

REGULAR MEETING MINUTES
JUNE 12, 2023
MAYOR AND BOROUGH COUNCIL
MEETING NO. 10

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 June 12, 2023, and was called to order by Mayor Krenzel at 7:00 PM with the following Council Members in Attendance:

Mayor and Council Roll Call	Present	Absent	Excused Tardy
<i>Mayor John M. Krenzel</i>	X		
<i>Council President Tony Ciulla</i>		X	
<i>Councilwoman Donna Balazs</i>	X		
<i>Councilman Peter Guindi</i>	X		
<i>Councilman James Gurchensky</i>	X		
<i>Councilwoman Julie Meira</i>			X
<i>Councilman Jason Oliveira</i>	X		

Also attending this meeting were Business Administrator Arthur Londensky, Chief Financial Officer Joseph Zanga, Borough Attorney Andrea Wyatt, Deputy Police Chief John McKenna, DPW Director Adriano Soares, and Borough Engineer Bruce Koch.

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 OR REMOTELY VIA ZOOM HAS BEEN PUBLISHED IN THE HOME NEWS TRIBUNE ON JANUARY 6, 2023, POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD, THE BOROUGH WEBSITE, AND THE FRONT DOOR OF THE CRIMINAL JUSTICE BUILDING AT 61 MAIN STREET, SOUTH RIVER.

PROCLAMATION

- None

EXECUTIVE SESSION

RESOLUTION 2023-194

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE ENTRANCE INTO EXECUTIVE SESSION

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 Council of the Borough of South River are of the opinion such circumstances 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 of the State of New Jersey, that the public be excluded upon the hereinafter specific subject matter and that such subject matter to be so discussed is as follows:

- Litigation
- Interlocal Agreement/Football Fields

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when confidentiality is no longer required.

Adjourn to Executive Session at 7:03 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman Guindi</i>		X	X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>						X
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

Reconvene to Public Session at 7:24 pm

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>		X	X			
<i>Council President Ciulla</i>						X

***Councilwoman Meira appeared during closed session at 7:10 pm.*

AGENDA SESSION

- None

ORDINANCE– SECOND READING & PUBLIC HEARING

**BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX**

BOND ORDINANCE NO. 2023-20

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,095,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,342,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED 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 described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,095,000, said sum being inclusive of all appropriations heretofore made therefor, including \$681,405 in grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and the sum of \$71,095 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,342,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of: (i) the acquisition of a street sweeper for the Department of Public Works; (ii) 9-11/radio and communication upgrades for the Police Department; (iii) the acquisition of a municipal vehicle and equipment for the Office of Emergency Management; and (iv) improvements to various roads within the Borough, including, but not limited to, Leonardine Avenue and Beryl Street, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,342,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,095,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,095,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$71,095 down payment for said purposes, and \$681,405 grant funds expected to be received from the NJDOT for said road improvements.

Section 4. 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. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. 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 purchasers thereof upon receipt of payment of the purchase price plus accrued interest 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that 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 the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 9.97 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, 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. 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 and notes provided in this bond ordinance by \$1,342,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$235,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

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

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

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, unless paid from other sources, 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. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Oliveira motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2023-20 by title only. Mayor Krenzle opened the floor for public hearing of Ordinance 2023-20 only.

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

Adopted 6-12-23

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

**ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK**

**BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX**

BOND ORDINANCE NO. 2023-21

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WATER TREATMENT, STORAGE AND DISTRIBUTION SYSTEM, APPROPRIATING \$950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$900,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT ORDAINED 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 described in Section 3 of this bond ordinance are hereby authorized as Water Utility improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$950,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$50,000 as the down payment for said purposes. Said down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets. In accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, no down payment is required as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$900,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of various improvements to the Borough's water treatment, storage and distribution system, including, but not limited to, water mains, lead and galvanized pipes, valves and hydrants, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$900,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$950,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$950,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$50,000 down payment for said purposes.

Section 4. 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. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. 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 purchasers thereof upon receipt of payment of the purchase price plus accrued interest 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water Utility 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 the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, 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. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$900,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$350,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

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

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the

improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

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, unless paid from other sources, 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. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Oliveira motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2023-21 by title only. Mayor Krenzel opened the floor for public hearing of Ordinance 2023-21 only.

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

Adopted 6-12-23

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>		X	X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCES – FIRST READING

The Borough Clerk read Ordinance 2023-22 by title only.

ORDINANCE NO. 2023 –22

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF
SOUTH RIVER, SO AS TO AMEND CHAPTER 155 ENTITLED “FEES”**

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 155 of the Borough Code of the Borough of South River, entitled "Fees" is hereby amended so as to amend Section 155.19.1 entitled "Section 22-62, Recreation program and park fees" as follows:.

§ 155.19.1 Section 22-62, Recreation program and park fees.

- A. Baseball (t-ball, rookie, minor, major leagues): \$45.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

- B. Basketball (fundamentals, K through 2, 3rd through 5th, 6th through 8th): \$60.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

- C. Softball (gidgets, juniors, seniors): \$45.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

- D. Wrestling: \$100.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

- E. Street hockey and Street Hockey Fundamentals: \$45.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

- F. Aerobics, men's fitness, zumba and yoga: \$30.

Additional fees:

- (1) After registration closed: \$10.

