

**REGULAR MEETING MINUTES
DECEMBER 5, 2022
MAYOR AND BOROUGH COUNCIL
MEETING NO. 19**

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 December 5, 2022 and was called to order by Council President Ciulla 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, 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, 2022, 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.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Council President Ciulla lead the salute to the Flag and a moment of silence.

PROCLAMATION

None

AGENDA SESSION

None

EXECUTIVE SESSION

RESOLUTION 2022-299

**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:

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• Contract Negotiations

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 7:02 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 7:08 pm

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			

ORDINANCES – SECOND READING & PUBLIC HEARING

ORDINANCE 2022-35

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 120 OF THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, ENTITLED “CANNABIS”

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

SECTION 1. The Borough Code of the Borough of South River is hereby amended and supplemented so as to amend Chapter 120, entitled “Cannabis” so as to amend Section 120-7 entitled “Number of Licenses in the Borough” which shall read entirely as follows:

§ 120-7 Number of Licenses Permitted within the Borough.

- A. Class 1 – Five (5) total licenses.
- B. Class 2 – Five (5) total licenses.
- C. Class 3- Five (5) total licenses.

D. Class 4 - Five (5) total licenses.

E. Class 6 - Five (5) total licenses.

SECTION 2. The Borough Code of the Borough of South River is hereby amended and supplemented so as to amend Chapter 120, entitled "Cannabis" so as to amend Section 120-10 entitled "Imposition and Rate of Cannabis Tax" which shall read entirely as follows:

§ 120-10 Imposition and Rate of Cannabis Tax.

A. A tax to be paid to the Borough by the Licensee as set forth in Section C below is imposed upon each of the following:

1. any sale by a cannabis grower (Class 1 License);
2. any sale by a cannabis processor (Class 2 License);
3. any sale by a cannabis wholesaler (Class 3 License); and
4. A user tax as required by statute.

B. The transfer tax authorized by this Section shall be assessed at the following rates:

1. 2% of the receipts from each sale by a cannabis grower;
2. 2% of the receipts from each sale by a cannabis processor; and
3. 1% of the receipts from each sale by a cannabis wholesaler.

C. A municipal user tax is hereby imposed at the equivalent transfer tax rates, on any concurrent license holder operating, more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to this section, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.

D. For each calendar quarter, no later than thirty days after the close of the quarter, or at such other times as the Borough shall require:

- (a) Every licensee shall file with the Borough a return setting out, in form satisfactory to the Borough:
- (1) The amount of sales by the licensee; and
 - (2) The amount of tax owing based upon the sales.

(b) Simultaneously with the return, every licensee shall remit payment to the Borough such amounts as shown on the return or otherwise required by this Chapter.

(c) The Borough may require licensees to submit such other information as the Borough deems necessary for proper administration of this tax.

(d) The Borough is charged with enforcement and collection of this tax and is empowered to promulgate and enforce reasonable regulations for its enforcement and collection.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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 5. This ordinance shall take effect after second reading and publication as required by law.

Councilman Guindi motioned to waive the full reading; seconded by Councilman Gurchensky. All in Favor. The Clerk read Ordinance 2022-35 by title only. Council President Ciulla opened the floor for public hearing of Ordinance 2022-35 only.

Richard Byrne, 11 Bissett Place, Mr. Byrne would like to know what the change is to this ordinance. It is stated that the number of licenses has changed. Borough Attorney Wyatt states there is also user tax that is required by the statute that was not in the first ordinance.

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

Councilwoman Meira would like to know if there is any application that is complete. BA Londensky states there will be a resolution on the next council meeting approving the completion.

Adopted 12-05-22

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			

ORDINANCE 2022 –36

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, CREATING CHAPTER 201 OF THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, ENTITLED "LIABILITY INSURANCE REGISTRY"

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

SECTION 1. The Borough Code of the Borough of South River is hereby amended and supplemented so as to create Chapter 201, entitled "Liability Insurance Registry" which shall read entirely as follows:

§ 201-1 Definitions.

CERTIFICATE OF INSURANCE. A document issued by an insurance company licensed to do business in the State of New Jersey including the policy holder's name, the address of the covered property, the policy effective and expiration dates, the type of coverage, the policy limits, the policy carrier and the names of any additionally insured parties.

§ 201-2 Registration required.

The owner of a business, a rental unit, or rental units located in the Borough of South River shall be required to register a certificate of insurance annually by January 1 of each year with the Municipal Clerk as follows:

A. The owner of any business located in the Borough of South River shall file a certificate of insurance in an amount no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.

B. The owner of a rental unit or units, with the exception of multifamily homes containing four or fewer units one of which is owner occupied, located in the Borough of South River shall file a certificate of insurance in an amount no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.

