

**REGULAR MEETING MINUTES
MARCH 10, 2025
MAYOR AND BOROUGH COUNCIL
MEETING NO. 5**

A meeting of the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey was held on March 10, 2025, and was called to order by Mayor Guindi at 7:00 PM with the following Council Members in Attendance:

Mayor and Council Roll Call	Present	Absent	Excused Tardy
<i>Mayor Peter S. Guindi</i>	X		
<i>Councilwoman Donna Balazs</i>	X		
<i>Councilman Matthew DeSantis</i>	X		
<i>Councilman Hank Dziemian</i>	X		
<i>Councilman Nick Giannakopoulos</i>	X		
<i>Councilman James Gurchensky</i>	X		
<i>Council President Tony Ciulla</i>	X		

Also attending this meeting were Chief Financial Officer Joseph Zanga, Business Administrator Art Londensky, Police Chief Mark Tinitigan, DPW Director Adriano Soares, Fire Chief William Smith, Borough Attorney Andrea Wyatt, and Borough Engineer Eric Robinson

IN COMPLIANCE WITH CHAPTER 231 OF PUBLIC LAW OF 1975, NOTICE OF THIS MEETING TO BE HELD AT THE CRIMINAL JUSTICE BUILDING, 61 MAIN STREET, SOUTH RIVER HAS BEEN PUBLISHED IN THE HOME NEWS TRIBUNE ON JANUARY 5, 2025, POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD, THE BOROUGH WEBSITE, THE FRONT DOOR OF THE CRIMINAL JUSTICE BUILDING AT 61 MAIN STREET, SOUTH RIVER.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Mayor Guindi lead the salute to the Flag and a moment of silence. Mayor Guindi speaks on the passing of South River resident, former Councilman and Acting Mayor Shawn Haussermann.

AGENDA SESSION

- Discussion on Ordinances- Borough Attorney Andrea Wyatt and CFO Joseph Zanga speak on the ordinances on the agenda. Ordinance 2025-8 balances the budget and ordinance 2025-9 amends zoning.

ORDINANCE– SECOND READING & PUBLIC HEARING

ORDINANCE 2025-8

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER,
CHAPTER 155 ENTITLED “FEES” BY AMENDING SECTION 155-30. “CHAPTER 30,
WATER”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 155 of the Code of the Borough of South River entitled “Fees” be amended by amending Section 155-30 “Chapter 30, Water”:

SECTION 1.

155-30 Chapter 30, Water.

March 10, 2025 Council Regular Meeting Minutes- APPROVED 4/7/25

A. Article 1, Water Use:

- 1. Payment of bills; discontinuance of service;
 - a. To cover the cost of turning on water service during 7:00 a.m. until 2:00 p.m., Monday through Friday, excluding holidays: \$50.
 - b. After 2:00 p.m. on any given workday or on weekends or holidays: \$125.
 - c. Application fee for opening or changing an account: \$25.
 - d. Final read fee for closing an existing account: \$25.
- 2. Water rates.
 - a. Effective April 1, 2025, the minimum charge per quarter for all consumers within the Borough of South River shall be as follows:

Meter-Size (inches)	Minimum Charge per Quarter
All meter sizes	\$96.46

- b. Quarterly rates.
 - 1. Effective April 1, 2025, the quarterly rates of all water consumed by consumers in all meter size categories shall be as follows:

Amount (cubic feet)	Rate per 1,000 Cubic Feet per Quarter
0 to 1,000	\$96.46
1,001 to 4,000	\$117.41
4,001 to 8,000	\$128.70
8,001 to 12,000	\$141.72
12,001 and up	\$155.85

- 2. There will be a surcharge of 5% on all water consumption based on water readings taken in the months of July, August and September. Said readings are taken during the normal water reading cycles as established by the Borough of South River Water Utility.
 - c. Senior citizen discount not to exceed \$10.00 for each quarterly tax bill
 - d. Tapping fees:
 - 1. Three-fourths inch: \$46.30
 - 2. One inch: \$52.90
 - 3. Tap larger than one inch: the owner’s plumbing contractor shall make waterline tap under supervision of Utilities Department personnel upon payment of an inspection fee of \$35

e. Water meter fee:

According to meter size and vendor pricing.

f. Connection fees:

Connection Size (inches)	Connection Fee Charge
¾	\$947.58
1 and 1 1 / 4	\$2,132.05
1 ½	\$3,600.80
2	\$5,969.75
3	\$13,171.36
4	\$22,647.16
6	\$50,600.77
8	\$88,124.94

B. Fire Service Charges Effective April 1, 2025.

1. Quarterly charges

Meter Size (inches)	Minimum Charge per Quarter
2	\$62.10
3	\$139.40
4	\$245.25
6	\$552.60
8	\$984.25
10	\$1536.80
12	\$2212.15

2. Minimum quarterly charge for each hydrant installed on private property: \$66.15

SECTION 2. If any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect after final passage, adoption, and publication according to law.

Council President Ciulla motioned to waive the full reading; seconded by Councilman Dziemian. All in Favor. The Clerk read Ordinance 2025-08 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2025-08 only.

Being no public came forth, Council President Ciulla motioned to close public hearing of said Ordinance; seconded by Councilwoman Balazs. All in Favor.

Adopted 3-10-25

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>		X	X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>	X		X			
<i>Council President Ciulla</i>			X			

**ALYSSA HAGER, RMC
BOROUGH CLERK**

ORDINANCES – FIRST READING BY TITLE ONLY

The Borough Clerk read Ordinance 2025-09 by title only.

