AGENDA (FINAL)
MAYOR AND BOROUGH COUNCIL **REGULAR (X)**
MEETING NO. 12 **SPECIAL ( )**
DATE: 8-1-2022 **Time: 7:00 P.M.** **OTHER_____**

****

ROLL CALL:	Mayor Krenzel	( )			Atty: _____
	Clw. Balazs	( )	Clw. Meira	( )	Eng: _____
	Clm. Guindi	( )	Clm. Oliveira	( )	Adm: _____
	Clm. Gurchensky	( )	C. Pres. Ciulla	( )	

MEETING CALLED TO ORDER BY PRESIDING OFFICER

STATEMENT OF NOTICE OF PUBLICATION - CHAPTER 231, P. L. 1975
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.

CALL OF THE ROLL
SALUTE TO THE FLAG / MOMENT OF SILENCE

PROCLAMATIONS, HONOR, AWARDS & PRESENTATIONS
- None

AGENDA SESSION
- Chicken Ordinance – Mayor Krenzel
- Library Roof – Councilwoman Meira

ORDINANCES - SECOND READING/PUBLIC HEARING

2022-22 **BOND ORDINANCE PROVIDING FOR CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING $825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $783,750 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**
"Bond ordinance providing funding for various capital improvements"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

2022-23 **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING SECTION 193-31.1, SCHEDULE IIA "HANDICAPPED PARKING" THEREOF**
"Handicapped parking space at 33 Raritan Avenue"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

2022-24 **AN ORDINANCE BY THE MAYOR AND BOROUGH COUNCIL AMENDING THE BOROUGH OF SOUTH RIVER CODE OF ORDINANCES TO REPEAL CHAPTER 174, ENTITLED "FLOOD DAMAGE PREVENTION," SO AS TO ADOPT A NEW CHAPTER 174, ENTITLED "FLOOD HAZARD AREAS"**
"Floodplain Management Regulations for the Borough of South River"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

2022-25 **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 147, ENTITLED "ELECTRICAL CONNECTIONS"**
"Amending Code to Add Article VI entitled Electric Vehicle Charging Stations"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

2022-26 **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"**
"Establishing fees in connection with Ordinance 2022-25"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

2022-27 **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 72 ENTITLED "PUBLIC SAFETY, DEPARTMENT OF"**
"Deputy Chief Position within Police Department"

- *PUBLIC HEARING*
- *COUNCIL DISCUSSION*
- *MOTION TO ADOPT*

ORDINANCES – FIRST READING BY TITLE ONLY

2022-28 **AN ORDINANCE TO AMEND THE BOROUGH OF SOUTH RIVER CHAPTER 155-19.1, SECTION 22-62 TO AMEND PROGRAMS AND CLASS FEES**
"Adding an Adult Agility Class"

2nd Reading and Public Hearing to take place on August 22, 2022 at 7:00 pm or shortly after at the Council Chambers in the Criminal Justice Building – 61 Main Street, South River or remotely via Zoom

- *MOTION TO ADOPT*

2022-29 **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING SECTION 193.31.1, SCHEDULE IIA "HANDICAPPED PARKING" THEREOF**
"Handicap Parking - Removal on Northern St/Addition on Prentice Ave"

2nd Reading and Public Hearing to take place on August 22, 2022 at 7:00 pm or shortly after at the Council Chambers in the Criminal Justice Building – 61 Main Street, South River or remotely via Zoom

- *MOTION TO ADOPT*

2022-30 **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 255 ENTITLED "PEDDLING AND SOLICITING"**
"Implementation of a No Knock Registry"

2nd Reading and Public Hearing to take place on August 22, 2022 at 7:00 pm or shortly after at the Council Chambers in the Criminal Justice Building – 61 Main Street, South River or remotely via Zoom

- *MOTION TO ADOPT*

REPORTS
Mayor/Business Administrator/Departments/Professionals
Governing Body

PUBLIC COMMENT (10 min per speaker)

MAYORAL APPOINTMENTS
- None

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.

CONSENT RESOLUTIONS 2022-201 to 2022-213

201	Authorizing Transfer of Funds from Middlesex County Housing and Community Development Agency for Park Improvements
202	Authorizing Hourly Rates for Recreation Department by Mayor Krenzel
203	Authorizing Renewal of Shared Service Agreement with Board of Education for Placement of Class III Police Officers at South River Public Schools
204	Authorizing an Extended Grace Period for the Third Quarter Property Taxes
205	Authorizing the South River Fire Department to Conduct a Boot Drive on August 20, 2022
206	Granting Renewal of ABC Plenary Retail Consumption Pocket License – 7/1/22-6/30/23
207	Authorizing Certain Utility Refunds
208	Authorizing Certain Municipal Lifeline Refunds
209	Authorizing Certain State Lifeline Refunds
210	Approval of Special Event Permit Application for St. Mary's Holy Name Society to hold a Family Picnic on September 11, 2022

211	Authorizing Borough of South River to Enter into a Cooperative Pricing Agreement with North Jersey Wastewater Cooperative Pricing System
212	Accepting July 11, 2022 - Regular & Executive Session Minutes
213	Authorizing the Bills & Claims List
214	Authorizing Permanent Status to Police Officer Matthew McCann for the Borough of South River Police Department

APPROVE/DENY RESOLUTIONS 2022-201 to 2022-214

NEW BUSINESS

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

EXECUTIVE SESSION

2022-215 **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:

- Property Acquisition

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
*No action will be taken upon conclusion of Executive Session.

RECONVENE TO PUBLIC SESSION

ADJOURNMENT
The next scheduled Council Meeting will take place on August 22, 2022 at 7:00 pm

BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX

BOND ORDINANCE NO. 2022-22

BOND ORDINANCE PROVIDING FOR CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING $825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $783,750 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 $825,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of $41,250 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 $783,750, 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 public works equipment, including, but not limited to, a dump truck, a salt truck, and a pickup truck and plow; (ii) the acquisition of police equipment, including, but not limited to, a police sport utility vehicle (SUV); (iii) the acquisition of fire equipment, including, but not limited to, replacement air packs; and (iv) various sewer system improvements, 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 $783,750, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is $825,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of $825,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said $41,250 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 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 9.55 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 $783,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $70,000 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.