- (2) For nonresidents: \$10.
- G. Summer Recreation Early Dropoff Program.
 - (1) One child: \$100.
 - (2) Two children: \$150.
 - (3) Three or more children: \$200.
- H. Soccer and Soccer Fundamentals \$75.
Additional fees:
 - (1) After registration closed: \$10.
 - (2) For nonresidents: \$10.
- I. Tennis: \$50.
Additional fees:
 - (1) After registration closed: \$10.
 - (2) For nonresidents: \$10.
- J. Athletic field lighting fees:
 - 1. When any sports team, league or organization seeks to reserve the use of a Borough athletic field at night(s), with the use of lighting, it shall be charged a lighting fee of \$25.00 per hour for the use of the electricity on lighted fields.
 - 2. Fees shall be billed in one-half-hour increments per use, rounded up, based on the amount of the time reserved.
 - 3. All fees will be collected up front, based on the amount of field time reserved, at the beginning of each season.
 - 4. If there are any hours paid for and not used, due to rainouts or other cancellations, said fees shall be refunded in a reasonable time following the end of the sports season.
 - 5. Borough Sponsored Recreation Leagues and Borough Schools shall be exempt from the lightening fee in Section J(1). Borough Recognized Youth Sport Organizations will be exempt from the fee in Section J(1) pursuant to the terms of the grant agreement.
- K. Athletic field use fees:
 - 1. When any sports team or league seeks to reserve the use of a Borough athletic field, it shall be charged a fee for the use as set forth below:
 - i. \$25 per two-hour increment for resident teams or Non-Profit organizations;
 - ii. \$50 per two-hour increment for non-resident or For-Profit organizations.
 - 2. All fees will be collected up front, based on the amount of field time reserved, at the beginning of each season.

3. If there are any dates paid for and not used, due to rainouts or other cancellations, said fees shall be refunded in a reasonable time following the end of the sports season.
 4. Borough Sponsored Recreation Leagues and Borough Schools shall be exempt from the use fee in Section K(1). Borough Recognized Youth Sport Organizations may be exempt from the fee in Section K(1) pursuant to the terms of the grant agreement.
- L. Cheerleading Gymnastics:
- (1) One Session: \$45.
 - (2) Mommy and Me Program: \$45.
 - (3) Competition Team:
 - a. July -April \$ 650.
 - b. September-April\$ 320.
 - c. October-April \$ 280.
 - d. Payment for Competition Team can be spread out equally over 10 months due on the 1st of each month.
 - (4) Additional fees:
 - a. After registration closed: \$10.
 - b. For nonresidents: \$10.
- M. Volleyball-Adult and Youth: \$50.
- Additional fees:
- (1) After registration closed: \$10.
 - (2) For nonresidents: \$10.
- N. Spring Flag Football: \$115.
- Additional fees:
- (1) After registration closed: \$10.
 - (2) For nonresidents: \$10.
- O. Agility Class- Adult and Youth: \$45.
- Additional fees:
- (1) After registration closed: \$10.
 - (2) For nonresidents: \$10.
- P. Quilting: \$100.
- Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

Q. Art: \$80.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

R. Running and Track: \$45.

Additional fees:

- (1) After registration closed: \$10.
- (2) For nonresidents: \$10.

S. All head coaches will receive a free registration for that particular sport. If the sport requires equipment/uniforms, the coach will be responsible for the difference.

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. 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 June 12 20, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of July 2023, 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 6-12-23

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>	X		X			
<i>Council President Ciulla</i>						X

ALYSSA GUGLIETTI, RMC
BOROUGH CLERK

DEPARTMENTAL/PROFESSIONAL REPORTS

Engineers Report

- **NJDOT 2020 and 2021 Local Aid Projects and the Curb and Sidewalks Program**
 - The Borough received a \$580,000.00 grant from the NJDOT for the 2020 Roadway Improvements, and a \$475,575.00 grant from the NJDOT for the 2021 Roadway Improvements
 - NJDOT 2020 Roadways
 - First Street (New Street to Leonardine Avenue)
 - Claremont Avenue (James Street to David Street)
 - Obert Street (Main Street to Jackson Avenue)
 - Gordon Street (Main Street to Washington Street)
 - Clayton Court;
 - Wilcox Street Drainage Repairs (Darrow Street to Edgewood Street)
 - The contractor has addressed the final Punch-list item.
 - NJDOT 2021 Roadways
 - Albourne Street (Cleveland Ave. to Wilbur St);
 - Ferris Street (Cleveland Avenue to Darrow Street)
 - The contractor has completed the final Punch-list item.
- **NJDOT FY 2022 Local Aid Program**
 - The borough received a \$457,410.00 grant for Appleby Avenue, Morningside Avenue, and 5th Street. The paving is complete.
- **NJDOT FY 2023 Local Aid Program**
 - We applied for Leonardine Ave. from the OBT to Grand Ave., Prentice Ave. from Willett Ave. to Sheldon Ave. & Beryl St. from Cleveland Ave. to Wilcox Ave. According to the NJDOT PMRS site the borough has received a \$681,405.00 grant. We issued an amended proposal regarding this project.
- **NJDOT FY 2023 Local Transportation Projects**
 - We applied for 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.

- **NJDOT FY 2024 Local Aid Program**
 - The NJDOT has announced that applications are being accepted for State Aid Programs. The deadline for grant applications is July 1, 2023.
- **2020 Electrical Substation Maintenance**
 - The training is being scheduled.
- **Well No. 2 Replacement**
 - We are processing the Close-out payment.
- **Water Treatment Plan Upgrades**
 - The work is substantially complete.
- **NJDEP Stormwater Assistance Grant Application**
 - We submitted the application, and the Borough has been awarded a \$25,000 grant.

Chief Financial Officer Joseph Zanga

- Resolution for the renewal of banking services with Provident Bank for the next 2 years.
- Resolution authorizing Summer Recreation employees.