C. The owner of multifamily home containing four or fewer units one of which is owner-occupied located in the Borough of South River shall file a certificate of insurance in an amount no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any accident or occurrence.

§ 201-3 Registration Fee.

Registration of a certificate of insurance is subject to a mandatory administrative fee of \$50.00 annually.

§ 201-4 Violations and penalties.

A. Any person violating or failing to comply with any other provision of this article shall, upon conviction thereof, be punishable by a fine of no less than \$500 and no more than \$5,000, as determined in the discretion of the Municipal Court Judge.

B. The violation of any provision of this chapter shall be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

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.

Councilwoman Balazs motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2022-36 by title only. Council President Ciulla opened the floor for public hearing of Ordinance 2022-36 only.

Richard Byrne, 11 Bissett Place, Mr. Byrne speaks on the ordinance and would like to know if this was a model ordinance. The answer is yes.

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

Councilwoman Meira expresses concern regarding this ordinance and would like the registration to be modified to require insurance. Discussions ensue regarding the cost of the registration fee and the additional maintenance work. The ordinance can be revisited once it is adopted and the fee can be changed or waived.

Adopted 12-05-22

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

ORDINANCE 2022-37

AN ORDINANCE AUTHORIZING VARIOUS FEDERAL HOUSING AND COMMUNITY DEVELOPMENT GRANT IMPROVEMENTS AND EQUIPMENT LOCATED IN THE BOROUGH OF SOUTH RIVER IN THE COUNTY OF MIDDLESEX, NEW JERSEY

Be it ordained by the Mayor and Borough Council of the Borough of South River in the County of Middlesex of the State of New Jersey, as follows:

Section 1. That pursuant of the applicable statutes of the State of New Jersey, there is hereby authorized:

- i. Daley's Pond, Park Improvements, \$81,841.00;

Section 2. That the sum of eighty-one thousand eight hundred forty-one dollars and none cents (\$81,841.00) and the same is hereby appropriated for the purposes stated in Section 1 therefore and that the prior Capital Budget is hereby amended to provide for said appropriation.

Section 3. That there is presently available Federal Housing and Community Development Act funds in the amount of eighty one thousand eight hundred forty one dollars and none cents (\$81,841.00), which sum is hereby appropriated for the purpose described in Section 1 thereof.

Section 4. This Ordinance shall take effect after the first publication thereof after final passage and approval in the manner provided by law.

Councilwoman Balazs motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2022-26 by title only. Council President Ciulla opened the floor for public hearing of Ordinance 2022-37 only.

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

Adopted 12-05-22

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			
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ORDINANCES – FIRST READING

The Borough Clerk read Bond Ordinance 2022-38 by title only.

BOND ORDINANCE NO. 2022-38

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS AND EQUIPMENT ACQUISITIONS, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 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 \$500,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$25,000 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 \$475,000, 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 to be undertaken consist of various Water Utility improvements and equipment acquisitions for the Borough, including, but not limited to, water main repairs, fire hydrants and valves, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$475,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$25,000 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 fifteen (15) 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 \$475,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 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. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

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.

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 December 5th, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19th day of December, 2022, 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 12-05-22

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
BOROUGH CLERK

The Borough Clerk read Ordinance 2022-39 by title only.

ORDINANCE 2022 –39

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 152, Lot 16 to 25 MAIN
ST SOUTH RIVER LLC IN ACCORDANCE WITH THE PROVISIONS N.J.S.A. 40A:12-13
(b) AND N.J.S.A. 40A:12-13.2**

WHEREAS, the Borough of South River is the owner of Block 152, Lot 16 which is undersized lot under the current ordinances of the municipality; and

WHEREAS, the Borough of South River desires to sell said property; and

WHEREAS, the Borough of South River has determined that the fair market value of Block 152, Lot 16, is \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

WHEREAS, the adjoining property owner, 25 Main St. South River LLC, has agreed to purchase Block 152, Lot 16, from the Borough of South River for the sum of \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

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. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 152, Lot 16, to the adjoining property owner, 25 Main St. South River LLC, said property being undersized, and the adjoining property owner agrees to purchase said property for the fair market value of said property.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property by Quitclaim Deed to 25 Main St. South River LLC, for the sum of \$67,700.00. 25 Main St. South River LLC shall be responsible for the payment of the municipality's costs in conveying said property. A requirement of the transfer of the property is that it be consolidated with the adjoining property owned by the purchasers.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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 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 December 5th, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19th day of December, 2022, 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 12-05-22

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

The Borough Clerk read Ordinance 2022-40 by title only.