ORDINANCE 2025-09

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING CHAPTER 350 OF THE BOROUGH CODE OF THE
BOROUGH OF SOUTH RIVER ENTITLED “ZONING”**

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

SECTION 1. Chapter 350 of the Borough Code of the Borough of South River, entitled “Zoning” is hereby amended so as to amend Section 350-10 entitled “Nonconforming lots, structures and uses” so as to delete Subsection (G) entitled “Restoration” in its entirety.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the South River Land Use Board for its review and comment pursuant to N.J.S.A. 40:55D-64. The Borough shall send a copy of the ordinance to the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 10th, 2025, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 7th day of April, 2025, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-10-25

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>	X		X			

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

DEPARTMENTAL/PROFESSIONAL REPORTS

Borough Engineer Eric Robinson

- **NJDOT FY 2023 Local Aid Program and NJDOT FY 2024 Local Aid Program**
 - The borough received a \$681,405.00 grant Leonardine Ave. from the OBT to Grand Ave., Prentice Ave., from Willet Ave. to Sheldon Ave., & Beryl St. from Cleveland Ave. to Wilcox.
 - The NJDOT has awarded the Borough a grant in the amount of \$606,980.00 for the Improvements to Darrow Street from Virginia Street to Bright Street, Dailey Street from Ferris Street to John Street and John Street from Colfax Street to George Street.
 - The contractor plans to return next week to perform the sanitary sewer repairs. Leonardine Avenue has been milled and paved. The balance of the roads will be completed in the Spring.
- **NJDOT FY 2023 Local Transportation Projects Grant**
 - The Borough received a \$575,000 grant for the improvements to Albourne Street from Ferris Street to Seppi Avenue, Franklin Street from Wilson Avenue to Pulawski Avenue and Olchaskey Avenue from Kamm Avenue to Prentice Avenue. We are working on the project design.
- **NJDOT FY 2025 Local Aid Program**
 - The Borough received a \$506,913 grant for the following roads:
 - Prentice Avenue from Willett Avenue to Sheldon Avenue;
 - Tice Avenue from the Old Bridge Turnpike to David Street;
 - Cleveland Avenue from Virginia Street to Terminus.
 - We submitted a proposal for our professional services associated with same.

- **2023 Electrical Substation Maintenance**
 - The contractor has completed the testing and maintenance. We processed a second Progress Payment. They are working on the reports which will be submitted to us when completed.
- **NJDEP Stormwater Assistance Grant Application**
 - Our survey department has completed the work on the current phase of the project. We submitted a proposal addressing the 2025 requirements and a proposal for our services associated with same.

Chief Financial Officer Joseph Zanga

- States the Annual Financial Statement has been filed and is on the Borough website.
- Speaks on resolution 2025-111.

Mayor Guindi speaks on health insurance increase and CFO Zanga responds.

DPW Director Adriano Soares

- DPW is in the process of filling potholes.

Police Chief Mark Tinitigan

- Speaks on resolutions 2025-113 and 2025-114.

Fire Chief William Smith

- All apparatuses are in service.
- There have been 108 fire alarms this year.

Borough Clerk Alyssa Hager

- No report

Borough Attorney Andrea Wyatt

- No report

Business Administrator Londensky

- Speaks on the progress of the meter project.
- Speaks on the Battery Storage project.

COUNCIL LIAISON REPORTS

Councilman DeSantis

- There will be a BOE meeting on 3/17 at 7 pm.
- Rec spring sports are still open for registration.
- There will be a recreation meeting on 4/8 at 55 Reid Street.

Councilman Gurchensky

- Check the OOA website and sign up for events.
- NJ Tax Relief will be at the OOA on 5/8 to speak on the Senior Freeze.

Council President Ciulla

- The next EDC meeting will be on 3/13.

Councilman Giannakopoulos

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- Speaks on the utility meeting and how there was no increase to South River.
- Speaks on the LED project.
- If something says it is flushable, it is not. Please do not flush anything other than toilet paper down your toilet.

Councilman Dziemian

- There will be a Neighborhood Watch meeting every 3 months.

Councilwoman Balazs

- The free Rabies Clinic will be on 3/29. 12-2 is for dogs and 2-3 is for cats. They will also be selling licenses if you need to register your animal.
- Please check the library website for all their upcoming activities.

Mayor Guindi

- No report

PUBLIC COMMENT

Mayor Guindi opened the floor for Public Comment.

Joe Donato, 30 Dailey Street, speaks on the ongoing parking issue in South River and makes comments regarding the Battery Storage Project.

Edwin Perez, 64 Whitehead Avenue, seeks clarification on accepting Class 5 cannabis applications and Borough Attorney Wyatt explains.

Jim Hutchison, 38 Virginia Street, speaks on the storm sewer work. Mr. Hutchison speaks on the passing of South River resident Shawn Haussermann.

Being that no one else came forward for public comment, Mayor Guindi requested motion to close. Councilman Ciulla motioned to close; seconded by Councilwoman Balazs. All in Favor.

MAYORAL APPOINTMENTS

- None

CONSENT RESOLUTIONS 2025-108 TO 2025-122

WHEREAS RESOLUTION 2025-01 AUTHORIZES THE BOROUGH COUNCIL TO UTILIZE A CONSENT AGENDA TO ADOPT VARIOUS RESOLUTIONS OF A ROUTINE AND NONCONTROVERSIAL NATURE AT ONE TIME. NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT THE BELOW LISTED RESOLUTIONS ARE HEREBY ADOPTED BY THE BOROUGH COUNCIL IN WHOLE AS IF THE SAME WERE INDIVIDUALLY ACTED UPON.

The Borough Clerk read the resolution titles on the consent agenda.

RESOLUTION 2025-108

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING LOSAP ANNUAL CONTRIBUTIONS TO QUALIFIED MEMBERS

WHEREAS, the Borough of South River has adopted a Length of Service Award Program ordinance for their fire volunteers: and

WHEREAS, the Borough of South River LOSAP provides Annual Contributions to Qualified Members who meet the criteria stated in the Borough ordinance; and

WHEREAS, Qualified Members on the attached list have been certified by their respective departments to have the said amounts deposited into their LOSAP Accounts.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of South River that the individuals on the attached list have been certified by their respective departments to have fulfilled all the requirements and qualifications of a Length of Service Award Program by the Borough of South River for the year 2024.

BE IT FURTHER RESOLVED that Qualified Members shall have said amounts deposited into their Length of Service Award Program accounts.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X			X	

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-109

RESOLUTION APPOINTING BOARD OF HEALTH SECRETARIES

WHEREAS, the Board of Health of the Borough of South River has appointed Michelle Urbanowicz and Alyssa Hager as Board of Health Secretaries; and

WHEREAS, the position of Board of Health Secretary is set forth in the salary ordinance of the Borough.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the appropriate officials of the borough are authorized to pay an annual salary of \$5,000.00, effective February 1, 2025 pursuant to the salary ordinance:

Michelle Urbanowicz - \$3,500
Alyssa Hager- \$1,500

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

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Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-110

RESOLUTION AUTHORIZING PERMISSION TO THE SOUTH RIVER HIGH SCHOOL BOOSTER CLUB-PROJECT GRADUATION CLASS OF 2025 TO CONDUCT A VOLUNTARY CANNING FUNDRAISER