Councilwoman Meira would like to know is if Provident Bank will be providing the borough a check reader for depositing money and CFO Zanga answers.

Deputy Chief of Police John McKenna

- 6/3 was the bike rodeo, 6/9 was the torch run, and 6/14 is Government Day.
- Replacement of 2 officers.
- Resolution 2023-210 for hiring Special Class 1 officers.

DPW Director Adriano Soares

- Public Works is closed on Tuesday 7/4. That garbage will be picked up on July 3rd. There will be no yard waste pick up.
- Updates can be received from Nixel, Facebook, and the website.

Borough Clerk

- No report

Borough Attorney

- No report

Borough Administrator Londensky

- There is paving activity on Main Street.
- B & W will be performing water main break work. It will be a \$200,000 job.
- Explains resolutions 2023-203 and 2023-204. President of AGRA, Mike Furrey explains resolutions 2023-211 and 2023-212. Mr. Furrey also reports that NJDEP came and performed an inspection at the treatment plant, and they were extremely pleased with the work that the borough has done.

Councilman Guindi speaks on the violation letter and would like an explanation for the delay and Mr. Furrey answers. The borough is in full compliance. Councilman Guindi would like to know if there is a way that such a letter can be brought to the borough's attention a lot quicker and Mr. Furrey answers. Councilman Guindi would like to know where the borough stands regarding the plans for the water issue and Mr. Furrey answers.

Councilman Gurchensky asks how effective the chemical is and Mr. Furrey answers. It will be a continuous treatment.

COUNCIL LIAISON REPORTS

Councilman Guindi

- No report.
- Gives Fire Department report as the Fire Chief is not present. Thank you to everyone who help with the OBT fire.
- 6/25, the truck committee will be meeting.
- 7/1, there will be hose testing.

Councilwoman Balazs

- Thank you to all the residents that came out for the Memorial Day Parade.
- Due to the paving on Jackson Street, there will be no food donations on certain days.
- South River Day is on 6/17 from 12 pm-5 pm..

Councilman Gurchensky

- OOA has a few road trips.
- Friday, 6/16, the thrift store is open at the OOA.
- OOA will be closed on 6/28.

Councilwoman Meira

- The Elementary School had their talent show. There were 24 performances.
- School trips are commencing. Tomorrow is Fun Day for the Elementary School.
- BOE meeting on 6/22.
- Library meeting will be at the end of the month.

Councilman Oliveira

- Congrats to multiple teams.
- Look out for flyers for summer recreation.
- Cheer gymnastics, youth agility, and tennis will take place after summer rec.
- The Spring Festival was a success. Thank you to Terri and Jessica.
- Cheerleading is getting ready to kick-off. Their first competition will be in January.

PUBLIC COMMENT

Mayor Krenzel opened the floor for Public Comment.

Richard Byrne, 11 Bissett Place, speaks on the Environmental Commission and their part at South River Day. Mr. Byrne speaks on the violation notice. Mr. Byrne speaks on "good things" that have happened in South River and thanks the workers at DPW.

Jim Hutchison, 38 Virginia Street, congratulates all the winners at the election and congratulates the candidates who did not win. Mr. Hutchison speaks on the grants that have been applied for. Mr. Hutchison speaks on the ongoing speeding issues on Virginia Street and Darrow Street and ways to make it safer.

Mayor Krenzel requests Deputy Chief McKenna to investigate ways to fix the speeding issue. Councilwoman Meira suggests a crosswalk.

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

CONSENT RESOLUTIONS 2023-195 TO 2023-217

"Whereas Resolution 2023-01 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 2023-195

RESOLUTION AUTHORIZING PROVIDENT BANK FOR PRIMARY BANKING SERVICES

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 Provident Bank is authorized to provide the Borough's primary banking services, effective July 1, 2023 through June 30, 2025, as outlined in the submitted proposal on file with the Borough Clerk.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-196

**RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO
2023 IMPROVEMENTS TO VARIOUS ROADWAYS AND PARKS**

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and State of New Jersey that CME Associates is authorized to perform professional engineering services related to 2023 Improvements to Various Roadways and Parks, as outlined in the Borough Engineer's letter dated March 15, 2023, at a cost not to exceed \$171,465.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in account C-06-23-020-204, subject to the Estoppel period of Bond Ordinance 2023-20.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **JOSEPH ZANGA**, Chief Financial Officer for the Borough of South River, do hereby certify that adequate funds are available for a contract with CME Associates for engineering services related to 2023 Improvements to Various Roadways and Parks in an amount not to exceed \$171,465.00. The funds for this contract are available in Account C-06-23-020-204, subject to the Estoppel period of Bond Ordinance 2023-20.

JOSEPH ZANGA, Chief Financial Officer
Borough of South River

RESOLUTION 2023-197
RESOLUTION AUTHORIZING CME TO FILE AN AIR QUALITY PERMIT WITH NJDEP

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 CME Associates is authorized to file an Air Quality Permit with the NJDEP for Standby Generation for the Department of Public Works at a cost not to exceed \$1,260.00.

BE IT FURTHER RESOLVED THAT the Chief Financial Officer of the Borough has certified the availability of

funds in account 3-03-55-502-205.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-198

RESOLUTION AUTHORIZING APPOINTMENT OF RECREATION DEPARTMENT BY MAYOR KRENZEL

I, John M. Krenzel, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following to positions in the Recreation Department effective as of June 13, 2023.