ORDINANCE 2022-40

December 5, 2022 Council Regular Meeting Minutes- APPROVED 12/19/22

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 22 OF THE
BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, ENTITLED "BOARDS,
COMMISSIONS AND AUTHORITIES"**

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

SECTION 1. The Borough Code of the Borough of South River is hereby amended and supplemented so as to amend Chapter 22, entitled "Boards, Commissions and Authorities" so as to amend Article II, entitled "Arts, Humanities and Events Committees, Boards and Authorities" so as to amend Section 22-9.2 entitled "Membership; terms; background checks." which shall read entirely as follows:

§22-9.2 Membership; terms; background checks.

- A. The Parks and Recreation Advisory Board shall consist of six members, who shall reside within the Borough of South River. The members of the Board shall serve without compensation. The Board shall annually, upon reorganization, elect a Chairman from its regular voting members.
- B. The Parks and Recreation Advisory Board shall consist of six voting members, the Recreation Director and a member of the Borough Council as liaison to the Board. The Borough of South River Mayor with the advice and consent of the Borough Council shall appoint six Borough residents as the voting members. Each voting member of the Board shall serve for a three-year term. In the event of the tie in any vote, the Borough Council liaison shall vote to break the tie.
- C. Mandatory background checks for all volunteers, staff and independent contractors of Borough that participate in youth programs. In order to ensure the safety and well-being of the Borough's youth, an annual mandatory background check will be required for all volunteers, staff and any independent contractors of the Borough that participate in Parks and Recreation youth programs.
 - 1. All background checks will be carried out in accordance with N.J.S.A. 15A:3A-1 et seq.
 - 2. Any person shall be excluded from volunteer and/or staff participation in the Parks and Recreation youth programs if the background check reveals a record of conviction of any of the crimes and offenses listed in N.J.S.A. 15A:3A-3.
 - 3. All background checks shall be sent to the Recreation Director for inspection and review. The Director shall submit his/her review to the Borough Administrator.
 - 4. The prospective volunteer, staff member or independent contractor shall be notified of a disqualification, in writing, by the Borough Administrator.

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 December 5th, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19th day of December, 2022, 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 12-05-22

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

DEPARTMENTAL/PROFESSIONAL REPORTS

Borough Engineer Bruce Koch

- **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)
 - We issued an updated Punch-list for the project.
 - **NJDOT 2021 Roadways**
 - Albourne Street (Cleveland Ave. to Wilbur St);
 - Ferris Street (Cleveland Avenue to Darrow Street)
 - We issued an updated Punch-list for the project.
- **NJDOT 2022 Local Aid Program**
 - The borough received a \$457,410.00 grant for Appleby Avenue, Morningside Avenue, and 5th Street. The contractor has performed the concrete work at the Municipal Building. Depending upon the weather, they may do additional concrete work and some of the utility project.

- **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 are preparing a letter concerning same.
- **2020 Electrical Substation Maintenance**
 - The contractor has ordered the SCADA system. We are waiting for them to schedule the replacement of the Contact Assemblies for the T2 Load Tap Chargers.
- **Well No. 2 Replacement**
 - Bids for the Air Gap and the backflow preventer are scheduled to be received on November 30th. We are working on the design and bid documents for the Sodium Hypochlorite Storage Improvements.

Councilwoman Meira would like to add Prentice Avenue onto the 2023 Road Program Improvements. Mr. Koch states that can be funded separately. The last time a letter was issued, it was around \$200,000.

Chief Financial Officer Joseph Zanga

- Speaks on resolutions 2022-300, 2022-302, 2022-304, and 2022-312.
- The Supplemental Debt Statement was filed regarding 2022-38.
- South River had their Ban Sale on December 1, 2022. The Borough received a net interest rate of 3.133%. The award for the Ban Sale will be on the 12/19 meeting.

Councilwoman Meira would like to know what is included in 2022-38. CFO Zanga states it is for watermain, valves, and fire hydrants.

Fire Chief William Smith

- All units are in service.
- All reports have been submitted on time.
- Fire pump testing has been changed to this week.
- The Ladies Auxiliary hosted a Food Drive at Fire Station 1. The food collected was able to provide meals to over 100 hundred families.
- On Thanksgiving, members of the Fire Department assisted at the Food Bank and helped prepare meals for over 150 residents.
- The Fire Department will participate in the annual Tree Lighting.
- Please remember to change the batteries in your smoke and carbon monoxide alarms.
- The Holiday Season is here, please remember to keep your live trees well-watered.
- Please visit the Fire Department Facebook page for upcoming events.
- Recognition for members in the Fire Department.

Borough Clerk Alyssa Guglietti

- No report

Councilwoman Meira questions the updated Mercantile list. The Borough Clerk will look into it.