WHEREAS, the South River High School Booster Club-Project Graduation Class of 2025 has requested permission to conduct a voluntary Canning fundraiser to assist with Project Graduation Class of 2025 at the intersections of Prospect Street and Old Bridge Turnpike and Main Street on Saturday, May 3rd, 2025, Sunday May 4th, 2025, Saturday May 17th, 2025, and Sunday May 18th, 2025 with rain dates of Saturday, May 17th, Sunday May 18th, 2025, Saturday June 7th, 2025, and Sunday June 8th, 2025, from 9:30 am to 2 pm; and

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the South River High School Booster Club-Project Graduation Class of 2025 has permission to conduct a voluntary Canning fundraiser at the intersections of Prospect Street and Old Bridge Turnpike and Main Street on Saturday, May 3rd, 2025, Sunday May 4th, 2025, Saturday May 17th, 2025, and Sunday May 18th, 2025 with rain dates of Saturday, May 17th, Sunday May 18th, 2025, Saturday June 7th, 2025, and Sunday June 8th, 2025 from 9:30 am to 2 pm subject to the following:

1. That the individuals conducting the Canning fundraiser shall wear a reflective safety vest while coin tossing.
2. That there will be no interference with the flow of traffic on the roadway.
3. All fundraising shall be conducted by individuals having attained at least the age of eighteen (18) years.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-111
RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF
VARIOUS IMPROVEMENTS AT GREKOSKI PARK

WHEREAS, there exists a need to purchase and install various improvements including inclusive playground equipment, a gazebo and concrete sidewalks by the Borough of South River in the County of Middlesex of the State of New Jersey at Grekoski Park; and

WHEREAS, the Borough of South River is a member of the Educational Services Cooperative of New Jersey (ESCNJ Coop #65MCESCCPS) under contract 24/25-01 and 24/25-03; and

WHEREAS, Ben Shaffer Recreation is an authorized vendor under the Educational Services Cooperative of New Jersey; and

WHEREAS, the Chief Financial Officer of the Borough has advised that funds are available in account 5-01-99-300-231; and

WHEREAS, this contract is awarded without competitive bidding pursuant to the provision of *NJSA 40A: 11-11(5)* in the amount of \$478,715.71 to Ben Shaffer Recreation; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that the appropriate Officials are hereby authorized to sign those documents necessary to purchase and install various improvements at Grekoski Park.

BE IT FURTHER RESOLVED that said resolution is now of record and on file in the Office of the Borough Clerk and available for public inspection.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-112

**RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING
THE POLICE DEPARTMENT TO ENTER INTO A CONTRACT WITH ELITE EMERGENCY LIGHTS, LLC**

WHEREAS, there exists a need for a lighting package, cages, consoles and gun racks for the new police vehicles in the Police Department of the Borough of South River; and

WHEREAS, there exists a state contract with a registered vendor known as ELITE EMERGENCY LIGHTS, LLC., under contract numbers 17-Fleet-00749 through which contract municipalities are authorized by the law to acquire same without meeting the requirements of the public bidding laws of the State of New Jersey; and

WHEREAS, it is the Governing Body's desire to purchase a lighting package, cages, consoles and gun racks for the new police vehicles, from the said state authorized vendor for the amount of \$21,721.40; and

WHEREAS, the Chief Financial Officer of the Borough has advised that funds are available in account C-06-22-009-101; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that the appropriate Officials are hereby authorized to execute the appropriate documents in order to acquire the aforesaid lighting package, cages, consoles and gun racks for the new police vehicles from the referenced vendor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-113

RESOLUTION AUTHORIZING THE APPOINTMENT OF PAUL MUSZYNSKI AS ACTING SERGEANT

WHEREAS, pursuant to Chapter 72 of the Borough Code entitled “Department of Public Safety”, the Chief of Police may designate a Patrolman to assume the duties and responsibilities of a Sergeant in the absence of such officer, in order to maintain the efficiency of the Department; and

WHEREAS, the Chief of Police seeks to designate Ptl. Paul Muszynski to serve temporarily as Acting Sergeant of the Department, effective March 17, 2025.

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, State of New Jersey, that Ptl. Paul Muszynski is hereby appointed to serve temporarily as Acting Sergeant effective March 17, 2025 as set forth herein

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-114

RESOLUTION AUTHORIZING THE APPOINTMENT OF KENNETH NALE AS ACTING SERGEANT

WHEREAS, pursuant to Chapter 72 of the Borough Code entitled “Department of Public Safety”, the Chief of Police may designate a Patrolman to assume the duties and responsibilities of a Sergeant in the absence of such officer, in order to maintain the efficiency of the Department; and

WHEREAS, the Chief of Police seeks to designate Ptl. Kenneth Nale to serve temporarily as Acting Sergeant of the Department, effective March 17, 2025.

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, State of New Jersey, that Ptl. Kenneth Nale is hereby appointed to serve temporarily as Acting Sergeant effective March 17, 2025 as set forth herein

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
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<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2025-115
RESOLUTION AUTHORIZING CERTAIN UTILITY REFUNDS**

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-869-386 CD	ELEANOR BLUNT 340 WHITEHEAD AVE APT 108 SOUTH RIVER, NJ 08882	\$188.95
65-999-000-331 CD	RICHARD ROSAR 3754 SWEARENGIN RD GRANT, AL 35747	\$49.46

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-116

**RESOLUTION AUTHORIZING SUBMISSION OF THE MIDDLESEX COUNTY
RECYCLING ENHANCEMENT GRANT APPLICATION**

WHEREAS, the County of Middlesex in continuing to recognize the importance of recycling and the role that the individual municipalities play in conjunction with the County towards achieving an exemplary recycling rate has proposed to provide grant monies to municipalities through the 2025 Recycling Enhancement Grant (REG) Program; and

WHEREAS, it is the intent of the REG Program to provide funds to qualifying municipalities for specific recycling education efforts on the proper items to recycle to enhance a municipalities recycling program; and

WHEREAS, it appears to be in the best interest of the Borough of South River and its citizens to apply for this grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the Recycling Coordinator, Donna M. Stoddard and Director of Public Works, Adriano Soares, are hereby authorized to submit the attached application for consideration of a grant to the Middlesex County Division of Solid Waste Management.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk

RESOLUTION 2025-117

RESOLUTION AUTHORIZING AN AMENDMENT TO THE BOROUGH OF SOUTH RIVER CASH MANAGEMENT PLAN

WHEREAS, N.J.S.A. 40A:5-7.1, 40A:5-7.3, and 40A:5-15.1 permits public funds of a municipality to be invested in any insured Association, or any Federal Association, whose principal office is located within the State of New Jersey; and

WHEREAS, it is advisable that funds of this municipality on hand and not needed temporarily be invested in such accounts yielding a return on the investment at such time as the Borough may be in a position to do so:

WHEREAS, N.J.S.A. 40A:5-14 requires the approval of a cash management plan annually.