Summer Recreation Sports Director:

Eric	Clays	\$30.00/hour
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Summer Recreation Counselors and Future 2022 Events:

Elijah	Abass-Shereff	\$14.13/hour
Leight	Borusovic	\$14.13/hour
Tiago	Capela	\$14.13/hour
Kaylee	Conrad	\$14.13/hour
Mya	DellaValle	\$14.13/hour
Diogo	Goncalves	\$14.13/hour
Zoey	Link	\$14.13/hour
Michael	Marchesi	\$14.13/hour
Amiya	Osborne	\$14.13/hour

Sabrina	Rega	\$14.13/hour
Jacob	Teixeira-Saraiva	\$14.13/hour
Nicholas	Sapata	\$14.13/hour
Dylan	Soares	\$14.13/hour
Madison	Vitucci	\$14.13/hour
Ryker	Stewart	\$14.13/hour

Yoga Instructor:

Angela	Deerson	\$40.00/class
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Art Instructor:

Angela	Deerson	\$80.00/2 hour class
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COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-199
RESOLUTION GRANTING RENEWAL TO
PLENARY RETAIL, CONSUMPTION AND CLUB LICENSES IN THE BOROUGH
OF SOUTH RIVER FOR THE PERIOD JULY 1, 2023 TO JUNE 30, 2024

WHEREAS, applications for renewal of Plenary Licenses have been filed with the Division of Alcoholic Beverage Control Commission through its Online Licensing System and Borough renewal fees have been paid for the period of July 1, 2023 until June 30, 2024; and

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

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

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

LICENSE

<u>NUMBER:</u>	<u>LICENSEE:</u>	<u>DBA TRADE NAME</u>
1223-31-044-001	Byelorussian American Community Center 284 Whitehead Avenue South River, NJ 08882	Byelorussian American Community Center
1223-31-047-001	Imperial Band of South River Inc. 48 Appleby Avenue South River, NJ 08882	Imperial Music Center
1223-31-048-001	Level Club of South River Inc. 120 Old Bridge Turnpike South River, NJ 08882	Level Club
1223-31-054-003	South River Boat Club Inc. 115 Whitehead Avenue South River, NJ 08882	South River Boat Club
1223-31-055-003	South River Portuguese Club 100 John Street South River, NJ 08882	South River Portuguese Club
1223-31-056-001	Lyons-Schepsco VFW Post 31 Reid Street South River, NJ 08882	VFW Post 1451
1223-32-019-009	Pantry 1 South River, Inc. 1 Great Beds Way South Amboy, NJ 08879	Pantry 1 Foodmart (Pocket) 17 Division Street South River, NJ 08882
1223-32-037-009	Kaap Associates Corp. 216 Old Bridge Turnpike South River, NJ 08882	National Wine and Liquor
1223-33-006-006	SR Association, LLC 32 Main Street South River, NJ 08882	The Office
1223-33-007-005	RPM 33 LLC 71 Devoe Street South River, NJ 08882	Thirty Three's Tavern
1223-33-009-008	Campesino Restaurant Rodizio and Café LLC	Campozino Restaurant Rodizio and Café

	12-16 Ferry Street South River, NJ 08882	
1223-33-018-005	Crestwood Food & Liquor Inc. 260 Old Bridge Turnpike South River, NJ 08882	Crestwood Liquor Bar Food Store
1223-33-024-003	Budney's Inc. 14 Washington Street South River, NJ 08882	Budney's Tavern
1223-33-029-005	Goldstar Bar Inc. 33 Whitehead Avenue South River, NJ 08882	Goldstar Bar
1223-33-031-004	Acapulco Tropicana Bar LLC 183 Prospect St. South River, NJ 08882	Acapulco Tropicana Bar
1223-33-034-005	El Tenampa LLC 68 Jackson Street South River, NJ 08882	El Tenampa LLC
1223-33-039-008	Fishermen's Cove Corp. 11 Jackson Street South River, NJ 08882	Portuguese Fisherman
1223-44-001-010	Soham Inc. 81 Main Street South River, NJ 08882	Krauser's Food Store
1223-44-015-007	Daisy's Liquors Inc. 64 Jackson Street South River, NJ 08882	Daisy's
1223-44-028-003	Gandhi Trading LLC 49 Obert Street South River, NJ 08882	Otto's Liquors
1223-44-041-012	Shreeji Ki Krupa Inc. 478 Old Bridge Turnpike South River, NJ 08882	Witty's Liquors
1223-44-022-009	South River Spirits N More LLC Samir Desai 710 Old Bridge Turnpike South River, NJ 08882	Spirits N More

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-200

RESOLUTION AUTHORIZING THE PURCHASE OF A PICKUP TRUCK FOR THE ELECTRIC DEPARTMENT FROM NIELSON FORD UNDER STATE CONTRACT NUMBER 23-FLEET-34922

WHEREAS, there exists a need to purchase a pickup truck for the Electric Department in the Borough of South River, County of Middlesex, State of New Jersey; and

WHEREAS, there exists a state contract with a registered vendor known as Nielson Ford under contract number 23-Fleet-34922 through which contract municipalities are authorized by 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 pickup truck from the said state authorized vendor for \$61,506.00 each; and

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds for the purchase of a pickup truck in account 3-03-55-512-213 and 3-03-55-502-202.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the appropriate officials be and they are hereby authorized to execute the appropriate documents in order to acquire the aforesaid pickup truck from the referenced vendor.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-201

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MEGHAN ANN BENNETT OF DILWORTH PAXSON LLP, AS BOND COUNSEL FOR THE BOROUGH OF SOUTH RIVER

WHEREAS on January 9, 2023 Meghan Ann Bennett of GluckWalrath LLP was appointed as Bond Counsel; and

WHEREAS on June 1 2023, Meghan Ann Bennett, Esq. of GluckWalrath LLP will become affiliated with the firm of Dilworth Paxson LLP; and

WHEREAS the governing body desires to amend the appointment of Bond Counsel and to enter into an agreement to reflect the affiliation of Meghan Ann Bennett with Dilworth Paxson LLP.