Borough Attorney Andrea Wyatt

- Resolution 2022-317 will be added to the consent agenda. This resolution is to authorize the fire department to hold the election on December 20th.

Borough Administrator Londensky

- Latest report on the substation outages. The cause is still under investigation.
- Much appreciation to Sal for his work on TV35.

COUNCIL LIAISON REPORTS

Councilwoman Meira

- The Library is hosting a LOGO contest for the centennial anniversary. The contest is open to all South River residents in grades 4-12. The deadline is December 15th.
- January will begin the celebration of the 100 years for the South River Library. There is an employee who will be celebrating their 49th year of dedicated service.
- The Shade Tree Commission had its last meeting last week. Trees will be planted in the springtime along with a rain garden.

Councilman Gurchensky

- The OOA will be closed on December 23rd-26th for the holiday.
- The Flea market is still looking for donations.
- The last program is the Christmas Mingle on December 14th at the Ria Mar.
- DPW will be closed on December 24th. The last street cleanup will be on December 14th.
- The Police Department still have a few more days of cleaning out closets. Donate your shoes.

Councilman Oliveira

- Basketball had 140 participants register for this year. Almost a 200% increase from last winter.
- Wrestling has 30 participants while cheerleading is still open.
- Annual Tree Lighting is this Friday December 9th at 6 pm.
- Congrats to Pop Warner Cheerleading in their tournament.
- Board of Education has Breakfast with Santa on December 10th.
- Adopt a Family Program has some events coming up.
- Congrats on the Guidance Department for the Board of Education with their College Fair.

Council President Ciulla

- The EDC meeting for November was cancelled.
- The Downtown Alliance is moving forward.

Councilwoman Balazs

- The Toy Drive is ongoing now through December 12th. Please donate new gifts for kids aged newborn to 18 years. Pickups can be arranged.

Councilman Guindi

- The weather is getting cold. Inform DPW of any ice accumulation.
- The next Planning Board meeting is on December 20th.
- The next Zoning Board meeting is on December 27th.

PUBLIC COMMENT

Council President Ciulla opened the floor for Public Comment.

Superintendent of Schools, 15 Montgomery Street, thanks Councilman Oliveira for attending the college fair. The Superintendent speaks on the upcoming referendum on January 24th. More information can be found on the front page of the district website.

Maggie G, 38 Redwick Way, speaks on the ongoing issue with the zoning board and the chickens on her mother's property. Borough Attorney Wyatt states the council is not required to intervene in this circumstance. Councilman

Oliveira would like the Business Administrator to investigate the misinformation provided to the applicant. Ms. G would like the ordinance to be amended.

Jim Hutchison, 38 Virginia Street, thanks Councilman Gurchensky for the update on the OOA, the December Monthly Mingle is booked, but can be added to the waiting list. Congratulates the library employee and fire department employees for their years of service. Much appreciation to the Police Department for their swift action on Virginia Street. Mr. Hutchison speaks on the recent power outage.

Charlie Kratovil, Central Jersey Organization at Food and Water Watch, speaks on the plans to build a power plant 5 miles from South River. Mr. Kratovil would like to have a resolution put on the next agenda opposing this plant.

Richard Byrne, 11 Bissett Place, makes comments regarding the power plant. Mr. Byrne speaks on the cannabis ordinance. There are 20 retailers operating in New Jersey. Mr. Byrne also speaks on the recent power outage. Mr. Byrne speaks on the tree fund and the quote received on 2 trees. Borough Attorney Wyatt would like to speak with Mr. Byrne regarding the fee structure in the ordinance. Mr. Byrne speaks on Master Plan revisions. Mr. Byrne states there are 3 census districts in South River according to the 2020 census and there are 15.7% living in poverty.

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

MAYORAL APPOINTMENTS

- None

CONSENT RESOLUTIONS 2022-300 TO 2022-317

"Whereas Resolution 2022-01 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 2022-300

RESOLUTION AUTHORIZING THE BOROUGH TAX COLLECTOR, UTILITY COLLECTOR AND CHIEF FINANCIAL OFFICER TO CANCEL ALL BALANCES LESS THAN \$10.00

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

WHEREAS, the Tax Collector, Utility Collector and Chief Financial Officer recommend these changes.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Borough Tax Collector, Utility Collector and Chief Financial Officer be and are hereby authorized to cancel all balances less than \$10.00.