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 the Borough Treasurer is hereby authorized and directed to make such investments of public funds of the Borough of South River on hand and not needed temporarily in any insured Association or Federal Association, in such Principal Office, or Branch Office, up to the amount for which such accounts are insured, pursuant to N.J.S.A. 40A:5-7, 40A:5-7.3, and 40A:5-15.1.

BE IT FURTHER RESOLVED that the CASH MANAGEMENT PLAN as attached is approved.

CASH MANAGEMENT PLAN OF THE BOROUGH OF SOUTH RIVER,
IN THE COUNTY OF MIDDLESEX, NEW JERSEY

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the accounts of the Borough:

ALL FUNDS

B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically:

1. Public assistance
2. State and federal grants

III. DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Borough [and the Borough Clerk] (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

1. Merrill Lynch
2. Bank of America
3. PNC Bank
4. Wachovia Bank
5. Chase Manhattan Bank
6. Columbia Bank
7. Santander Bank
8. Provident Bank
9. Valley National Bank
10. TD Bank
11. Investors Bank
12. Northfield Bank
13. Two River Community Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

VI. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has maturity date not greater than 397 days from the

date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;

(4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;

(5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;

(6) Local government investment pools;

(7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or

(8) Agreements for the repurchase of fully collateralized securities if:

- (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
- (b) the custody of collateral is transferred to a third party;
- (c) the maturity of the agreement is not more than 30 days;
- (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and
- (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purpose of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) the portfolio of which is limited to US Government securities that meets the definition of any eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such US Government securities; and
- (c) which has:
 - (i) attained the higher ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940.” 15 U.S.C.sec.80b-1 et seq., with experience

investing in US Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to US Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such US Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, of the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in US Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such US Government securities.

B. Notwithstanding the above authorization, the moneys on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

1. No investment to exceed one (1) year

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough’s funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the Governing Body of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Governing Body of the Borough.

VIII. RISK MANAGEMENT POLICY (updated March 2025)

PJM Market Activities – Related to Wholesale Power Supply Procurement

The Borough of South River owns and operates a municipal electric utility as a department of local government for the purpose of delivering reasonably priced, reliable electricity to its residents. The Borough is governed by a local governing body, which consists of the mayor and six council members, elected at-large. The mayor has a four-year term and council members have staggered three-year terms. The mayor is head of municipal government and sees that state laws and borough ordinances are faithfully executed. Council has all executive responsibility not placed in the office of the mayor.

The Borough’s electric rates are set by the local governing body through an ordinance process and are not subject to oversight by the New Jersey Board of Public Utilities. The Borough relies on its participation in the PJM energy markets as well as on bilateral transactions to procure electric supply to serve its customers. The Borough has been approved by the State of New Jersey under N.J.S.A. §40A:11-5, to use a competitive procurement process to solicit

proposals for, negotiate and contract for electricity supply that meets the goal of preserving the integrity of the government contracting process, and comports with industry standards. Any electric procurement transaction entered into on behalf of the Borough is limited to serving customers within its franchise area and can only be conducted pursuant to the terms of a fully executed enabling agreement, as authorized by the local governing body.

This risk management policy establishes a risk mitigation framework to address market, credit, liquidity, operational and counterparty risks associated with the procurement of electric supply at wholesale in accordance with all laws, rules and regulations that govern municipal finance in the State of New Jersey. This policy addresses the management of material risks incurred by the municipal electric utility in fulfillment of its duty to serve its residents with reliable and reasonably priced electricity through wholesale electric supply purchases within the PJM energy markets. Key personnel will be detailed in Appendix A.

A. Risk Management Policy Administration

Local Governing Body. This policy, and any edits, or modifications, has been authorized and approved by the local governing body. Guidelines contained within this policy must be in accordance with all laws, rules and regulations that govern municipal procurement in the State of New Jersey. It is the local governing body's responsibility to:

- Discuss guidelines and strategic policies that govern the process by which the Borough assesses and manages risks of electric procurement.
- Acknowledge the risk inherent in transactions covered under this policy.
- Adopt electric rates through an ordinance process.
- Approve all fully executed enabling agreements.
- Approve and authorize any individuals or companies that engage in wholesale electricity procurement transactions on behalf of the municipal electric utility as indicated within this policy.
- Approve and authorize the types of transactions that will be used for the sole purpose of serving customers within the franchise areas of the municipal electric utility.
- Establish purchase guidelines such as pricing targets, volumetric hedge target commitment levels, counterparty diversity limits and resource diversity limits.
- Provide oversight and final approval of all transactions related to electric procurement.
- Provide oversight of the designated risk officer.
- Review and affirm the risk management policy at least annually, via resolution at an open public meeting.

Designated Risk Officer. The local governing body shall designate a Borough employee as a designated risk officer to be responsible for the policies that mitigate the material risks of electric procurement. The designated risk officer will make decisions using the processes outlined in this policy. The designated risk officer shall be subject to oversight from the local governing body. The Chief Financial Officer shall function as the "designated risk officer" for the Borough of South River. The responsibilities of the designated risk officer shall include:

- Maintain overall responsibility for developing, updating, executing, and complying with the risk management policy.
- Develop a long-term power supply portfolio by entering long-term and short-term power purchase contracts.
- Monitor all risks and ensure they are within the limits of what is indicated within the policy.
- Review all violations and exceptions to this policy and promptly report such to PJM and the local governing body.
- Ensure that the individuals or companies authorized to transact on behalf of the municipal electric utility as well as manage its risks, are appropriately trained and qualified.
- Evaluate and approve all transaction proposals received in accordance with N.J.S.A. §40A:11-5.
- Meet with the individuals or companies authorized to transact on behalf of the municipal electric utility at least monthly.
- Establish counterparty credit terms prior to each transaction and evaluate at least annually during the delivery term.