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

1. Effective immediately, Meghan Ann Bennett of the law firm Dilworth Paxson LLP is hereby retained for the provision of bond counsel services for the balance of the one-year term ending December 31, 2023, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on January 9th, 2023 for the calendar year 2023.
2. The Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the execution of said agreement with Meghan Ann Bennett of the law firm of Dilworth Paxson LLP.
3. This resolution shall take effect immediately.
4. That a certified copy of this resolution shall be forwarded by the Borough Clerk to the Chief Financial Officer and to Meghan Ann Bennett, Esquire.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-202
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>
65-999-006-387 ELEC CURRENT	MARIA SHOROK & EMAD BASHA 21 PULAWSKI AVE SOUTH RIVER, NJ 08882	\$1559.95
65-999-003-615 CD	SALVADOR JIMCACZ GOMEZ & VIRGINIA HERNANDEZ APARICIO 112 WHITEHEAD AVE APT 1 SOUTH RIVER, NJ 08882	\$77.31
65-999-008-174 CD	EDWARD JONES & SAMONA TRAUTBETTER 4 SWIDER DR APT B23 PARLIN, NJ 08859	\$149.26
66-999-921-855 WATER CURRENT	RAKES PASSI	\$197.59
66-999-921-855 WATER PREVIOUS	149 MAIN ST SOUTH RIVER, NJ 08882	\$48.69
65-999-886-634 CD	JANICE MOSCATO 4B FOOTHILLS DR SOUTH RIVER, NJ 08882	\$193.95
65-999-002-328 CD	MANUEL J CRUZ & LUCINDA SILVA	\$165.30
66-999-000-869 WATER CURRENT	3 SNAPPER AVE SOUTH RIVER, NJ 08882	\$19.02
65-999-005-932 CD	ROZA TEN 20 WOJIE WAY APT 214 SOUTH RIVER, NJ 08882	\$89.47

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			

<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2023-203
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH
FORERUNNER INDUSTRIES, INC.**

WHEREAS, there exists a need for computer software to assist in managing the Borough's obligations concerning property elevation certificates in the Borough's Construction Department; and

WHEREAS, the Borough solicited a proposal for abovementioned computer software needs; and

WHEREAS, Forerunner Industries, Inc. has submitted an advantageous proposal in accordance with the Borough's request, attached hereto as Schedule A; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd), authorizes the award of a contract for support or maintenance of proprietary computer hardware and software; and

WHEREAS, the governing body desires to award a contract for software designed to maintain certain records in the Borough's Construction Department to Forerunner Industries, Inc.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of South River as follows:

1. That the governing body does hereby award a contract for proprietary software designed to maintain Construction Department records to Forerunner Industries, Inc., in an amount not to exceed \$9,000.00 in accordance with the advantageous proposal attached hereto as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Forerunner Industries, Inc in a form acceptable to the Borough Attorney.

3. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract: 3-01-32-465-208.
4. A certified copy of this Resolution shall be provided to the Chief Finance Officer, Construction Official and Forerunner Industries, Inc.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-204
RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL SOFTWARE
PRODUCT AGREEMENT WITH MITCHELL HUMPHREY & CO.

WHEREAS, there exists a need for supplemental software to assist in electronic processing of the Borough's Construction Permits in the Borough's Construction Department; and

WHEREAS, the Borough solicited a proposal for abovementioned computer software needs; and

WHEREAS, Mitchell Humphrey & Co, a current software vendor, has submitted an advantageous proposal in accordance with the Borough's request, attached hereto as Schedule A; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd), authorizes the award of a contract for support or maintenance of proprietary computer hardware and software; and

WHEREAS, the governing body desires to award a contract for software to assist in electronic processing of the Borough's Construction Permits in the Borough's Construction Department to Mitchell Humphrey & Co.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of South River as follows:

5. That the governing body does hereby award a contract for proprietary software to assist in electronic processing of the Borough's Construction Permits to Mitchell Humphrey & Co., in an amount not to exceed \$4,500.00 in accordance with the advantageous proposal attached hereto as Schedule A.
6. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Mitchell Humphrey & Co in a form acceptable to the Borough Attorney.
7. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 3-01-32-465-208.
8. A certified copy of this Resolution shall be provided to the Chief Finance Officer, Construction Official and Mitchell Humphrey & Co.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-205
RESOLUTION AUTHORIZING THE PURCHASE OF A ROLL OFF TRUCK FOR THE BOROUGH OF SOUTH RIVER DEPARTMENT
OF PUBLIC WORKS IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, there exists a need to purchase a roll off truck for the Borough of South River Department of Public Works in the County of Middlesex of the State of New Jersey; and

WHEREAS, there exists a National Cooperative Purchasing contract with a registered vendor known as Gabrielli Truck Sales, Inc. under Sourcewell contract number 060920-KTC through which contract municipalities are authorized by 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 roll off truck from Gabrielli Truck Sales, Inc. the said National Cooperative authorized vendor in the amount of \$287,495.12; and

WHEREAS, the Chief Financial Officer of the Borough has advised that funds are available for the purchase of a roll off truck in account C-06-22-022-101; 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 roll off truck from the above referenced vendor.