COUNCIL	MOTION	2ND	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				
<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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2022-301
RESOLUTION AUTHORIZING NO ANNUAL POWER COST ADJUSTMENT FOR 2023**

WHEREAS, current ordinance requires that the Governing Body act on a recommendation of the Borough Administrator for an adjustment to the Annual Power Cost Adjustment Factor at the first meeting in December; and

WHEREAS, the Borough Administrator has recommended that there be no Annual Power Cost Adjustment for 2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of South River that there will be no Annual Power Cost Adjustment for the year 2023.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2022-302
BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX, NEW JERSEY
RESOLUTION CANCELLING FEDERAL AND STATE GRANT RECEIVABLES AND APPROPRIATION RESERVE BALANCES**

WHEREAS, the Chief Financial Officer has recently performed a review of the Federal and State Grant Fund; and

WHEREAS, as a result of his review of the Federal and State Grant Fund, it was determined that receivable and appropriation reserve balances exist that should be considered for cancellation; and

WHEREAS, it is essential to sound financial practices in a municipality to review receivable and appropriation reserve balances and other accounts from time to time for cancellation; and

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NOW, THEREFORE, BE IT RESOLVED that the following Federal and State Grant receivable and appropriation reserve balances are hereby cancelled and/or transferred charges as follows:

	<u>Description</u>	<u>Reserve Balance Canceled</u>
<u>Federal and State Grant Fund</u>		
<u>Grants receivable:</u>		
County of Middlesex		
Office on Aging Grant:		
Physical Activity		\$458.00
	Total Charge to Operations	\$458.00
<u>Appropriated Reserve</u>		
County of Middlesex:		
Office on Aging Grant:		
Physical Activity		\$458.00
	Total Cancellation to Operations	\$458.00

BE IT FURTHER RESOLVED that:

1. Certified copies of this resolution are sent to the Business Administrator, Chief Financial Officer and Borough Auditor.
The Chief Financial Officer is authorized to make the appropriate accounting entries.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-303
RESOLUTION AUTHORIZING THE RENEWAL OF CLEANING SERVICES & DEPARTMENT OF PUBLIC WORKS
FUNCTIONS/UTILITY MAINTENANCES CONTRACTS

WHEREAS, the Borough of South River entered into contracts in prior years with the following vendors:

- Janitorial Services
- Tropical Cleaning Services

Public Works Functions/Utility Maintenance

- B & W Construction of NJ Inc.

WHEREAS, the terms of said contracts have an option to renew on a calendar year basis upon both parties agreeing to the extension; and

WHEREAS, said written confirmation has been received by aforesaid vendors; and

WHEREAS, the option to renew shall be solely at the discretion and approval of the Borough Council.

WHEREAS, the Chief Financial Officer of the Borough has certified that funds will be provided in the budget for \$275,000 for Public Works Functions/Utility Maintenance in account 3-02-55-512-211, and \$28,906.00 for Janitorial Services in accounts 3-01-26-310-205, 3-02-55-502-202 and 3-03-55-502-202 which is based on a reasonable estimate of the goods and services required over the contract terms, and the local unit is not obligated to spend that amount.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that contracts with the aforesaid vendors are renewed for the calendar year 2023.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-304

RESOLUTION AUTHORIZING PURCHASES AND EMERGENCY REPAIRS THROUGH STATE CONTRACTS FOR THE BOROUGH OF SOUTH RIVER

WHEREAS, there exists a need to purchase automotive gasoline, fuel oil #1, 2, police protective clothing and equipment, equipment and lighting, various firefighter equipment, supplies and lighting, wireless services, tires, and office supplies in the Borough of South River; and

WHEREAS, there exists a state contract with registered vendors known as Taylor Oil Company, under contract numbers 19-Fleet-00970, National Fuel Oil, Inc. under contract number 19-Fleet-00974, Gall's LLC contract numbers 20-food-00904 and 19-food-00801, East Coast Emergency Lighting, contract number 17-Fleet-00761, 1st Choice Safety Equipment, LLC, contract number 17-Fleet-00836, AT&T Mobility, contract number 22-TELE-05861, Custom Bandag, contract number 20-fleet-00948, Atlantic Tactical Inc., contract number 17-Fleet-

00732, Continental Fire & Safety Inc., contract number 17-Fleet-00833, and W. B. Mason Co., contract number T0052, 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 automotive gasoline, fuel oil #1, 2, police protective clothing and equipment, equipment and lighting, various firefighter equipment, supplies and lighting, wireless services, tires, and office supplies from the said state authorized vendors; and

WHEREAS, there exists a need for emergent repairs to various Borough vehicles and Borough buildings with registered vendors known as Altec Industries, Cambria Automotive Co., Inc., Campbell Supply Co., LLC, Fire Apparatus Repair Inc., George Hordoboy, Norcia Corp., PAKS Renovation Corp., and TLP Climate Control Systems Inc. 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.