- Monitor pricing targets, volumetric hedge target commitment levels, counterparty diversity limits and resource diversity limits as indicted within this policy.
- Establish and monitor tolerance dollar levels for PJM and counterparty billing invoices.
- Establish and monitor quantity levels for scheduling of forecasted Day-Ahead load, Internal Bilateral Transactions, Interchange Transactions, Capacity Market positions and Auction Revenue Rights transactions.
- Determine that all energy transactions are within purchase guidelines with respect to both price and quantity and in accordance with N.J.S.A. §40A:11-5.
- Review and approve monthly counterparty billing invoices.
- Review and approve weekly/monthly PJM invoices.
- Approve and execute all verbal and written transaction confirmations on behalf of the municipal electric utility.
- Review PJM reports to ensure risk management policies are being adhered to and speculation is not occurring.
- Certify annually to PJM that the Borough has a written risk management policy.
- Ensure that appropriate Borough accounting personnel receive invoices for payment processing.
- Evaluate potential load growth/reduction or target quantity levels.

Energy Management Professional(s). The local governing body may appoint an Energy Management Professional(s) under a professional services contract that will make decisions using the processes outlined in this policy. The Energy Management Professional(s) shall be subject to the oversight of the designated risk officer. The responsibilities shall include:

- Maintain PJM eTool accounts
- Facilitate adherence to PJM credit and collateral requirements.
- Administration of counterparty contracts.
- Forecasting of Day-Ahead load.
- Scheduling of forecasted Day-Ahead load.
- Scheduling of Internal Bilateral Transactions and/or Interchange Transactions.
- Administration of Capacity Market positions.
- Strategic purchasing advice/management.
- PJM RTO settlement and weekly/monthly billing.
- PJM Report generation such as weekly/monthly PJM invoices, DA Daily Energy Transactions, RT Daily Energy Transaction and Spot Market Energy Charge Summary.
- Counterparty settlement and billing.
- Dispute resolution on settlement and billing.
- Auction Revenue Rights portfolio selection.
- Counterparty credit reporting and monitoring.
- Facilitate purchase transactions in accordance with N.J.S.A. §40A:11-5.
- Valuation of forward electricity positions.
- Provide annual wholesale utility budget forecasts.
- Provide guidance and analysis of the regulatory environment, summarizing critical points in proceedings, performing regulatory and procedural analysis.
- Communications with PJM market or regulatory personnel.

B. Minimum Standards.

1. **Segregation of Transacting and Risk Management Functions.** The transacting function may be assigned to one or more persons in the direct employ of the municipality or to an outside company under a professional services contract. This function may also be provided through an intergovernmental agreement with one or more municipalities or state authority. The transacting function shall be assigned to the Energy Management Professional(s).

2. **Authorization.** Each local governing body shall authorize the designated risk officer to execute transactions on its behalf. Transactions can only be conducted pursuant to the terms of a fully executed enabling agreement, as authorized by the local governing body. The designated risk officer shall be present for each transaction and shall verbally confirm each transaction via recorded line. The designated risk officer shall also review and verify all transactions via written confirmation which is required for each transaction, pursuant to the terms of the fully executed enabling agreement.
3. **Types of Counterparties.** Each local governing body shall approve transacting enabling agreements that are fully vetted through the ordinance process, which entails two public readings and a public hearing. The enabling agreements establish legal and operational commitments and credit terms of each party. The designated risk officer shall be responsible for evaluating each counterparty by requiring documents that include items such as: U.S. Securities and Exchange Commission registration, FERC tariffs, proposed master contracts, evidence of ability to fulfill its duties through experience with successful transactions, evidence of ability to produce a performance guaranty, and audited financial statements. These documents may be reviewed by the designated risk officer prior to the execution of a transaction with a counterparty.
4. **Types of Transactions.** All transactions within electricity markets are for the sole purpose of serving customers within the franchise areas of the municipal electric utility. Transactors are expressly prohibited from speculating in any electricity market in violation of applicable statutes. Each local governing body shall approve the types of transactions which shall include:
 - a. Two-party purchases or purchases from and sales into the PJM spot market with the express intent to serve its customers.
 - b. Purchases of physical energy primarily delivered to the aggregate bus of the municipal electric utility, or if liquidity is not present, to other commonly traded points within PJM.
 - c. Two-party purchases or purchases from and sales within the PJM Capacity Markets with the sole intent to hedge the PJM Locational Reliability Charge where such risk is associated with the municipal electric utility's obligation to serve load or rights held by the utility to generate electricity. All Capacity Market transactions should be confined to the applicable Load Deliverability Area. At present, limited opportunities exist to transact in the PJM bilateral capacity markets.
 - d. Two-party purchases or purchases from and sales within the PJM ancillary services market with the sole intent to hedge ancillary service costs where such risk is associated with the municipal electric utility's obligation to serve load. Ancillary services are used to support the transmission of energy from generation sources to areas of load and to maintain reliable operation of the energy grid. At present, limited opportunities exist to transact in the PJM ancillary services markets.
 - e. Transactions within the PJM ARR market, with a goal of nominating paths to maximize revenue. ARR's provide a choice to collect a fixed revenue stream by holding on to the ARR or to "Self-Schedule" their ARR's into the Annual FTR Auction. At present, the "Self-Schedule" option is currently not applicable as the municipal electric utility has not engaged as an FTR market participant. Express authorization by the local governing body is required prior to transacting in the PJM FTR Markets.
 - f. Transactions within the PJM FTR Markets (obligation and/or option) with the sole intent to hedge congestion risk where such risk is associated with the municipal electric utility's obligation to serve load or rights held by the utility to generate electricity. All FTR Market activity shall be confined to such size and pathways that are either generally proportionate to or generally do not exceed the utility's physical transactions. All such transactions shall be consistent with the expressed intent to hedge its physical transactions. At present, this type of transaction is currently not applicable as the municipal electric utility has not engaged as an FTR market participant. Express authorization by the local governing body is required prior to transacting in the PJM FTR Markets.
 - g. Virtual Transactions could be considered speculative and at present, this type of transaction is currently not applicable as the municipal electric utility has not engaged as Virtual market participant. Authorization by the local governing body is required prior to transacting as a Virtual market participant.

5. **Qualifications for Transacting Functions.** Employees, contract service providers, or employees of another municipality or state authority retained under an intergovernmental agreement must demonstrate the ability to fulfill the requirements of the municipal electric utility. The designated risk officer shall approve all qualifications. Primary functions shall include:
 - a. The ability to effectively and reliably transact and schedule within electricity markets.
 - b. The ability to effectively and reliably manage the utility's wholesale power supply portfolio.
 - c. The ability to interface effectively with representatives of PJM and electricity market participants.
 - d. Understanding of applicable PJM Tariff provisions.