Introduced 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC
DEPUTY BOROUGH CLERK

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

JOHN M. KRENZEL
MAYOR

ATTESTED BY:

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE 2022-23

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING SECTION 193-31.1, SCHEDULE IIA "HANDICAPPED PARKING" THEREOF

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 193 of the Code of the Borough of South River entitled "Vehicles and Traffic" be amended by amending Section 193-31.1, Schedule IIA as follows:

SECTION 1. Schedule IIA. HANDICAPPED PARKING

Street	Side	Location
Raritan Avenue thereof	East	207 feet north of Clayton Court, extending 22 feet

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

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

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

Introduced 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

ATTESTED BY:

JOHN M. KRENZEL
MAYOR

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2022-25

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 147, ENTITLED "ELECTRICAL CONNECTIONS"

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 147 of the Borough Code of the Borough of South River, entitled "Electrical Connections" is hereby amended so as to add Article VI entitled "Electric Vehicle Charging Stations" to read entirely as follows:

ARTICLE VI Electric Vehicle Charging Station

§ 147-41. Consultation with municipal utility.

A. To assure safety and the optimum value for both the customer and the municipal utility, it is essential for the customer to consult with the utility before purchasing, constructing, operating, or interconnecting any charging station, residential or commercial, to the system.
B. No charging station may be connected to the municipal utility without receiving a permit from the Borough Utility, except as provided in § 147-43, herein, all necessary equipment, in the opinion of the municipal utility, is properly installed and the site has sufficient electrical capacity.
C. The Electric Vehicle Charging Station permit to connect to the municipal utility is in addition to any other permit required for the installation of the equipment, including but not limited to an Electrical Technical Application and Construction Permit if required by New Jersey Uniform Construction Code.
D. Fees for Electric Vehicle Charging Station installation, along with required escrow deposits are set forth in Chapter 155-12.1 and Chapter 155-12.2.

§ 147-42. General requirements.

A. No electrical charging station may be connected to the municipal utility without obtaining a permit from the municipal utility and unless the requirements contained in this rule are fully and completely satisfied.
B. The customer must provide complete plans and specifications of the proposed equipment. Plans must be certified by a registered New Jersey electrical engineer.
C. The customer shall be financially responsible for all costs of installation, approval and connection, including, but not limited to, review of the plans for equipment and the proposed voltage regulation, wiring, labor, special metering, and inspection.
D. If the customer is installing a Level II or Level III charging station, the customer shall be required to obtain a connection permit as set forth in Chapter 147-8 and must provide an escrow deposit as set forth in Chapter 147-8(b) and Chapter 155-12.1. The escrow deposit shall be paid to the Borough of South River. The escrow shall be utilized for the professional services of the Utility Engineer in conducting a review and analysis of the potential increase in capacity and installation for the Electrical Charging Stations and any other costs associated with the electric vehicle charging station. The escrow shall be deposited by the Chief Financial Officer of the Borough, or his/her designee, in an account for such purposes under the sole control of the Borough. Said escrow may be commingled with similar escrows from other applicants, but accurate accounts and records shall be kept so as to identify particular escrows and charges made against the same. At the conclusion of the Utility Engineer's report and analysis, the applicant shall be entitled to the return

of the balance of the escrow. In the event that the escrow deposit is not sufficient to cover the expenses in Section B, the customer is responsible for the additional expenses.

E. Upon receipt of the certified plans, application fee and escrow deposit, if required to compensate the municipal utility for the cost of engineering services provided herein and any other costs associated with the electric vehicle charging station, the Borough will review the proposed plans and provide preliminary approval for installation.

F. Installation must be in compliance with the National Electrical Code and all applicable municipal, County, and federal codes or regulations.

G. Prior to connection to the municipal utility system, the equipment shall be inspected by the municipal utility or its qualified representative. Inspections undertaken by the municipal utility shall be undertaken solely for the purpose of determining compliance with the proposed plans and for the safety and integrity of the municipal utility system. Nothing done by the municipality utility inspector shall constitute approval or waiver by any other inspector who may be authorized to inspect such facility.

H. The customer shall not change any aspect of the operation, the wiring, the controls, or Electrical Vehicle charging station equipment without first providing prior written notice to the municipal utility of all proposed changes to the plans or the as-built drawings, as the case may be. All changes or proposed changes shall be certified by an electrical engineer, in the same manner as provided in Subsection B above. The customer shall pay all reasonable engineering fees incurred by the municipal utility to review and inspect the proposed installation.

§ 147-43. Installations that require Permits

A. Residential properties:
   (1) Residential properties may have only Level 1 or II EV charging equipment.
   (2) Level I- 120 VAC is a standard house outlet to charge. The EV Charging Equipment Permit is not required for Level 1 charging equipment unless the customer is installing a new 120v outlet.
   (3) Level II- 208-240 VAC, the EV Charging Equipment Permit referred to in §§ 147-41 and 147-42 required for both residential and commercial properties
   (4) Level III 480 VAC and above, EV Charging Equipment Permit referred to in §§ 147-41 and 147-42 is required for commercial properties, along with building and electrical permits.

§ 147-44. Meter requirements.

A. All metering costs associated with installation of the Electric Vehicle Charging Stations and the operation of the equipment shall be the responsibility of the customer.

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.

Introduced 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

ATTESTED BY:

JOHN M. KRENZEL
MAYOR

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2022-26

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 add Section 155-12.2 entitled "Chapter 147, Electrical Connections, Article VI" to read entirely as follows:

§155-12.2 Chapter 147, Electrical Connections Article VI.

Permit Fees:

A. Level I- 120 VAC: $25.00
B. Level II- 208-240 VAC: $100.00
C. Level III 480 VAC and above: $100.00

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.

Introduced 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

JOHN M. KRENZEL
MAYOR

ATTESTED BY:

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2022-27

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 72 ENTITLED "PUBLIC SAFETY, DEPARTMENT OF"

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 72 of the Borough Code of the Borough of South River, entitled "Public Safety, Department of" is hereby amended so as to add Section 72-19 entitled "Deputy Chief of Police" to read as follows:

§ 72-19 Deputy Chief of Police.

There shall be within the Police Department of the Borough of South River one Deputy Chief of Police. The Deputy Chief of Police shall properly maintain the efficiency of the Police Department and supervise all personnel as assigned by the Chief of Police and shall promote, enforce and abide by the rules and regulations of the Police Department of the Borough of South River. In the event that the Deputy Chief of Police is unable to perform his/her duties due to vacation, ill health, leave of absence, suspension or any other reason, the Chief of Police may designate a Lieutenant who shall assume the duties and responsibilities of the Deputy Chief of Police in his/her absence.