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 Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-206

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO DARROW STREET, DAILEY STREET, & JOHN STREET

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of South River formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “MA-2024-Improvements to Darrow Street, Dailey Street, & John Street -00216” to the New Jersey Department of Transportation on behalf of the Borough of South River.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of South River and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-207
RESOLUTION APPOINTING HEARING OFFICER

WHEREAS, under N.J.S.A. 40A:14-118 the Public Safety Committee (“Committee”) serves as the appropriate authority of the South River Police Department; and

WHEREAS, N.J.S.A. 40A:14-147 and N.J.S.A. 40A:14-148 provide for appropriate authorities to act as hearing officers to hear and decide disciplinary charges brought against members of a police department; and

WHEREAS, disciplinary charges have been brought against a member of the police department and said member has requested a hearing on the charges; and

WHEREAS, the Committee has determined it appropriate to delegate its authority to hear and decide the charges to a third-party for the purposes stated herein; and

WHEREAS, the Borough of South River has reviewed the background of Michael Foligno (“Foligno”), Elmwood Park Chief of Police, to provide this service and has determined that hiring Chief Foligno is in the best interests of the Borough.

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

1. The Borough hereby appoints Police Chief Foligno, whose address is 182 Market Street, Elmwood Park, New Jersey, 07407, as hearing officer to preside over the disciplinary hearing, and who shall review evidence and make a recommendation in writing at the conclusion of the hearing as to whether the charges are sustained and what penalty, if any, should be imposed by the Committee; and
2. Chief Foligno shall be compensated at the rate of \$150.00 per hour, plus expenses, for the conduct of the hearing and time expended related thereto, not to exceed \$3,000.00.
3. The Chief Financial Officer of the Borough has advised that funds are available for this hearing in Account 3-01-25-240-205.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-208
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 May 22, 2023 Regular Meeting Minutes are approved.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk

June 12, 2023 Council Regular Meeting Minutes- ADOPTED 7/10/23

RESOLUTION 2023-209
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 \$1,248,472.50 and previously paid claims in the amount of \$2,732,473.16 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 Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-210

**RESOLUTION AUTHORIZING APPOINTMENT OF CLASS I SPECIAL LAW ENFORCEMENT OFFICERS FOR THE
BOROUGH OF SOUTH RIVER**

I, John M. Krenzle, Mayor of the Borough of South River, with the advice and consent of the Council of the Borough South River, and the Public Safety Committee of the Borough of South River, do hereby appoint the following as paid Class One Special Law Enforcement Officers (SLEO I) effective June 13, 2023 for the term of June 13, 2023 to December 31, 2023:

Leon Daly
Matheo Faccin
Alina Hassan
Cristino Rodriguez
James Stewart

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			

Councilman Guindi	X		X			
Councilman Gurchensky			X			
Councilwoman Meira			X			
Councilman Oliveira			X			
Council President Ciulla						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-211

RESOLUTION AWARDING A CONTRACT TO KLEINFELDER FOR PROFESSIONAL SERVICES RELATED TO THE WATER QUALITY COMPLAINT INVESTIGATION USING THE HYDRAULIC MODEL

WHEREAS, there exists a need for engineering services related to the water quality complaint investigation using the hydraulic model; and

WHEREAS, the Borough has solicited a proposal for engineering services related to the water quality complaint investigation using the hydraulic model; and

WHEREAS, Kleinfelder has submitted an advantageous proposal in accordance with the Borough request, attached hereto as Schedule A; and

WHEREAS, the Borough Council desires to award a contract to Kleinfelder for engineering services related to water quality complaint investigation using the hydraulic model pursuant to the provisions of N.J.S.A. 19:44A-20.5 in an amount not to exceed \$14,700.00; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey as follows:

1. That the governing body does hereby award a contract for engineering services related to the water quality complaint investigation using the hydraulic model to Kleinfelder, in an amount not to exceed \$14,700.00, in accordance with the attached Schedule A, an advantageous proposal.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Kleinfelder in a form acceptable to the Borough Attorney.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.

4. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 3-02-55-502-205.

5. A certified copy of this Resolution shall be provided to the Chief Finance Officer and Kleinfelder.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **JOSEPH ZANGA**, Chief Financial Officer for the Borough of South River, do hereby certify that adequate funds are available for a contract with Kleinfelder for engineering services related to the water quality complaint investigation using the hydraulic model in an amount not to exceed \$14,700.00, The funds which are available for this contract are found in the following line-item appropriations or ordinances: 3-02-55-502-205.

JOSEPH ZANGA, Chief Financial Officer
Borough of South River

RESOLUTION 2023-212

RESOLUTION AUTHORIZING AGRA ENVIRONMENTAL AND LABORATORY SERVICES TO PROVIDE PROFESSIONAL SERVICES FOR THE CHANGE IN CHEMICAL TREATMENT IN THE BOROUGH WATER SYSTEM

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and State of New Jersey that Agra Environmental and Laboratory Services is authorized to provide professional services for the change in Chemical Treatment in the Borough's Water System to include bid document preparation, NJDEP permitting, design, inspection, and training, not to exceed \$140,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in account W-07-23-021-201, subject to the Estoppel period of Bond Ordinance 2023-21

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-213

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF BOROUGH PROPERTY LOCATED AT BLOCK 212 LOT 6.03 TO ADJACENT PROPERTY OWNERS, IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5) AND N.J.S.A. 40A:12-13.2

WHEREAS, the Borough of South River has title to Block 212, Lot 6.03 in the Borough; and

WHEREAS, the property is without a capital improvement, does not meet the minimum size required for development under the current zoning ordinances of the Borough of South River and is not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-13.2 grants to adjoining property owners a right of first refusal to purchase such undersized lots; and

WHEREAS, the Borough of South River wishes to offer Block 212, Lot 6.03 for sale to the adjacent property owners in accordance with N.J.S.A. 40A:12-13.2; and

WHEREAS, the Tax Assessor of the Borough of South River has determined that the fair market value of Block 212, Lot 6.03, is \$3,300.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

1. That the governing body does hereby authorize notice to the adjoining property owners of Block 212, Lot 6.03, of the Borough's desire to sell said property for its fair market value of \$3,300.00.
2. In the event that only one adjoining property owner wishes to purchase the Block 212, Lot 6.03, for its fair market value of \$3,300.00, then and in that event, the Borough will proceed to authorize the sale of Block 212, Lot 6.03, to said adjoining property owner by ordinance in accordance with state law.