These abilities may be demonstrated through experience with successful transactions, scheduling, and portfolio management within PJM Interconnection, LLC.

6. **Billing and Settlement.** The designated risk officer shall establish tolerance levels for PJM RTO and Counterparty settlement invoices based on budgets, historical invoice amounts, PJM spot prices, transmission costs, capacity costs, volumetric purchases, and forward market prices. Weekly invoices. The designated risk officer will promptly investigate amounts outside of thresholds.

- a. **PJM RTO Billing and Settlements.** The designated risk officer will provide or may authorize individuals or companies to perform PJM RTO billing and settlement services. The Borough has access to PJM reports via PJM's MSRS tool and may designate access to others. The designated risk officer has authorized the Energy Management Professional(s) to provide PJM RTO billing and settlement services. PJM RTO billing and settlement services include:

- Analyzing and auditing the PJM RTO invoices for accuracy
- Providing estimates for most PJM RTO charge types (daily, weekly and/or

monthly)

- PJM RTO settlement statement processing
- Dispute resolution

- b. **Counterparty Billing and Settlements.** The designated risk officer will provide or may authorize individuals or companies to perform counterparty billing and settlement services. The designated risk officer has authorized the Energy Management Professional(s) to provide counterparty billing and settlement services that includes:

- Counterparty check-out, verification, invoice preparation, and dispute resolution.

- c. **Invoice Payment.** Payment for all PJM RTO and counterparty invoices shall be administered by the municipality in accordance with N.J.S.A. 40A:5-14, Local Fiscal Affairs Law and all laws, rules and regulations that govern municipal finance in the State of New Jersey.

7. **Credit Analysis and Counterparty Monitoring.** Credit files shall be established for each counterparty consisting of financial statements, trade references and credit reports as furnished by Moody's, Standard & Poors, and/or Fitch. All systems should strive to only deal with investment grade rated companies or with their subsidiaries that provide parental guarantees in the form of credit support. All systems should continuously monitor counterparty credit quality for any material adverse change and require additional performance assurance for any counterparty not meeting the minimum criteria of investment grade by any of the rating agencies. The Energy Management Professional(s) shall establish and update credit files on a monthly basis, at a minimum.

8. **Independent Review.** New Jersey municipalities that operate electric utilities as departments of local government must:

- a. Transact in electricity markets in compliance with New Jersey's Local Public Contracts Law, including N.J.S.A. 40A:11-5 regarding advertisement for contracts and permitting procurement of electricity through a State-approved procurement model and N.J.S.A. 40A:11-15(24) regarding the term of contracts.
- b. Adhere to the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) which provides that municipal public utilities are supported by the revenues generated by the respective operations of the utilities in addition to the general

taxing power upon real property. The local governing body must adopt a separate utility budget, which must be balanced and provide fully for debt service. Annual cash basis budgets must be in the form required by the Division of Local Government Services, Department of Community Affairs, State of New Jersey. Proposed budgets must be approved by the Director of the Division prior to local adoption.

- c. Adopt an annual cash management plan in accordance with N.J.S.A. 40A:5-14.
- d. Comply with the Local Fiscal Affairs Law (N.J.S.A. 40A: 5-1 et seq.) which regulates the non-budgetary financial activities of local government. The Local Fiscal Affairs Law further requires the chief financial officer of a municipality to annually file, with the Director of the Division, a verified statement of the financial condition of the local unit and all constituent boards, agencies, and commissions.
- e. Cause to be performed an annual independent examination of all local unit accounts by a licensed registered municipal accountant. This examination must conform to the Division's "Requirements of Audit" and must be published in the designated newspaper within 30 days of its submission pursuant to N.J.S.A. 40A:5-4.

C. Purchase-Specific Factors.

Risks to the Borough can manifest as cost fluctuations due to the price of electric commodities as well as volumetric deviations of the quantities. The most effective way to limit the fluctuations is through a defined hedging program. The defined hedging program is designed to limit exposure to the PJM spot market as well as limit exposure to congestion (basis) risk. The following factors are to be considered within the context of each wholesale purchase designed to hedge the noted risks. Systems may wish to include additional factors and locally-specific content for each factor for adoption under local policy.

1. **Volumetric Risk.** Annual, monthly, and hourly supply target commitment levels are established for each year based upon usage forecasts and most recent historical hourly load profiles will be used to limit exposure to the PJM spot market. Each wholesale purchase should be proportionate to the utility's target level and should not exceed the aggregate annual forecasted energy requirements. Target commitment levels are initially set with the goal of securing approximately ninety-five percent (95%) of the aggregate annual forecasted energy requirements via a physically-delivered product by the time the physical delivery period commences.
2. **Congestion Risk.** Purchases of physical energy will be primarily delivered to the aggregate load bus or zone of the municipal electric utility, or if liquidity is not present, to other commonly traded points within PJM. Target commitment levels are initially set with the goal of securing approximately one-hundred percent (100%) of physical energy delivered to the aggregate load bus or zone of the municipal electric utility.
3. **Forward Commitments.** Risk will generally increase relative to the term and effective date of delivery specific to each wholesale purchase. Risk management may include limits as to the term of forward commitments and the length of time between the date of each contract and the date upon which delivery is to be taken under each contract. Forward commitments can vary from one day and up to ten years. Terms will be determined in conjunction with pricing and volumetric targets.
4. **Portfolios.** Each system should make purchases consistent with a local strategy and goals. Goals are generally designed to limit exposure to the PJM spot market as well as limit exposure to congestion risk.
5. **Present and Future Market Conditions.** All systems should monitor current market conditions. The source or sources of this information may be internal, external, or both. Pricing targets or pricing ranges may be determined in advance. All systems are encouraged to share market information and the costs of obtaining the information from an external source. Energy prices can fluctuate based on current energy market conditions such as underlying fuel costs, supply and demand, geopolitical events, and weather patterns.
6. **Credit Analysis and Counterparty monitoring.** Minimum standards of creditworthiness and minimum guaranty requirements (credit support) are established prior to issuance of requests for purchase. Potential counterparties with bond ratings below credit quality may be disqualified from transacting, as rated by Moody's, Standard & Poors, and/or Fitch.
7. **Counterparty Diversification.** Risk may increase where a portfolio includes multiple contracts with a single counterparty. A limit as to the number of contracts with a single counterparty will diversify this risk. Counterparty diversity target limits should be established and monitored and may be exceeded for specific

transactions upon prior approval of the local governing body. For electric energy, an initial target will be set where a single supplier may represent no more than fifty percent (50%) of the municipalities physically-delivered forward volume for any single twelve (12) month period. Supplier diversity is an important risk management philosophy and the municipality should strive for two or more suppliers for each rolling twelve (12) month Delivery Period.