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 July 11, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 1st day of August, 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 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

ATTESTED BY:

JOHN M. KRENZEL
MAYOR

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE 2022-28

AN ORDINANCE TO AMEND THE BOROUGH OF SOUTH RIVER CHAPTER 155-19.1, SECTION 22-62 TO AMEND PROGRAMS AND CLASS FEES

WHEREAS, the governing body has established a schedule of miscellaneous Licenses and Fees for the Borough of South River under Ordinance Chapter 155; and

WHEREAS, the governing body desires to offer additional programs and classes; and

WHEREAS, the governing body does not want the Borough to incur this additional expense; and

WHEREAS, it has been requested that same be amended to reflect a fee for the additional programs and classes;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of South River, that Chapter 155-19.1, Section 22-62 be amended to include:

SECTION I. ADDITION:

Q.	Agility Class – Adult & Youth		$ 40.00
	1.	After Registration Closed	$ 10.00
	2.	Non-Residents	$ 10.00

SECTION II. The various parts, sections, clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION III. Any ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be 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 August 1, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of August 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 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
BOROUGH CLERK

ORDINANCE 2022-29

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC" BY AMENDING SECTION 193-31.1, SCHEDULE IIA "HANDICAPPED PARKING" THEREOF

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 193 of the Code of the Borough of South River entitled "Vehicles and Traffic" be amended by amending Section 193-31.1, Schedule IIA as follows:

SECTION 1. Schedule IIA. HANDICAPPED PARKING

Street	Side	Location
REMOVE:		
Northern Street	West	From a point 390 feet north from its intersection with Burton Avenue to a point of 22 feet north thereof
REMOVE:		
Northern Street	West	From a point 412 feet north from its intersection with Burton Avenue to a point of 22 feet north thereof
ADD:		
Prentice Avenue	West	From a point 145 feet west of Jeffrie Avenue, extending 22 feet therof

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

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

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

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 August 1, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of August 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 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
BOROUGH CLERK

SOUTH RIVER POLICE DEPARTMENT

Mark E. Tinitigan
Chief of Police
61 Main Street
South River, NJ 08882
Phone: (732) 238-1000
Fax: (732) 613-6103

June 24, 2022

Chief Tinitigan,

Please allow this letter to serve as a formal request to remove the handicap parking sign at 40 Northern Street. I was able to speak with the homeowner who advised the individual who was utilizing that space has unfortunately passed away. If this is approved, I will forward a copy to Mr. Soares to have him remove the sign and paint the roadway. This will also need to be redacted from the ordinance. Any questions please let me know.

Thank you in advance,

Respectfully,

Ptl. Brian Hyslop
Traffic Safety

Cc; Traffic Safety File

SOUTH RIVER POLICE DEPARTMENT

Mark E. Tinitigan
Chief of Police
61 Main Street
South River, NJ 08882
Phone: (732) 238-1000
Fax: (732) 613-6103

July 14, 2022

Chief Tinitigan,

Please allow this letter to serve as a formal request to implement a Handicap Parking space in front of 37 Prentice Avenue. I had the opportunity to speak with Ms. Adams, who provided me with a valid handicap parking placard. Ms. Adams does not have a driveway, and stated her husband has a very difficult time walking due to his age and medical conditions. Due to these reasons, they are requesting a handicap spot in front of their residence, to make it safe and easier for them to walk to and from the residence to their vehicle. Ms. Adams also advised due to the high volume of residents in that area, at times they walk from many houses away to get back inside their residence. Below is the exact location proposal and how the ordinance would read.

Name of Street	Side	Location
Prentice Avenue	West	145 Feet West of Jeffrie Avenue, extending 22 feet thereof

Please let me know if you have and questions or concerns.

Thank you in advance!

Respectfully,

Ptl. Brian Hyslop
Traffic Safety

Cc; Traffic Safety File

ORDINANCE 2022-30

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 255 ENTITLED "PEDDLING AND SOLICITING"

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 255 of the Borough Code of the Borough of South River, entitled "Peddling and Soliciting" is hereby amended so as to add Section 255-16 entitled "No Knock Registry" as follows:

§ 255-16 No Knock Registry

A. The Borough Clerk shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Clerk that canvassing, peddling, and solicitors are not permitted on the premises (hereinafter referred to as the South River Borough No Knock Registry). Notification shall be completion of a form available at the Borough Clerk's office during normal business hours and/or on the Borough's website. The list shall be updated monthly.

B. Any owner and/or occupant who has requested enlistment on the South River Borough No Knock Registry pursuant to Subsection A herein shall be able to procure from the Clerk's office a sticker for display at his/her/its premises indicating enlistment on the South River Borough No Knock Registry. The sticker shall be provided free of charge and may be picked up in person during regular business hours.

C. The Borough Clerk shall distribute the current South River Borough No Knock Registry to a licensee at the time of issuance of a license to peddle, canvass, itinerant vend or otherwise door-to-door sell, pursuant to the provisions of this chapter. The licensee shall not peddle, canvass, itinerant vend or conduct door-to-door sales at any premises identified on the then-current South River Borough No Knock Registry.

D. Although the most current list of registrants on the South River Borough No Knock Registry shall be provided by the Borough Clerk, it is the responsibility of the canvasser, itinerant vendor, or solicitor to have the most up-to-date list prior to performing their business.

E. Any canvasser, peddler, itinerant vendor, or owner or employee of a door-to-door sales enterprise who violates any provision of this section shall be subject to the violations and penalties set forth in §§ 255-11 and 255-15.

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 August 1, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of August 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 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
BOROUGH CLERK

CME ASSOCIATES

CONSULTING AND MUNICIPAL ENGINEERS
3141 BORDENTOWN AVENUE, PARLIN, NEW JERSEY 08859
732-727-8000

MEMO TO: **Mayor and Borough Council, Borough of South River**

FROM: **Bruce M. Koch, P.E., P.P., C.M.E., Borough Engineer's Office**

DATE: **July 27, 2022**

RE: **Capital Project Status Report**
South River, New Jersey
Our File No.: PSR00046.01

- **NJDOT FY 2020 and 2021 Local Aid Projects and the Curb and Sidewalk 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 paving and striping work is complete.

    NJDOT 2021 Roadways
    - Albourne Street (Cleveland Ave. to Wilbur St.);
    - Ferris Street (Cleveland Avenue to Darrow Street).
  - The remaining milling and paving work will commence this week.
  - The second Auto-flusher is installed.

- **NJDOT FY 2022 Local Aid Program**
  - The borough received a $457,410.00 grant for Appleby Avenue, Morningside Avenue and 5th Street. We submitted the documents to the NJDOT for review.

- **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.