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 for emergent repairs and to purchase automotive gasoline, fuel oil #1, 2, police protective clothing and equipment, equipment and lighting, various firefighter equipment, supplies and lighting, wireless services, tires, and office supplies from the referenced vendors.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-305
RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND

WHEREAS, the Borough Engineer originally calculated a performance bond to be posted by the developer in connection with Daniel Andre Site Plan, for the property at 90 Rubin Street, Block 71, Lot 3.03; and

WHEREAS, the Borough Engineer has determined that all required work has been completed in connection with this project; and

WHEREAS, the Borough Engineer by letter dated November 3, 2022 has recommended that the performance bond be released subject to posting of a two (2) year maintenance bond in the amount of \$7,374.60, together with payment of all outstanding engineering inspection or other borough fees.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that the improvements required of the developer are accepted, and the performance bond previously posted may be released upon a maintenance bond being provided in the amount of \$7,374.60 and payment by the developer of all outstanding engineering inspection fees as well as any other fees due the Borough of South River.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-306

RESOLUTION AUTHORIZING A STIPEND FOR THE IMPLEMENTATION OF THE FIX IT REPAIR PROGRAM

WHEREAS, the Borough of South River has received funding for Title 111B Older American Act Grant – Residential Maintenance Grant; and

WHEREAS, the Residential Maintenance funding is to be used for a stipend of \$1,000.00 to James Hutchison to implement the Fix It Repair Program.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that James Hutchison receive a \$1,000.00 stipend for the implementation of the program through Title 111B Older American Act Grant – Residential Maintenance Grant.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>			X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</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 December 5, 2022

December 5, 2022 Council Regular Meeting Minutes- APPROVED 12/19/22

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-307
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SUPERIOR OFFICERS ASSOCIATION

WHEREAS, the Governing Body has reached an Agreement with the Superior Officers Association with regard to a final negotiated settlement of a new contract for the period of January 1, 2023 to December 31, 2026 between said union and the Borough of South River.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River that the said Agreement with Superior Officers Association for the period of January 1, 2023 to December 31, 2026 is approved.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to execute the same on behalf of the Borough of South River.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>			X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-308

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE REQUISITION OF FUNDS FOR PAYMENT TO THE CUSTODIAN OF THE SCHOOL MONIES

WHEREAS, pursuant to the applicable Statutes of the State of New Jersey, the Local School District is required to requisition funds for Operating Expense and Debt Service Expense from the Borough; and

WHEREAS, a requisition dated November 21, 2022 has been received from the Local School District for the following amount:

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CURRENT OPERATING EXPENSE:	\$1,451,940.00
RESTORED FUNDS:	0.00
DEBT SERVICE EXPENSE:	<u>0.00</u>
TOTAL	\$1,451,940.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by January 6, 2023.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balasz</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 December 5th, 2022.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-309

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT OF SALE OF BOROUGH PROPERTY LOCATED AT BLOCK 152 LOT 16 TO 25 MAIN ST SOUTH RIVER, LLC, 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 is the owner of Block 152, Lot 16 which is undersized lot under the current ordinances of the municipality; and

WHEREAS, the Borough of South River desires to sell said property; and

WHEREAS, the Borough of South River has determined that the fair market value of Block 152, Lot 16, is \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

WHEREAS, the adjoining property owner, 25 Main St. South River LLC, has agreed to purchase Block 152, Lot 16, from the Borough of South River for the sum of \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance; and

WHEREAS, the governing body desires the authorize the execution of a contract of sale for the property to 25 Main St. South River LLC.

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 the Mayor to execute and the Municipal Clerk to attest to a of a contract of sale with 25 Main St. South River LLC for the Borough property located at Block 152, Lot 16, for its fair market value of \$67,700.00.
2. Said contract of sale is expressly contingent upon the adoption of Ordinance 2022-39, authorizing the transfer of the property.
3. A certified copy of this resolution shall be forwarded to the attorney for the purchaser.

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 December 5, 2022.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-310
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>
65-999-004-931 CD	MARCIO DACOSTA & NOLIANA BACKES 13990 BARTRAM PARK BLVD APT 2127 JACKSONVILLE, FL 32258	\$104.17