3. In the event that more than one adjacent property owner wishes to purchase the Block 212, Lot 6.03, for its fair market value of \$3,300.00, then and in that event, the Borough shall conduct a Request for Bids for said property from the adjoining property owners interested in purchasing said property and shall authorize the sale of Block 212, Lot 6.03, to the adjoining property owner willing to pay the highest purchase price to the Borough of South River. The Borough Administrator is authorized to conduct a Request for Bids on a date and time to be determined, which shall be duly advertised in accordance with applicable law.
4. That the adjoining property owner who purchases Block 212, Lot 6.03, shall be responsible for the payment of the Borough Attorney fees and publication costs.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-214
RESOLUTION RATIFYING THE SETTLEMENT OF LITIGATION ENTITLED KOZIATEK
V BOROUGH OF SOUTH RIVER

WHEREAS, plaintiff, Keith Koziatek, filed a lawsuit in the New Jersey Superior Court, Middlesex County, Law Division Docket No. MID-L-5372-19 against the Borough of South River; and

WHEREAS, the plaintiff has alleged various claims against the Borough of South River in which the Borough was represented by defense counsel appointed by Middlesex County Municipal Joint Insurance Fund; and

WHEREAS, the Borough's insurance carrier has determined it is in its best interest to settle the litigation in exchange for a release of all claims; and

WHEREAS, the settlement does not constitute an adjudication on the merits of the claims and the Borough of South River deny any liability to the plaintiff in the aforementioned litigation; and

WHEREAS, in an effort to avoid further costs of litigation, the parties have agreed to settle this matter; and

WHEREAS, the governing body desires to ratify the settlement agreement and release.

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account 3-02-55-502-202.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of South River as follows:

1. That the governing body does ratify the settlement agreement and release with the plaintiff in the action entitled Koziatek v. Borough of South River, Docket No. MID-L-5372-19.

2. A certified copy of this Resolution shall be provided to the Middlesex County Municipal Joint Insurance Fund.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2023-215
BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX
RESOLUTION AUTHORIZING THE INDEMNIFICATION OF CHIEF OF POLICE MARK TINITIGAN FOR PUNITIVE DAMAGES THAT MAY BE SUSTAINED AS A RESULT OF A CIVIL SUIT IN THE SUPERIOR COURT OF NEW JERSEY**

UPON MOTION of Councilman Guindi, seconded by Councilwoman Balazs, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, a civil action has been filed in the Superior Court of New Jersey- Middlesex County, under the caption Grekoski v. Borough of South River Police Department, Adam Dehanes, Police Chief Mark Tinitigan, Borough of South River, et als. under Docket No. MID-L-6301-21; (hereinafter the "Complaint"); and

WHEREAS, pursuant to N.J.S.A. 59:10-4, local public entities are empowered to indemnify local public employees consistent with the New Jersey Tort Claims Act; and

WHEREAS, a local public entity is permitted to indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of State or federal law, provided the acts committed by the employee upon which the punitive damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council, having reviewed the allegations contained in the Complaint and considered the factual information available to it thus far has determined that the alleged acts of Chief Tinitigan do not constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council having reviewed the allegations contained in the Complaint denies and has denied any wrongdoing by the Defendants, including the Chief, as alleged in the Complaint; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, that Mark Tinitigan, as Chief of the Borough of South River Police Department, will be indemnified for punitive damages that may be personally sustained against him based on the Complaint filed in the Superior Court of New Jersey, Middlesex County under Docket No. MID-L-6301-21.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South River, that should the Council learn of facts during the continued litigation of the Complaint that alters its opinion set forth herein, the Council reserves the right to dissolve this Resolution to indemnify Chief Tinitigan and notice Chief Tinitigan of its decision.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2023-216
BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX
RESOLUTION AUTHORIZING THE INDEMNIFICATION OF DEPUTY CHIEF OF POLICE JOHN MCKENNA FOR PUNITIVE DAMAGES THAT MAY BE SUSTAINED AS A RESULT OF CIVIL SUITS IN THE SUPERIOR COURT OF NEW JERSEY**

UPON MOTION of Councilman Guindi, seconded by Councilwoman Balazs, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, two civil actions have been filed in the Superior Court of New Jersey- Middlesex County, under the caption Guimano v. Borough of South River Police Department, Police Chief Mark Tinitigan, Lieutenant John McKenna, Borough of South River, et als. under Docket No. MID-L-3398-21; and Minacapelli v. Borough of South River Police Department, Police Chief Mark Tinitigan, Lieutenant John McKenna, Borough of South River, et als. under Docket No. MID-L-3395-21 (hereinafter the "Guimano and Minacapelli Complaints"); and

WHEREAS, pursuant to N.J.S.A. 59:10-4, local public entities are empowered to indemnify local public employees consistent with the New Jersey Tort Claims Act; and