- **Transportation Alternatives Set-Aside Program**
  - The NJDOT is now accepting applications for Alternatives Set-Aside Program. If the Borough is interested in applying for the grant we must prepare a plan and cost estimate and schedule a pre-application meeting.

- **2020 Electrical Substation Maintenance**
  - The contractor is addressing some minor items. We are preparing a proposal for the SCADA system.

- **Well No. 2 Replacement**
  - The NJDEP issued the Water Allocation Permit and the Permit to Operate. We are working with the Borough the contractor and the Licensed Operator to put the well in operation. We submitted a proposal for the Water Treatment Plant Upgrades, the Sodium Hypochlorite Storage Improvements and the Lead/Galvanized Water Services Investigation.

RESOLUTION 2022-201
RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVLOPMENT AGENCY FOR PARK IMPROVEMENTS

WHEREAS, the Governing Body previously received funding allocations through the Middlesex County Housing and Community Development Agency for a Senior Citizen Vehicle Shelter; and

WHEREAS, the Borough desires to transfer between account CD2048 established for a Senior Citizen Vehicle Shelter to account CD2047 entitled Park Improvements in the amount of $40,000.00.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that by the Mayor and Council of the Borough of South River, that the appropriate officials take the necessary action to accomplish the aforesaid transfers for expenditures on improvements.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-202
RESOLUTION AUTHORIZING HOURLY RATES FOR 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 authorize the following hourly rates in the Recreation Department:

Summer Recreation Sports Director:

Eric Clays $30.00 /hour Effective July 11, 2022

Recreation Coordinator:

Terri Chandler $25.00/hour Effective August 1, 2022

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-203

RESOLUTION AUTHORIZING THE BOROUGH OF SOUTH RIVER TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE SOUTH RIVER BOARD OF EDUCATION FOR THE PLACEMENT OF CLASS III POLICE OFFICERS AT SOUTH RIVER PUBLIC SCHOOLS

WHEREAS, the Shared Services and Consolidation Act, **N.J.S.A. 40A:65-1 *et seq.*,** authorizes the Borough of South River to enter into a contract for the provision of certain governmental services with the South River Board of Education; and

WHEREAS, N.J.S.A. 40A:65-5 requires such a contract to be authorized by resolution; and

WHEREAS, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the South River Board of Education to allow for the placement and employment of Class III police officers in the Borough of South River Public Schools for security purposes.

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. That the governing body does hereby authorize the execution of a Shared Service Agreement with the South River Board of Education for the placement and employment of Class III police officers in the Borough of South River Public Schools for security purposes. A copy of the agreement is attached hereto as Schedule A.

2. That the Mayor and the Borough Clerk of the Borough of South River are hereby authorized to execute and attest, respectively, a Shared Services Agreement with the South River Board of Education and any other documents necessary to effectuate the terms of this resolution.

3. The term of this Shared Services Agreement shall be from July 1, 2022 through June 30, 2025, subject to renewal/ extension by consent of the parties.

4. That a copy of the agreement shall be kept on file and made available for public inspection at the Borough Clerk's Office during normal business hours.

5. That a certified copy of this resolution be forwarded to the South River Board of Education, the Borough Chief of Police and the Chief Financial Officer.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-204

RESOLUTION AUTHORIZING AN EXTENDED GRACE PERIOD FOR THE THIRD QUARTER PROPERTY TAXES

WHEREAS, N.J.S.A. 54:4-66.4 allows for an extension of the interest free period for the third quarter installment of taxes, twenty-five days after mailing the last tax bill; and

WHEREAS, the Tax Collector has been delayed in receiving the certification of the tax rate and will need to extend the grace period of August 10, 2022 to August 19, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey that the Tax Collector is hereby authorized to extend the grace period for the third quarter 2022 to August 19, 2022, due to the delay in certification of the tax rate; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer, Tax Collector and Borough Auditor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

REQUEST FOR COUNCIL ACTION

DATE: 7/13/22

RESOLUTION: X 204

ORDINANCE:

OTHER REASON FOR REQUEST (ATTACH BACK-UP):

EXTENSION OF THIRD QUARTER TAX GRACE PERIOD

FUNDS APPROPRIATED: (YES) NO

DEPARTMENT HEAD

APPROVED/DISAPPROVED ADMINISTRATOR

RESOLUTION 2022-205
RESOLUTION AUTHORIZING THE SOUTH RIVER FIRE DEPARTMENT TO CONDUCT A BOOT DRIVE ON AUGUST 20, 2022

WHEREAS, the South River Fire Department has requested permission to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Saturday, August 20, 2022 from 10:00 a.m. to 2:00 p.m; and

WHEREAS, the South River Fire Department does perform fundraising to provide services to the citizens and residents of the Borough of South River; and

NOW, THEREFORE, BE IT AND IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the South River Fire Department is hereby authorized to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Saturday, August 20, 2022 from 10:00 a.m. to 2:00 p.m; and

BE IT FURTHER RESOLVED that permission is granted to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on the aforesaid date subject to the following:

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

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

SOUTH RIVER FIRE DEPARTMENT

OFFICE OF THE CHIEF

www.southriverfire.org

Est. 1896
P.O. BOX 214
SOUTH RIVER, NEW JERSEY 08882

Chief William Smith
1st Assistant Chief Scott Wolf
2nd Assistant Chief Craig Miller

ENGINE COMPANY #1
Jackson St. - Fire Headquarters
Station Number 732-257-9217
Station Fax 732-613-6107

RELIABLE FIRE CO.
Jackson St. - Fire Headquarters
Station Number 732-257-9217
Station Fax 732-613-6107

SUMMIT ENGINE CO.
Appleby Ave. - Station #2
Station Number 732-254-5577
Station Fax 732-613-6108

7/24/2022

Evening.

The South River Fire Department is requesting permission to hold a fund raiser "Booting". This fundraiser will be on Saturday, August 20, 2022 from 10AM – 2PM.

The Department will be on the corner of Old Bridge Turnpike & West Prospect Street.

Respectfully Submitted

William Smith

William Smith
Chief

RESOLUTION 2022-206

RESOLUTION GRANTING RENEWAL TO PLENARY RETAIL CONSUMPTION LICENSE IN THE BOROUGH OF SOUTH RIVER FOR THE PERIOD JULY 1, 2022 TO JUNE 30, 2023

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, 2022 until June 30, 2023; 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 NUMBER:	LICENSEE:	DBA TRADE NAME:
1223-33-002-011	Paulo Santos 39 Hollander Street South River, NJ 08882 Mailing Address: 82 Heyers Mill Road Colts Neck, NJ 07722	Pocket License

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-207
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.