65-999-005-488 CD	JOSUE JIMENEZ & ALMADELIA BARRIOS 33 EAST ST SOUTH RIVER, NJ 08882	\$66.86
65-999-006-980 CD	JASON GUTYI 901 NEW MEISTER LN APT 1028 PFLUGGERVILLE, TX 78660	\$92.93
65-999-005-991 CD	HORLAND HARRIS 148 WILLETT AVE APT A SOUTH RIVER, NJ 08882	\$26.51
65-999-005-855 CD	KILIMANJARO INTERNATIONAL LLC	\$ 476.76
65-999-005-855 ELEC CURRENT	10503 RIVERS BEND RD POTOMAC, MD 20854	\$2984.50
65-999-008-240 CD	DIMITRIUS KYRAZIS 101 GAWRON CT PARLIN, NJ 08859	\$18.04
65-999-008-050 CD	BRYAN & CASSANDRA LEITAO	\$91.48
66-999-003-628 WATER CURRENT	22 OBERT ST SOUTH RIVER, NJ 08882	\$167.99
65-999-006-418 ELEC CURRENT	ADRIAN MCCLUSKEY 7 FRANDSEN AVE SOUTH RIVER, NJ 08882	\$159.96
65-999-000-608 CD	JUAN CARLOS & GLADYS MOROCHO 70 PRENTICE AVE 2 ND FLR SOUTH RIVER, NJ 08882	\$124.86
65-999-007-919 ELEC CURRENT	JONATHAN & RENEE PAITAKIS 85 COPPERMIND RD PRINCETON, NJ 08540	\$12.39
65-999-000-598 CD	CHRISTOPHER LEWIS & DANA PEPSIN 15 SOUTHSIDE AVE SOUTH RIVER, NJ 08882	\$42.73
65-999-006-938 CD	ALEXANDER RODRIGUEZ 49 WASHINGTON ST SOUTH RIVER, NJ 08882	\$163.15
65-999-007-819 CD	ERIN STOKES 436 WILDERNESS DR SCHERERVILLE, IN 46375	\$141.34
65-999-005-054 CD	ANDREW RODRIGUEZ OF SUPREME PRODUCTION 41 HERON CT MANALAPAN, NJ 07726	\$237.48
66-999-000-193 WATER CURRENT	VINTAGE TITLE	\$25.34

51 MAIN ST SUITE A
SAYREVILLE, NJ 08872

65-999-905-840 CD

ANTHONY WALKER
11 ROBERT ST
SPOTSWOOD, NJ 08884

\$35.78

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-311

RESOLUTION RESCINDING THE APPROVAL OF A PERSON-TO-PERSON TRANSFER FOR PLENARY LICENSE 1223-33-013-011 FROM ROBBARR, LLC TO VIDA FELIZ, INC.

WHEREAS, the Mayor and Borough Council of the Borough of South River granted approval of a Person to Person Transfer of Plenary License No. 1223-33-013-011 from Robbarr, LLC to Vida Feliz, Inc. by Resolution No. 2022-291 on November 14, 2022; and

WHEREAS, the license needs to be renewed for the 2022-2023 license year; and

WHEREAS, the license is inactive and the licensee must obtain a "Special Ruling" by the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, the governing body cannot grant a Person to Person Transfer of said license until the license is renewed for the 2022-2023 license year and when the licensee is granted a "Special Ruling" by the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River that the approval of a Person-to-Person Transfer of Plenary License No. 1223-33-013-011 hereby rescinded until the license has been renewed for the 2022-2023 license year and until licensee has obtained a "Special Ruling" from the Director of Alcoholic Beverage Control.

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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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-312

RESOLUTION AUTHORIZING APPOINTMENT OF 2022-2023 WINTER RECREATION DEPARTMENT EMPLOYEES

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 for the 2022-2023 Winter Recreation Department Employees effective as of December 5, 2022.

Employees: Basketball

Eric Clays (First Aid/Supervisor)	\$25.00/game
Darren Barberio (Referee)	\$15.00/game
Amiya Osbourne (Referee)	\$15.00/game

Referees: Basketball

Gregory Patton	\$40.00/game
Ralph Johnson	\$40.00/game
Lee Cadel	\$40.00/game
Daniel Astarita	\$40.00/game

Zumba

Monica Mactez	\$40.00 per 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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-313

RESOLUTION AUTHORIZING CONTRACT AWARD FOR THE WATER TREATMENT PLANT FILTER BACKWASH PIPING MODIFICATIONS TO ALLIED CONSTRUCTION GROUP, INC. IN THE AMOUNT OF \$397,250.00

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for receipt of sealed bids for the Water Treatment Plant Filter Backwash Piping Modifications in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on November 30, 2022 and opened and read aloud in public and an examination thereof shows that Allied Construction Group, Inc. was the apparent low bidder thereon with a bid of \$448,250.00 less deletion item #1 to eliminate the work for the backwash waste sludge pump replacement for a net award of \$397,250.00; and

WHEREAS, the Borough Attorney has noted that the bid of the apparent low bidder contained no material departures from the bidding documents; and

WHEREAS, the award of this contract be and is hereby subject to the approval of the New Jersey Department of Transportation; and

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in account W-07-22-019-101.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and the appropriate officials are authorized to sign a contract with Allied Construction, when all required bid documents are received.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction.