WHEREAS, a local public entity is permitted to indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of State or federal law, provided the acts committed by the employee upon which the punitive damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council, having reviewed the allegations contained in the Guiamano and Minacapelli Complaints, and having reviewed the written discovery exchanged between the parties and considered the factual information available to it thus far, has determined that the alleged acts of Deputy Chief McKenna do not constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council has reviewed the allegations contained in the Guiamano and Minacapelli Complaints and denies and has denied any wrongdoing by the Defendants, including the Deputy Chief, as alleged in the Complaints; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, that John McKenna, as Deputy Chief of the Borough of South River Police Department, will be indemnified for punitive damages that may be personally sustained against him based on the Guiamano and Minacapelli Complaints filed in the Superior Court of New Jersey, Middlesex County.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South River, that should the Council learn of facts during the continued litigation of the Guiamano and Minacapelli Complaints that alters its opinion set forth herein, the Council reserves the right to dissolve this Resolution to indemnify Deputy Chief McKenna and notice Deputy Chief McKenna of its decision.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		x	X			
<i>Councilman Guindi</i>	x		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2023-217
BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING THE INDEMNIFICATION OF PUBLIC SAFETY TELECOMMUNICATOR ADAM DEHANES
FOR PUNITIVE DAMAGES THAT MAY BE SUSTAINED AS A RESULT OF A CIVIL SUIT IN THE SUPERIOR COURT OF
NEW JERSEY**

UPON MOTION of Councilman Guindi, seconded by Councilwoman Balazs, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, a civil action has been filed in the Superior Court of New Jersey- Middlesex County, under the caption Grekoski v. Borough of South River Police Department, Adam Dehanes, Police Chief Mark Tinitigan, Borough of South River, et als. under Docket No. MID-L-6301-21; (hereinafter the "Complaint"); and

WHEREAS, pursuant to N.J.S.A. 59:10-4, local public entities are empowered to indemnify local public employees consistent with the New Jersey Tort Claims Act; and

WHEREAS, a local public entity is permitted to indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of State or federal law, provided the acts committed by the employee upon which the punitive damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council, having reviewed the allegations contained in the Complaint and considered the factual information available to it thus far has determined that the alleged acts of Public Safety Telecommunicator ("PST") Adam DeHanes do not, in its opinion, constitute actual fraud, actual malice, willful misconduct or an intentional wrong; and

WHEREAS, the Council having reviewed the allegations contained in the Complaint denies and has denied any wrongdoing by the Defendants, including PST DeHanes, as alleged in the Complaint; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, that PST Adam DeHanes, as an employee of of the Borough of South River, will be indemnified for punitive damages that may be personally sustained against him based on the Complaint filed in the Superior Court of New Jersey, Middlesex County under Docket No. MID-L-6301-21.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South River, that should the Council learn of facts during the continued litigation of the Complaint that alters its opinion set forth herein, the Council reserves the right to dissolve this Resolution to indemnify PST DeHanes and notice PST DeHanes of its decision.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						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 June 12, 2023

Alyssa Guglietti, RMC

June 12, 2023 Council Regular Meeting Minutes- ADOPTED 7/10/23

Municipal Clerk
Borough of South River

Borough Attorney Wyatt states there is a change in resolution 2023-213, it needs to be changed to reflect Lot 6.03

**Councilman Guindi abstained from voting on purchase orders 23-01108 and 23-01216.

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

Councilwoman Meira

Councilwoman Meira would like Mike Furrey to clarify what work will be done on the water system. Mr. Furrey states the hydraulic model is to identify areas in the borough where the water flows can impact dirty water and where it is coming from. This proposal will be doing the work on the problematic areas of the town. The work will begin once the contract is signed and executed. Councilwoman Meira would like to know what the next step will be for the improvement of the water and Mr. Furrey answers. Hopefully there will be answers in August.

- 6/10 is the Flag Raising. The Human Relations Commission always does a great job.
- 6/20 is the next P/Z meeting if anyone is interested in reviewing the Master Plan.
- 6/21 is the last day of school
- 6/24 is the Yankee Game and Cornhole Tournament in the morning at the South River Portuguese Club.
- 6/26 is the week of the Junior Police Academy
- Happy 4th of July

Councilman Gurchensky

- Thank you to all our public safety officers.
- Please subscribe to Nixle.
- Happy Father's Day
- Happy 4th of July

Councilman Oliveira

- The Flag Raising was a great success.
- South River Day is 6/17
- 6/24 Parks and Recreation Yankee Game. Everything is included for \$95 and there have been 10-15 tickets sold.
- Daley's Pond is getting there. Fitzpatrick is also being worked on. Try to get a rendering of what Daley's will look like and have it posted.

Councilman Guindi

- Garbage pickup will be on 7/3
- Speaks on the Firehouse remediation.
- Memorial Day Parade was a huge success.
- The Bike Rodeo had a great turnout.
- South River Day is 6/17.
- The Masons Lodge will be having a rib fest on 6/17.
- Happy Father's Day.
- Happy 4th of July.

Councilwoman Balazs

- The Wednesday is Flag Day
- The Portuguese Flag Raising had a great turnout.

- Happy Father's Day.
- The next meeting is July 10th.

Mayor Krenzel

- The Memorial Day Parade was a huge success.
- Bike rodeo was a lot of fun.
- The Flag Raising was successful.
- Come out to Government Day
- Please come out for South River Day
- Happy 4th of July. Happy Birthday America!
- The next council meeting is July 10th.
- Happy Father's Day

ADJOURNMENT

Being no further business; Mayor Krenzel requested motion to adjourn. Councilwoman Balazs motioned to adjourn; seconded by Councilman Guindi. All in favor. Meeting adjourned at 8:17 pm.

Respectfully submitted,

Alyssa Guglietti

Alyssa Guglietti, RMC
Borough Clerk