ACCOUNT #	PAYABLE TO:	AMOUNT OF CHECK
65-999-006-653 CD	DOMINIQUE AMBROZIA 7 SCARLET DR PARLIN, NJ 08859	$90.21
66-999-930-908 WATER CURRENT 65-999-895-456 ELEC CURRENT	CLEAR SKIES TITLE 16 BLEEKER ST MILLBURN, NJ 07041	$123.65 $35.20
65-999-007-312 ELEC CURRENT	GLEN & KECILENE CONNELL 540 CRANBURY RD APT 218 EAST BRUNSWICK, NJ 08816	$124.09
65-999-882-135 CD	MAYRE COSTA 5 5TH ST SOUTH RIVER, NJ 08882	$132.92
65-999-006-836 CD 65-999-006-836 ELEC CURRENT	ALLISON COVENAS 41 JAMES AVE OLD BRIDGE, NJ 08857	$108.96 $32.76
65-999-005-826 CD	MATTHEW JOHNSON & KAITLYN COVINO 61 SEQUOIA DR OLD BRIDGE, NJ 08857	$87.58
65-999-006-688 CD	JAVIS & KERFIESHA CRANDELL 104 KAMM AVE SOUTH RIVER, NJ 08882	$13.43
66-999-953-557 WATER CURRENT	DREW & CAROL DALEY 155 MAIN ST SOUTH RIVER, NJ 08882	$17.79
65-999-863-292 ELEC CURRENT 66-999-921-173 WATER CURRENT	DIANE DECICCO 611 FISHERMAN PL BRICK, NJ 08724	$1.44 $183.39

66-999-949-344 WATER PREVIOUS	MARIA DOMINGUES 145 MAIN ST SOUTH RIVER, NJ 08882	$33.64
65-999-007-602 ELEC PREVIOUS 66-999-003-381 WATER PREVIOUS	RONALD DUROVICH 6 MARY CT EAST WINDSOR, NJ 08512	$55.72 $89.82
66-999-002-324 WATER CURRENT	E ANDRE PROPERTIES SERVICES LLC 57 LORI ST MONROE TWP, NJ 08831	$29.95
66-999-984-599 WATER PREVIOUS 65-999-977-527 ELEC PREVIOUS	ROBERT T ERRICO 3101 LE CONTE ST VIERA, FL 32940	$359.71 $134.77
65-999-946-309 ELEC CURRENT 66-999-959-981 WATER CURRENT	ESTATE OF NANCY WALLING C/O JOAN UNKEL 13206 WATES SPRING PL CLIFTON, VA 20124	$47.61 $68.58
66-999-960-740 WATER CURRENT	MARIA FERREIRA 20 OBERT ST SOUTH RIVER, NJ 08882	$1201.00
66-999-001-460 WATER CURRENT	FALCO FIGUEIREDO 71 MORNINGSIDE AVE SOUTH RIVER, NJ 08882	$116.14
66-999-984-599 WATER PREVIOUS	FIRST TEAM TITLE 214 RT 18 EAST BRUNSWICK, NJ 08816	$170.76
65-999-004-883 CD	TONYA FRANKLIN FRANKLIN MOTLEY 125 MAIN ST APT 3 SOUTH RIVER, NJ 08882	$192.17
65-999-007-510 CD	MIGUEL GAMA & SONIA UCHUPAILLE 40 HILLSIDE AVE APT B SOUTH RIVER, NJ 08882	$146.86
65-999-005-044 CD	EDWARD & MELANIE GUERRA 120 D JOHNSON PL SOUTH RIVER, NJ 08882	$112.70
65-999-006-408 CD 65-999-006-408 ELEC CURRENT	JANET JEFFRIES & RILEY THIDE 2 ASHWOOD MALL OLD BRIDGE, NJ 08857	$127.80 $38.35
65-999-006-604 CD	LE ANDREW JENNINGS 1310 MORGANS LANDING DR SANDY SPRINGS, GA 30350	$162.50

65-999-006-661 CD	BRIAN KIM 6 MULBERRY CT PARAMUS, NJ 07652	$123.55
65-999-007-358 CD	EDWARD LANZA 110 B JOHNSON PL SOUTH RIVER, NJ 08882	$154.20
65-999-006-975 CD	LAMONT DAVES & AMANDA LEON 76 DIVISION ST APT 24 SOUTH RIVER, NJ 08882	$126.78
65-999-007-058 CD	RAY ESPINAL & CASSANDRA LORA 152 C WILLETT AVE SOUTH RIVER, NJ 08882	$169.10
65-999-006-764 CD	KYLE MACIK 14 CASSEY RD SOUTH AMBOY, NJ 08879	$143.49
66-999-002-319- WATER CURRENT 65-999-005-520 ELEC CURRENT	LISA MARLOW 5 TRACEY DR MILLTOWN, NJ 08850	$99.37 $318.23
65-99-003-377 CD	RITA MARTIN 8528 118TH ST APT 4G KEW GARDENS, NY 11415	$168.85
65-999-007-410 CD	JAMES C MATTHEWS 212 HAMPTON RD APT 3 NEW BRUNSWICK, NJ 08901	$132.30
65-999-004-613 ELEC PREVIOUS 66-999-001-849 WATER PREVIOUS	MEGA TITLE 721 ROUTE 34 SUITE #3 MATAWAN, NJ 07747	$83.60 $516.40
66-999-995-181 WATER CURRENT	ANTONIO MIGUEL 148 KAMM AVE SOUTH RIVER, NJ 08882	$17.26
65-999-002-271 CD	EDISON MINCHALO 3451 QUEENS ST #632 SARASOTA, FL 34231	$107.24
66-999-002-075 WATER CURRENT	MARIA JULIA MIRANDA MOURAO 5 PARK AVE APT A SOUTH RIVER, NJ 08882	$14.02
65-999-008-091 ELEC CURRENT 66-999-980-023 WATER CURRENT 66-999-980-023 WATER PREVIOUS	SCOTT MUSCLE 22 PULAWSKI AVE SOUTH RIVER, NJ 08882	$50.26 $800.00 $651.32