8. **Resource Diversification.** When applicable, resource diversity limits should be established for the supply portfolio and monitored. Diversity limits should be consistent with a local strategy and goals.
9. **Confirmation.** Written confirmation shall be required for each transaction, pursuant to the terms of the fully executed enabling agreement. Confirmations must be secured within seven (7) business days of verbal agreement or upon terms in the fully executed master agreement. Confirmation terms shall be verified by the energy management professional and shall be executed by the designated risk manager.

D. Operational Controls

1. **Standards of Conduct.** Individuals or companies authorized to transact or schedule on behalf of the municipality shall not misrepresent, conceal or withhold information regarding wholesale electricity procurements and risk management transactions to any person responsible for the accurate recording and/or reporting of such transactions; participate in any such transaction or similar activity for the benefit of any party other than the municipality; or hold or be a beneficiary of any financial interest in any entity with which the individual is engaged in trading with or other business activity (other than ownership of an interest in a mutual fund managed by another party).
2. **Speculative buying or selling.** Speculative buying or selling of any commodity is strictly prohibited. Speculating is defined as forward buying or selling of electric not required to serve Borough load or mitigate congestion exposure. In no event, shall transactions be entered into to speculate on future market conditions. The designated risk officer shall monitor PJM reports and transaction confirmations to ensure speculation is not occurring.
3. **Portfolio valuation.** Since all electric procurement transactions entered into on behalf of the Borough are limited to serving customers within its franchise area, the portfolio of purchases are valued at cost and no mark-to-market accounting is required.
4. **Day-ahead Load scheduling.** Target day-ahead load schedules are set with the goal of scheduling approximately ninety-five percent (95%) of the aggregate hourly forecasted energy requirements via the day-ahead market. The Spot Market Energy Charge Summary report shall be generated at least monthly by the energy management professional and provided to the designated risk officer.
5. **Report generation and review.** The energy management professional shall regularly generate PJM reports and provide to designated risk officer. The reports will include all weekly and monthly PJM invoices, DA Daily Energy Transactions, RT Daily Energy Transactions and Spot Market Energy Charge Summary. These reports will be used by the designated risk officer to validate transactions and/or positions such as delivery location for forward transactions, day-ahead, balancing and interchange spot market transactions, FTR auction transactions (if any), capacity auction transactions (if any) and to ensure risk management policies are being adhered to and validate that speculation is not occurring.

E. Liquidity

The requirement of a cash-based budget that is subject to annual audit and approval of the state director, with a separate section devoted solely to the municipal utility, provides assurance of the fiscal soundness of the municipality's plans for meeting the obligations incurred by the municipal utility. Municipalities also carry cash reserves as "fund balances." A fund balance is the amount of surplus funds that a municipality will have on hand for the following fiscal year. By accumulating surplus year-to-year, a municipality can help protect against unexpected revenue shortfalls or unanticipated costs. Should the actual costs differ from those budgeted, the municipality may utilize the fund balance or issue emergency appropriation bonds to fulfill the obligation if there is not enough cash on hand to pay the required sum. The Borough maintains a positive fund balance. Additionally, the State of New

Jersey has enacted a set of fiscal responsibility restrictions applicable to municipalities and their utilities known as the Local Fiscal Affairs Law. New Jersey municipalities must operate under the Local Budget Law and the Local Bond Law. Together, these provisions ensure that municipal utilities in New Jersey are healthy and fiscally sound. Several powers are conferred upon municipalities to ensure the health and fiscal soundness such as:

1. **Cash Management Plan.** N.J.S.A. 40A:5-14, Local Fiscal Affairs Law requires that each municipality adopt a cash management plan designed to assure deposit, investment, and proper disbursement of local funds.
2. **Local Budget Law.** N.J.S.A. 40A:4-1 provides that municipal public utilities are supported by the revenues generated by the respective operations of the utilities in addition to the general taxing power upon real property. The local governing body must adopt a separate utility budget, which must be balanced and provide fully for debt service. Annual cash basis budgets must be in the form required by the Division of Local Government Services, Department of Community Affairs, State of New Jersey. Proposed budgets must be approved by the Director of the Division prior to local adoption.
3. **Local Fiscal Affairs Law.** N.J.S.A. 40A: 5-1 regulates the non-budgetary financial activities of local government.
4. **Rate Fixing Authority.** N.J.S.A. 40:62-13 provides that New Jersey municipal electric utilities have rate fixing authority. Rate mechanisms include base rates and pass-through rates. Pass-through rates are designed to match variations in certain cost elements within the electric utility – normally fuel and purchased power and certain transmission costs. Rates are reviewed at least annually and can be changed at any time through the ordinance process, which entails two public readings and a public hearing.
5. **Taxing Power.** N.J.S.A.40A:4-1, which, among other things provides that “Municipal public utilities are supported by the revenues generated by the respective operations of the utilities in addition to the general taxing power upon real property. Additionally, N.J.S.A 40A:60-6 provides the authority to raise taxes upon resolution of the municipal Council. And N.J.S.A 40A:2-4 and 40A:4-55.21 provides authority to raise taxes to pay bonds.
6. **Bond Issuance Authority.** N.J.S.A 40A:2-8.1 provides that New Jersey municipalities have the authority to issue bonds, and bond anticipation notes.
7. **Emergency Appropriation Bond Issuance Authority.** N.J.S.A 40A:4-46; 40A:4-45.3, 40A:4-49, and 40A:4-51 provides that that New Jersey municipalities have the authority to issue emergency appropriation bonds.
8. **Tax Anticipation Notes Issuance Authority.** N.J.S.A 40A:4-64 provides that that New Jersey municipalities have the authority to issue tax anticipation notes.
9. **Utility Anticipation Notes Issuance Authority.** N.J.S.A 40A:4-74 provides that New Jersey municipal electric utilities have the authority to issue utility anticipation notes.

