szegeti 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.

The Clerk advised that he has received an approved Supplemental Debt Statement from the New Jersey Division of Local Government Services and is on file in his office.
ORD:1998-15.

**BOND ORDINANCE PROVIDING FOR THE
IMPROVEMENT OF VARIOUS SIDEWALKS AND
CURBS, BY AND IN THE BOROUGH OF SOUTH
RIVER, IN THE COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY; APPROPRIATING \$400,000
THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$380,000 BONDS OR NOTES OF THE BOROUGH
TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF
THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF

REGULAR MEETING
MAYOR AND BOROUGH COUNCIL
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JUNE 10, 1998

NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1 The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of South River, in the County of Middlesex, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of a down payment in the amount of \$20,000 now available for said improvement or purpose required by the Local Bond Law (N.J.S.A. §40A:2-1 et seq.) (the "Local Bond Law") by virtue of a previously adopted budget or budgets of the Borough for down payment or capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose and to meet the part of said \$400,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3 (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is for the rehabilitation of various sidewalks and curbs on such locations and various streets as set forth in the plans and specifications on file in the office of the Borough Clerk and now available for public inspection, including, but not limited to, acquisition and installation of drainage facilities, piping, inlets, curbing, sidewalks, pavement, signs and other work, materials, equipment and appurtenances necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$380,000.

(c) The estimated cost of said purpose is \$400,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$20,000, is the amount of down payment available for said purpose.

SECTION 4 In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5 All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive

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evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. §40A:2-8(a). The Chief Financial Officer of the Borough is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6 The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7 The following additional matters are hereby determined, declared, recited and stated:

- a. The purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- b. The period of usefulness of said purposes 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.
- c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$380,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- d. An aggregate amount not exceeding \$90,000 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement herein before described.

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

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved,

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allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no further action (or inaction) will be an artifice or device in accordance with Treasury Regulations Section 1.103-13(f) or 1.148-9(g) to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements. The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), (ii) to create or increase the balance in a "reserve or replacement fund" within the meaning of Treasury Regulations Section 1.103-14(d) with respect to any obligation of the Borough or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "control group" within the meaning of Treasury Regulations Section 1.150-1(f)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$380,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulations Section 1.103-18(c)(ii).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Szegeti 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.

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

Hearing no comment, Council President Szegeti asked the Clerk to call the roll.

ROLL CALL VOTE

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

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ORD-1998-16.

**BOND ORDINANCE PROVIDING FOR THE
REHABILITATION OF WELL NUMBER 2 BY THE
WATER UTILITY IN, OF AND BY THE BOROUGH
OF SOUTH RIVER, IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY;
APPROPRIATING \$125,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$125,000 BONDS
OR NOTES TO FINANCE THE COST
THEREOF**
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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 the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1 The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Water Utility of the Borough of South River, in the County of Middlesex, State of New Jersey (the "Borough") as a general improvement for its Water Utility system. For the said improvement stated in Section 3, there is hereby appropriated the sum of \$125,000, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. §40A:2-7(b) and §40A:2-11(c) of the Local Bond Law (N.J.S.A. §40A:2-1, et seq.), no down payment is required as the Water Utility is self-liquidating.

SECTION 2 For the financing of said improvement described in Section 3 hereof, negotiable bonds of the Water Utility of the Borough are hereby authorized to be issued in the principal amount of \$125,000 pursuant to the Local Bond Law of the State of New Jersey (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvement, negotiable notes of the Borough in a principal amount not exceeding \$125,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3 The improvement hereby authorized and purpose for the financing of which said debt obligations are to be issued is for the rehabilitation of Well Number 2 located at 410 Whitehead Avenue within the Borough, including, but not limited to, all materials, equipment, structures, appurtenances and work necessary therefor or incidental thereto.

a) The estimated maximum amount of bonds or notes to be issued for said improvement is \$125,000.

b) The estimated cost of said improvement is \$125,000.

SECTION 4 In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a loan, contribution or grant-in-aid to the Borough for the improvement authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

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SECTION 5 All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6 The capital budget of the Water Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7 The following additional matters are hereby determined, declared, recited and stated:

- a. The purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement for its Water Utility system, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- b. The average period of usefulness of said purposes 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 20 years.
- c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$125,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- d. An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvement hereinbefore described.

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

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of US Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with US Treasury Regulations Section 1.103-18, and no further action (or inaction) will be an artifice or device in accordance with US Treasury Regulation Section 1.103-13(j) or 1.148-9(g) to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements. The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvement described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Internal Revenue Code ("Code"), (ii) to create or increase the balance of a "sinking fund" within the meaning of US Treasury Regulation Section 1.103-13(g) with respect to any obligation of the Borough, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a "reserve or replacement fund" within the meaning of US Treasury Regulation Section 1.103-14(d) with respect to any obligation of the Borough or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "controlled group" within the meaning of US Treasury Regulation Section 1.150-1(f)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement described in Section 3 hereof will be issued in an amount not to exceed \$125,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in US Treasury Regulation Section 1.103-18(c)(ii).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Szegeti opened the hearing to the public for comment. John Scala of 440 Old Bridge Turnpike asked if the Borough is still purchasing water from East Brunswick. Mr. Kolakowski stated we are. Mr. Scala asked if we are receiving about 750,000 gallons per day. Mr. Kolakowski stated we are. Mr. Scala asked how many

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active wells do the Borough have. Mr. Kolakowski stated we have three (3) active wells and one (1) cistern. Mr. Scala asked what is the amount of water the Borough draws from these wells. Mr. Kolakowski stated about 250,000,000 gallons per year.

Mr. Scala questioned as to what is the problem with this well. Mr. Kolakowski stated that the pumping capacity has decreased due to clogging of the filter screen by silt. He added that repairs need to be made to the pump and its controls.