65-999-005-681 CD	JOVIANO & SAMOLA MARIZA OLIVERA 58 WILLETT AVE APT 2 SOUTH RIVER, NJ 08882	$58.15
65-999-987-779 CD	JAMES PODESZWA 510 S 6TH ST WILMINGTON, NC 28401	$44.00
66-999-000-841 WATER CURRENT	VINCENT & VICTORIA PONTILLO 306 S BRANCH RD HILLSBOROUGH, NJ 08844	$47.52
66-999-003-427 WATER CURRENT	THOMAS & LINDA REAGAN 53 RIDGE RD SOUTH RIVER, NJ 08882	$4.42
66-999-000-721 WATER PREVIOUS	ENRIQUE ROMEROS & MANUEL LANDINO 74 DIVISION ST APT 2 SOUTH RIVER, NJ 08882	$13.43
65-999-004-216 CD	JOSEPH RONQUILLO 20 BELL AVE FORDS, NJ 08863	$147.08
66-999-002-607 WATER CURRENT	SBB GROUP LLC DBA NOSSA ALDEIA 30 MAIN ST SOUTH RIVER, NJ 08882	$1218.28
65-999-008-244 CD	JOSEPH SERRA 115 WILLETT AVE APT 14B SOUTH RIVER, NJ 08882	$166.42
65-999-004-050 ELEC CURRENT 65-999-004-050 CD	YINGER SU 5 HUNTINGTON CT KENDALL PARK, NJ 08824	$27.38 $134.43
66-999-959-981 WATER CURRENT	SUCCESSFUL ABSTRACT 809 RIVER AVE LAKEWOOD, NJ 08701	$285.78
66-999-002-006 WATER CURRENT	LORRIANE SULT 32 PULAWSKI AVE SOUTH RIVER, NJ 08882	$44.75
65-999-995-501 CD	JOANNA SZAFRAN 41 WILLIAM ST SAYREVILLE, NJ 08872	$90.27
65-999-001-850 CD	ALBA ZAVALA 27 JACKSON ST APT E SOUTH RIVER, NJ 08882	$116.45

66-999-000-849 WATER PREVIOUS	8 OBTP LLC 8 OLD BRIDGE TPKE SOUTH RIVER, NJ 08882	$10.98

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-208

RESOLUTION AUTHORIZING MUNICIPAL LIFELINE REFUNDS

WHEREAS, the official utility 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 Utility Collector recommends these changes as listed; and

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

UTILITY CUSTOMER ACCOUNT NUMBER	REASON	AUTH	YEAR	AMOUNT
JANINA, KONOPKO	Elec Credit	Refund	2021	$225.00
20 Wojie Way Apt 320	Elec Credit	Refund	2020	$164.85
South River, NJ 08882	MUNICIPAL LIFELINE			
#65-999-895-720				
RITA, PECHULES	Elec Credit	Refund	2020	$225.00
20 Wojie Way Apt 309	Elec Credit	Refund	2019	$225.00
South River, NJ 08882	Elec Credit	Refund	2018	$225.00
#65-999-997-690	Elec Credit	Refund	2017	$63.17
	MUNICIPAL LIFELINE			

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-209
RESOLUTION AUTHORIZING STATE LIFELINE REFUNDS

WHEREAS, the official utility 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 Utility Collector recommends these changes as listed; and

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

UTILITY CUSTOMER ACCOUNT NUMBER	REASON	AUTH	YEAR	AMOUNT
JANINA, KONOPKO 20 Wojie Way Apt 320 South River, NJ 08882 #65-999-895-720	Elec Credit STATE LIFELINE	Refund	2021	$225.00
RITA, PECHULES 20 Wojie Way Apt 309 South River, NJ 08882 #65-999-997-690	Elec Credit Elec Credit STATE LIFELINE	Refund Refund	2019 2018	$225.00 $225.00

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

REQUEST FOR COUNCIL ACTION

DATE: July 25, 2022

RESOLUTION: X

ORDINANCE:

OTHER REASON FOR REQUEST (ATTACH BACK-UP):

UTILITY REFUNDS
MUNICIPAL LIFETIME REFUNDS
STATE LIFETIME REFUNDS

FUNDS APPROPRIATED: **YES** **NO**

DEPARTMENT HEAD

APPROVED / DISAPPROVED ADMINISTRATOR

RESOLUTION 2022-210

RESOLUTION APPROVING SPECIAL EVENT PERMIT APPLICATION FOR ST. MARY'S HOLY NAME SOCIETY TO HOLD FAMILY PICNIC ON SEPTEMBER 11, 2022

WHEREAS, St. Mary's Holy Name Society, located at 30 Jackson Street, South River New Jersey, has applied for a Special Events Permit for a Parish Family Picnic to be held at the church on Sunday, September 11, 2022 from 12:00 Noon until 6:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of St. Mary's Holy Name Society for a Family Picnic to be held at the church located at 30 Jackson Street on Sunday, September 11, 2022 from 12:00 Noon to 6:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 noon until 6:00 p.m. during the Family Picnic
2. There must be at least five (5) identifiable non-drinking members either by tag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for a Family Picnic, if necessary, will be obtained by ABC.
4. Proof of Liability Insurance provided to the Borough of South River.
5. Said event must follow all the rules, regulations of State, County, and Local Government.
6. Subject to approval by the South River Police Department and compliance with any condition included in their approval.
7. No parking in the area of the entrance and driveway of the picnic area from front to back.
8. Entrance gate to the picnic area is to remain unlocked from the start time to the finish time.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022.

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

St. Mary of Ostrabrama Church

30 Jackson Street, South River, New Jersey 08882

Tel: 732-254-2220 Fax: 732-651-8182 E-mail: ostrabrama@stmarysr.org



June 6, 2022

Mayor John Krenzel and Borough Council
Borough of South River
48 Washington Street
South River, NJ 08882

RE: Parish Picnic
September 11, 2022

Dear Mayor and Council:

The St. Mary's Church Holy Name Society Parish Picnic Committee will be holding our 2022 Parish Picnic in the St. Mary's Church Parking Lot adjacent to Whitehead Avenue. We have scheduled the Parish Picnic for Sunday, September 11, 2022, between the hours of 12 Noon and 6 PM. There will be no live musical performances at the Parish Picnic.

Carmen F. Spezzi, Manager, Maliszewski Funeral Home 218 Whitehead Avenue, South River, New Jersey has agreed to allow the Picnic Committee the use of the funeral home lawn adjacent to the St. Mary's Church Parking Lot.

The picnic will use one third of the St. Mary's Church Parking Lot for the picnic activities. The remaining parking area will be used for parking. We also anticipate that there will be parking on Whitehead Avenue.