F. Know Your Customer

1. **Customer/counterparty Identification Program.** As a municipal electric utility organized to operate under New Jersey state law, the Borough has an obligation to serve all residents and businesses within its franchised territory. To obtain utility service, all customers must complete an application which requires a government approved form of identification or federal tax ID number. In addition, the applicant must provide proof of ownership or a rental agreement. The Borough reserves the right to make commercially reasonable inquiries on the applicant with the major credit bureaus. The Borough will perform due diligence on counterparties including regular reviews of financial information, litigation, and regulatory compliance. Pursuant to New Jersey Public Law 2012, c. 25, any person or entity that submits a bid or proposal with a local unit in New Jersey must attest, under penalty of perjury, that the person or entity, subsidiaries, or affiliates, is not identified on a list created and maintained by the Department of the Treasury as a person or entity engaging in investment activities in Iran or recorded on a list of specially designated nationals and blocked persons for Russia or Belarus.
2. **Anti-Money Laundering (AML), Anti-Bribery (AB) and Anti-Corruption (AC).** Local government officers or employees under the jurisdiction of the Local Finance Board, must abide by Local Government Ethics Law under N.J.S.A. 40A:9-22, the Bribery and Corrupt Influence Law under N.J.S.A. 2C:27 and Official Misconduct under N.J.S.A. 2C:30-2. The duties and responsibilities of public officials and employees are specifically laid

out in Borough ordinances and all employees are subject to a code of conduct. This policy covers all transactions and activities conducted by or on behalf of the Borough. All records are maintained by the Borough and open for inspection. The Borough is committed to preventing money laundering, corruption, bribery, and other financial crimes and to ensure compliance with all laws, rules and regulations that govern municipal finance in the State of New Jersey, sanctions and Foreign Corrupt Practices Acts. The Borough prohibits and actively prevents any use of its services for money laundering, financing of terrorism, or other illicit activities. The Borough is committed to ensuring compliance with all applicable laws and regulations, implementing internal controls and procedures to detect and report suspicious activities. The Borough designates its Chief Financial Officer as the AML, AB, and AC compliance officer responsible for implementing and enforcing policies and reporting suspicious activities to the local governing body. However, it is noted that the transactions the Borough engages in for electric procurement, and counterparties it engages with, are very limited.

- G. **Compliance.** The Borough is committed to compliance with PJM market rules and regulation and will provide any details of required periodic FERC training on market manipulation rules and PJM governing documents and manuals and who is required to take such training and frequency.

Appendix A

Key Personnel

1. Designated Risk Officer: Joseph Zanga, Chief Financial Officer
2. Energy Management Professional: Brian Vayda, Executive Director, Public Power Association of New Jersey/New Jersey Public Power Authority
3. Chief Financial Officer: Joseph Zanga

IX. TERM OF PLAN.

This Plan shall be in effect from January 1, 2025 to December 31, 2025. Attached to this Plan is a resolution of the Governing Body of the Borough approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-118

**RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT WITH MIDDLESEX
COUNTY IMPROVEMENT AUTHORITY FOR CURBSIDE RECYCLING COLLECTION AND
MARKETING SERVICES**

WHEREAS, the Middlesex County Improvement Authority currently has a Shared Service Agreement with the Borough of South River including the Curbside Recycling Collection and Marketing Services; and

WHEREAS, the Middlesex County Improvement Authority has provided to the Borough of South River a Shared Service Agreement for the MCIA Recycling Service which is beneficial to the Borough of South River and residents thereof; and

WHEREAS, the term of this Agreement shall be for a period of three (3) years with two (2) one (1) year extension options, with services to begin on March 31, 2025.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough South River that the Mayor and appropriate Borough Officials are hereby authorized to execute the necessary Shared Service Agreement for the MCIA Recycling Service.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025.

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2025-119
RESOLUTION ACCEPTING THE BOROUGH OF SOUTH RIVER COUNCIL MEETING MINUTES**

BE IT RESOLVED by the Mayor and Council of the Borough of South River that the February 24th, 2025, Regular Meeting Minutes are approved.

March 10, 2025 Council Regular Meeting Minutes- APPROVED 4/7/25

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-120
RESOLUTION APPROVING THE BILLS AND CLAIMS LIST

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$500,922.48 and previously paid claims in the amount of \$2,041,729.43 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-121
RESOLUTION APPROVING PROPERTY TAX REFUND

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

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

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

Block	Lot	Reason	Name& Address	Property Location	Amount
174	9	3 rd & 4th qtr pay 2024 (Dis Vet)	Lakisha E Thomas Pay to : Lereta LLC Attn: Central Refunds 901 Corporate Center Dr. Pomona, CA. 91768 (Contract #8079995)	14 Clark St	\$3724.66

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2025-122
RESOLUTION APPROVING PROPERTY TAX REFUND

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

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

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

March 10, 2025 Council Regular Meeting Minutes- APPROVED 4/7/25

Block	Lot	Reason	Name & Address	Property Location	Amount
230.01	1	1st qtr pay 2025 (Dis Vet)	Terri & Jason Chandler Pay to : Lereta LLC Attn: Central Refunds 901 Corporate Center Dr. Pomona, CA. 91768 (Contract #8079995)	17 Sheinfine Ave	\$2264.29

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Ciulla</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 10, 2025

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

****Council President Ciulla abstained from voting on resolution 2025-108 and purchase order 25-00517**

GOVERNING BODY COMMENTS (For the Good and Welfare of the Borough)

Councilman DeSantis

- Speaks on the passing of Shawn Haussermann.

Councilwoman Balazs

- Speaks on the passing of Shawn Haussermann.
- Happy St. Patrick's Day.
- Be careful with the kids outside.

Councilman Gurchensky

- Thank you to all public safety officers.
- Congrats to the Police Officers who are retiring.
- Be careful with children being outside.

Councilman Dziemian

- There are free concerts the first Sunday of every month at the Imperial Center.
- Speaks on the passing of Shawn Haussermann.

Councilman Giannakopoulos

- Speaks on the passing of Shawn Haussermann.

Council President Ciulla

- Speaks on the passing of Shawn Haussermann.
- Please be careful with kids outside.
- Happy St. Patrick's Day.

Mayor Guindi

- Speaks on potholes. Please call DPW if you need a pothole filled.
- If there are issues with parking, please do not hesitate to call the Police Department.
- Speaks on the passing of Shawn Hausserman.
- Happy St. Patrick's Day.

ADJOURNMENT

Being no further business; Mayor Guindi requested motion to adjourn. Councilwoman Balazs motioned to adjourn; seconded by Council President Ciulla. All in favor. Meeting adjourned at 7:35 pm.

Respectfully submitted,

Alyssa Hager

Alyssa Hager, RMC
Borough Clerk