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-314

**RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING
THE APPOINTMENT OF A SUBSTITUTE CROSSING GUARD FOR THE BOROUGH OF SOUTH RIVER**

WHEREAS, Police Chief Mark Tinitigan recommends the appointment of Heather Casey as a substitute School Crossing Guard pending the successful completion of a comprehensive medical examination and drug screen; and

WHEREAS, the Borough of South River Council desire to appoint Heather Casey as a substitute School Crossing Guard pending successful said results.

NOW, THEREFORE BE IT RESOLVED, that the Borough of South River Mayor and Council do hereby appoint Heather Casey as a substitute School Crossing Guard effective December 6, 2022 to December 31, 2022 pending the successful completion of a comprehensive medical examination and drug screen.

BE IT FURTHER RESOLVED that the Municipal Clerk provide a certified Resolution to the following:

- Police Chief Mark Tinitigan
- CFO Joseph Zanga
- Administrator Arthur Londensky

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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-315

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 November 10th, 2022 Special Meeting Minutes, November 10th, 2022 Executive Session Minutes, and November 14th, 2022 Regular Meeting Minutes are

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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 December 5, 2022.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-316
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 \$758,341.17 and previously paid claims in the amount of \$3,115,959.07 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 Balasz</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 December 5, 2022

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-317

**RESOLUTION SETTING THE DATE FOR THE ELECTION OF FIRE DEPARTMENT OFFICERS FOR THE
YEAR OF 2023**

WHEREAS, the Borough Code of the Borough of South River Section 72-4 (B) provides for the election of the officers of the Fire Department on the first Monday of December after notice has been posted by the Borough Clerk; and

WHEREAS, the required Notice of Elections was not properly posted in the fire stations; and

WHEREAS, the Borough of South River wishes to schedule the election of officers for the Borough Fire Department to be held on December 20, 2022 at Fire Station One, 88 Jackson Street, at 8:00 pm so that the proper notice can be posted.

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 schedule the election of officers for the Borough Fire Department to be held on December 20, 2022 at 8:00 pm.
2. That the Borough Clerk is hereby directed to post notices of the elections with the date, place and time of the same in each of the fire stations as required by Borough Ordinance Section 72-4(B) by December 6, 2022.
3. That a certified copy of this resolution shall be provided to the Municipal Clerk and the Chief of the South River Fire Department.

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 December 5, 2022.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

****Councilman Guindi abstained from voting on resolution 2022-316.**

****Council President Ciulla abstained from voting on purchase order 22-02633, 22-02653, 22-02889, 22-02081, 22-01921, 22-02654, 22-02906, and 22-02895.**

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

Councilman Guindi

- Go to the BOE meeting on December 19th to get familiar with the referendum.
- Spoke with Blue Acres and they encouraged to put up trees on their sites.

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- The Food Bank was a huge success.
- The Tree Lighting will be on December 11th at 6:30 pm.
- It is getting cold, please check on the seniors in town.

Councilwoman Balazs

- There are many ways to contribute this Christmas and any help is much appreciated.
- Good luck to the Pop Warner Cheerleaders.
- Thank you to our First Responders and their continued service.

Council President Ciulla

- Good luck to Pop Warner Cheerleaders.
- Fire Department had a dinner for their 50-year members.
- Be safe in your homes with CO detectors and fire detectors
- Have a safe holiday season

Councilman Gurchensky

- Thank you to the Police for their presence in the community along with other First Responders.
- Keep storm drains clear from leaves.
- Wednesday, December 7th, is Pearl Harbor Day. The VFW and American Legion will have a ceremony at 9 am.

Councilman Oliveira

- It is getting cold outside. Please make sure you are careful with your sprinkler system.
- Tree lighting is this Friday, rain, or shine. Thank you to the Fire Department for having Santa visit.
- Good luck to the Pop Warner Cheerleaders.

Councilwoman Meira

Councilwoman Meira would like clarification on ordinance 2022-40. Councilman Oliveira makes clarification on the ordinance and states the trouble they have had with obtaining a quorum to have Recreation meetings.

- Thank you to Mr. Byrne for all his hard work on the Shade Tree Commission and speaks on the dollar amount for trees.
- Would like to request the annual report from the Zoning Board.
- Thank you to everyone who volunteered at the Food Bank.
- Thank you to all the well wishes for the Pop Warner Cheerleading tournament.
- There are some new businesses in town, please shop local.
- Good luck for the World Cup.
- Stay warm

ADJOURNMENT

Being no further business; Council President Ciulla requested motion to adjourn. Councilwoman Balazs motioned to adjourn; seconded by Councilman Guindi. All in favor. Meeting adjourned at 8:40 pm.

Respectfully submitted,

Alyssa Guglietti

Alyssa Guglietti, RMC
Borough Clerk