The only alcoholic beverage served at the picnic will be beer. The beer will be dispensed by members of the Holy Name Society. The beer will be dispensed from 12 oz bottles. The beer will be poured in plastic cups and dispensed one cup per person. There will be no pitchers of beer served. The Beer Garden will be located next to the Parish Center and will be cordoned off with orange plastic fencing. Fencing will also ensure that people with alcoholic beverages remain in the picnic area and do not wander around the church property or leave the picnic. The driveway between the Funeral Home and the Picnic Area will be closed for the duration of the picnic. All attendees will be issued a color coded ID wrist band. Identification will be checked to ensure that persons under 21 years of age are not served alcoholic beverages. I will forward to the Borough Clerk a copy of the NJ Department of Law and Public, Division of Alcoholic Beverage Control Social Affairs Permit for our Parish Picnic as soon as it is available.

The food and other refreshments will be prepared and served in the Parish Center. All State of New Jersey Covid-19 Requirements for Indoor and Outdoor gatherings will be followed.

Distancing will be required whenever possible. There will also be a propane grill for preparing grilled foods. I have made application to the Middlesex County Fire Marshall, 1001 Fire Academy Drive, Sayreville, NJ 08872 for a Fire Safety Permit. I will forward to the Borough Clerk a copy of the Fire Safety Permit as soon as it is available.

The Tricky Tray Raffle and the 50/50 Raffle will take place in the Parish Center. In the event of oppressive heat the Parish Center will also serve as a Cooling Center.

The 2021 Parish Picnic had 166 attendees. We anticipate that attendance for the 2022 Parish Picnic will increase.

The Public Liability Insurance Policy for the Parish Picnic is provided by the National Catholic Risk Retention Group, Inc., through the Diocese of Metuchen and the new policy effective date is July 1, 2022. A copy of the Certificate of Liability Insurance will be provided as soon as it is available.

Since we are a non-profit Organization, we would request that any and all fees be waived.

I have attached a map of the anticipated Picnic Area. When completed I will forward a copy of the Borough of South River Special Events Permit Application to the Borough Clerk.

If you have any questions, please contact me at 732-254-2220

Thank you for your input and cooperation in planning the St. Mary's Church 2022 Parish Picnic.

Respectfully,

JESSE SMITH
President

CC: Reverend Michael Gromadzki, Pastor
Carmen F. Spezzi, Manager
Chief Mark Tinitigan, SRPD
Peter E. Eckert, Picnic Chairman

SPECIAL EVENTS PERMIT

(SUBMIT 60 DAYS BEFORE EVENT)

APPLICANT

Name ST MARY'S HOLY NAME SOCIETY
Address 30 JACKSON St
SO. RIVER, NJ. 08882
Telephone number 732-254-2220

If applicant is a club/organization/corporation/business:
Contact person:
Name JESSE SMITH
Address 35 WILSON AVE, APT 2
SO. RIVER, NJ 08882
Telephone ~~732-257-7530~~ 732-874 2882

Date submitted _____

EVENT

Type PARISH FAMILY PICNIC
Location (address) 30 JACKSON St, SO. RIVER, NJ. 08882
Date(s) to be held SEPTEMBER 11, 2022
Starting time(s) 12 NOON Ending time(s) 6 PM.
Number of tickets to be sold 300 Anticipated attendance (for each day) 300

FACILITY (plan to show location of the following):

Amount of space where event is to be held-excluding parking areas 1 1/2 AC
Number of entrances for admittance 1
Number of exits 2
Number of buildings to be used (1) PARISH CENTER
a. Number of entrances for each building 4
b. Seating capacity for each building 120
c. Total seating capacity of all buildings 120
Capacity of open lands to be used _____
Number of sanitary facilities (show locations on plan) 2
Number of trash, litter and recycling receptacles for the outside activities 10
a. Responsible party for collection & removal ST. MARY'S HOLY NAME SOCIETY
1. If contracted:
(a) Name of firm: _____
(b) Address of firm _____
(c) Telephone number of firm _____
(d) Name of contact person _____

PARKING FACILITIES

Location (address) of each ST. MARY'S PARKING LOT
Capacity of each _____
Total parking capacities _____

EMPLOYEES

Type of staff position MEMBERS Number of employed for each type 4-5
A list of the responsibilities for each position is to be submitted separately

OTHER DOCUMENTS	SUBMITTED		WAIVER	
1. Proof of public liability insurance-$1,000,000 minimum, with Borough added as an insured.	(yes)	(no)	(yes)	(no)
2. $10,000 guarantee performance bond to insure that:				
a. Streets will be left in as good a condition as they find them				
b. Removal of all trash, litter and rubbish from property used and adjacent streets.	(yes)	(no)	(yes)	(no)
3. Letter of consent from property owner as to use of property	(yes)	(no)		
4. Are any Legalized Games of Chance to be held	(yes)	(no)		
If yes, application(s)	(yes)	(no)		
5. Will any rides and/or safety equipment to be use for any at event	(yes)	(no)		
a. If yes, a copy of sufficient evidence of current inspection	(yes)	(no)		
6. Is alcohol to be sold, served and consumed.	(yes)	(no)		
a. If yes, a copy of NJABC Special Permit for Social Affair application, if required, including plan of area	(yes)	(no)		

/s/ Jesse Smith
Name JESSE SMITH
Title PRES
Telephone No. 732-257-7530

Sworn and subscribed before me
this 9 day of June, 20.22
Anna Gawel
Notary Public of New Jersey
May Commission expires

ANNA M. GAWEL
NOTARY PUBLIC OF NEW JERSEY
Commission # 50134806
My Commission Expires 8/18/2025

St. Mary's Holy Name Socie

FILING FEES

For applications submitted 30 or more days before the date proposed for the special event, there shall be an application fee of $75. For applications submitted between 15 days and 29 days before the date proposed for the special event, there shall be an application fee of $125. For applications submitted between one day and 14 days before the date proposed for the special event, there shall be an application fee of $225.

$75	6/27/22	
AMOUNT	DATE	RECEIVED BY

REVIEWS

Department	Date	Approval	Denial
Code Compliance			
Fire			
Rescue Squad			
Health			
Police			
Legal			
Mayor/Council			
FIRE MARSHAL	7/6/2022	APPROVED	

Event date: Sept. 11, 2022

PERMIT REQUIRED FOR:

1. All out-door alcoholic events.
2. All indoor events exceeding one day.
3. All one-day indoor events, which can not be set up/constructed, completed and removed from the premises within the day of the event.

St. Mary's Holy Name Socied

FILING FEES

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$75	6/27/22	
AMOUNT	DATE	RECEIVED BY

REVIEWS

Department	Date	Approval	Denial
Code Compliance	7/22/22	✓ JW	
Fire			
Rescue Squad			
Health			
Police			
Legal			
Mayor/Council			

Event date: Sept. 11, 2022

PERMIT REQUIRED FOR:

1. All out-door alcoholic events.
2. All indoor events exceeding one day.
3. All one-day indoor events, which can not be set up/constructed, completed and removed from the premises within the day of the event.