Mr. Scala stated that two or three years ago, he asked the Governing Body to see if they could obtain more pumping capacity from the wells from the NJDEP. Councilman Jones stated when the Governing Body met with our elected Assembly representatives recently, we asked them to ascertain if the Borough could get some relief from the NJDEP critical area 2 order to decrease our water diversion rights.

There being no further comment, Councilwoman Balazs moved that the hearing be closed. Councilman Jones seconded the motion. So carried.

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

Hearing no comment, Council President Szegeti asked the Clerk to call the roll.

ROLL CALL VOTE

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

ORD:1998-17.

**BOND ORDINANCE PROVIDING FOR VARIOUS 1998
CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH
OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY; APPROPRIATING \$1,400,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$1,330,000 BONDS OR NOTES TO FINANCE PART OF THE
COST THEREOF**

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. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of South River, in the County of Middlesex, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,400,000 including the sum of \$70,000 as the aggregate amount of down payments for said improvements or purposes required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

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SECTION 2. For the financing of said improvements or purposes and to meet the part of said \$1,400,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$1,330,000 pursuant to the Local Bond Law of the State of New Jersey (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the aggregate principal amount not exceeding \$1,330,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements hereby authorized and purposes for the financing of which said obligations are to be issued is as follows:

Improvement or Purpose	Appropriation	Authorization	Down Payment	Useful Life	\$20
a. the acquisition of various vehicles, including a sewer jet, a sanitation truck body and a tractor;	\$ 195,000	\$ 185,250	\$ 9,750	5 years	\$ 15
b. the removal of underground storage tanks at all Borough owned buildings, and also including soil remediation, disposal of U.S.T. and contaminated soil, upgrade or replacement of furnaces, installation or upgrade of gas lines, and installation and maintenance of monitoring equipment;	\$ 200,000	\$ 190,000	\$10,000	15 years	\$ 50

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c.	various roadway improvements to Albourne Street (between Ferris and Carman), Brenning Place (between Ferris and Virginia), Charles Street (Raritan Avenue to Whitehead) (including an \$80,000 NJDOT Trust Fund Grant), the intersection of Cleveland Avenue and Ferris Street, Colfax Street (from Devoe to Roadway Limit), Jeffrie Avenue (from Yates to Linden) (including a \$49,000 NJDOT Trust Fund Grant), John Street (from George to Main), Park Avenue (from West George to Roadway Limit), the intersection of Raritan Avenue and Jackson Street, and the intersection of Tice Avenue and David Street, all with a roadway pavement at least equal to a Class B Roadway (as defined in the Local Bond Law), such improvements to include, as required, roadway resurfacing, drainage, replacement of curbing and sidewalks as necessary and upgrading of water and sewer utilities as necessary;	\$	400,000	\$	380,000	\$20,000	10 years	\$ 75
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Improvement or Purpose	Appropriation	Authorization	Down Payment	Useful Life	\$20
d. the renovation of the Tile Yard Sewer Pump Station and the Jackson Street Sewer Pump Station, including the replacement or upgrade of all appurtenances and lines and renovations of buildings;	\$ 480,000	\$ 456,000	\$24,000	40 years	\$ 9
e. improvements to parks and the purchase of recreation equipment, including the purchase of playground equipment and the renovation of existing facilities in parks;	\$ 75,000	\$ 71,250	\$ 3,750	15 years	\$ 15
f. the acquisition of property on the causeway, including, but not limited to, 3 Causeway, Block 325, Lot 15 on the tax map of the Borough of South River.	\$ 50,000	\$ 47,500	\$ 2,500	40 years	\$
	<u>\$ 1,400,000</u>	<u>\$ 1,330,000</u>	<u>\$70,000</u>	21.64 years	<u>\$258</u>

All improvements described in Section 3 hereof shall include all work and labor, materials and appurtenances necessary therefor or incidental thereto.

A. The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$1,330,000.

B. The aggregate estimated cost of said purposes is \$1,400,000, the excess thereof over the said aggregate estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$70,000, is the aggregate down payments for said purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then

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the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. S40A:2-8(a). The Chief Financial Officer of the Borough is hereby authorized and directed to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. To the extent required, the capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. As required, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government services will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

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a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes 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 21.64 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$258,000 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(f), pursuant to their

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budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Sections 142 through 147 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds, "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(f)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,330,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Szegeti 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.

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

Hearing no comment, Council President Szegeti asked the Clerk to call the roll.

ROLL CALL VOTE

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

ORD:1998-18

AN ORDINANCE AMENDING CHAPTER 93 ENTITLED
"ELECTRICAL CONNECTIONS" OF THE
BOROUGH OF SOUTH RIVER.

SECTION 1.

WHEREAS, the Borough of South River provides electric utility service to the electric consumers located within the boundaries of the Borough of South River; and

WHEREAS, the South River Public School System is one of the largest electric users in the Borough of South River and the charges for said electric realistically are paid for by the tax payers of the Borough of South River through the South River Board of Education budget; and

WHEREAS, in an effort to promote cooperation between the Board of Education and the Borough of South River, it has been decided that the Borough of South River shall provide the South River Board of Education with a reduced electric rate for the South River School Buildings.

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 93 of the Borough Code entitled "Electric Connections" is hereby amended as follows:

Section 3-3 Electric Energy Consumption Rates

A(10) Class J: Public School Buildings.

<u>Number of Kilowatt Hours</u>	<u>Charge (Per Kilowatt Hour)</u>
0-10,000	\$1,083.25/month
10,001-20,000	\$.08803/KWH
20,001-and up	\$.08249/KWH

SECTION 2.

If any part of this Ordinance shall be declared 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 in full force and effect.