St. Mary's Holy Name Socie

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$75	6/27/22	
AMOUNT	DATE	RECEIVED BY

REVIEWS

Department	Date	Approval	Denial
Code Compliance			
Fire			
Rescue Squad			
Health	7/27	Ok for Approval	
Police			
Legal			
Mayor/Council			

Event date: Sept. 11, 2022

PERMIT REQUIRED FOR:

1. All out-door alcoholic events.
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3. All one-day indoor events, which can not be set up/constructed, completed and removed from the premises within the day of the event.

St. Mary's Holy Name Socie

FILING FEES

For applications submitted 30 or more days before the date proposed for the special event, there shall be an application fee of $75. For applications submitted between 15 days and 29 days before the date proposed for the special event, there shall be an application fee of $125. For applications submitted between one day and 14 days before the date proposed for the special event, there shall be an application fee of $225.

$75	6/27/22	
AMOUNT	DATE	RECEIVED BY

REVIEWS

Department	Date	Approval	Denial
Code Compliance			
Fire			
Rescue Squad			
Health			
Police	07/26/22	M.J.	
Legal			
Mayor/Council			

Event date: Sept. 11, 2022

PERMIT REQUIRED FOR:

1. All out-door alcoholic events.
2. All indoor events exceeding one day.
3. All one-day indoor events, which can not be set up/constructed, completed and removed from the premises within the day of the event.

St. Mary of Ostrabrama Church

30 Jackson Street, South River, New Jersey 08882

Tel: 732-254-2220 Fax: 732-651-8182 E-mail: ostrabrama@stmarysr.org



July 18, 2022

Municipal Clerk
Borough of South River
48 Washington Street
South River, NJ 08882

Dear Municipal Clerk:

Please find attached a copy of the NJ Division of Alcoholic Beverage Control Social Affair Permit # 96574, and a Certificate of Liability Insurance for our Parish Picnic on September 11, 2022.

If you have any further questions please contact me.

Thank you for your cooperation.

Respectfully,

PETER E. ECKERT
Chairman
Parish Picnic Committee
908-705-1676

RECEIVED

JUL 22 2022

BOROUGH CLERK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 07/08/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Porter & Curtis, a division of Heffernan Insurance Brokers
225 State Road
Media, PA 19063

CONTACT NAME: Kristin O'Neill
PHONE (A/C, No, Ext): | FAX (A/C, No):
E-MAIL ADDRESS: koneill@portercurtis.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : THE NATIONAL CATHOLIC RISK RETENTION GROUP, INC	10083
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
ST. MARY OF OSTRABRAMA CHURCH
30 Jackson St
South River, NJ 08882

COVERAGES **CERTIFICATE NUMBER:** C000218888 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			RRG 10288-25	07/01/2022	07/01/2023	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ Included
							MED EXP (Any one person)	$ Not Covered
							PERSONAL & ADV INJURY	$ Included
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ None Applicable
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ None Applicable
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N/A						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The limits include applicable retentions. Evidence of insurance with regards to use of funeral home property for St. Mary of Ostrabrama Annual Parish Picnic.

CERTIFICATE HOLDER
Borough of South River
48 Washington Street
South River, NJ 08882

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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PERMIT NUMBER: 96574

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
PO BOX 087, TRENTON, NJ 08625-0087

SOCIAL AFFAIR PERMIT
DATE ISSUED: 06/23/2022
EXPIRATION DATE: 09/11/2022
FEES: $100.00

PERMITTEE: ST MARY OF OSTRABRAMA CHURCH
30 JACKSON STREET
SOUTH RIVER, NJ 08882
USA

TYPE OF EVENT: PARISH PICNIC
LOCATION NAME/DESCRIPTION: PARISH CENTER AND PARKING LOT
EVENT LOCATION: 30 JACKSON STREET
SOUTH RIVER, NJ 08882
USA

DATES/HOURS OF EVENT:
09/11/2022 12:01 PM TO 6:00 PM

RAIN DATES/HOURS:
NONE AUTHORIZED

TO SELL ALCOHOLIC BEVERAGES BY THE GLASS OR OTHER OPEN RECEPTACLES AT THE ABOVE-CAPTIONED EVENT TO BE CONDUCTED BY THE PERMITTEE, BUT FOR IMMEDIATE CONSUMPTION ON SAID PREMISES ONLY. ALL ADVERTISEMENTS RELATED TO THE CONDUCT OF THIS AFFAIR, INCLUDING TICKETS, MUST INCLUDE THE PERMIT NUMBER. THIS PERMIT MUST BE CONSPICUOUSLY DISPLAYED ON THE PERMITTED PREMISES.

THIS PERMIT IS CONDITIONED THAT THE PERMITTEE SHALL NOT SELL, SERVE OR DELIVER, OR ALLOW, PERMIT OR SUFFER THE SALE, SERVICE OR DELIVERY OF ANY ALCOHOLIC BEVERAGE, DIRECTLY OR INDIRECTLY TO, OR CONSUMPTION BY ANY PERSON UNDER THE LEGAL AGE TO CONSUME ALCOHOLIC BEVERAGES, NOR TO ANY PERSON WHO IS ACTUALLY OR APPARENTLY INTOXICATED. SELF SERVICE BY CONSUMERS IS STRICTLY PROHIBITED UNDER THE TERMS OF THIS PERMIT. SERVICE OF ALCOHOLIC BEVERAGES TO CONSUMERS MUST BE MADE AND SUPERVISED BY AUTHORIZED STAFF OF THE PERMITTEE. THE PERMITTEE SHALL MAINTAIN ADEQUATE STAFF TO MONITOR EACH DELIVERY OF AN ALCOHOLIC BEVERAGE TO PREVENT SERVICE TO INTOXICATED OR UNDERAGE INDIVIDUALS.

PERMITTEE MAY PURCHASE ALCOHOLIC BEVERAGES FOR USE AT THE PERMITTED AFFAIR ONLY FROM LICENSED NEW JERSEY WHOLESALERS OR RETAILERS WHOSE LICENSE PRIVILEGE PERMITS THE SALE OF PACKAGE GOODS FOR OFF-PREMISES CONSUMPTION, EXCEPT THE PERMITTEE, IF A CLUB LICENSEE, MAY USE ITS OWN INVENTORY FOR THE CONDUCT OF THIS EVENT. THIS PERMIT IS CONDITIONED THAT ALL ALCOHOLIC BEVERAGES PURCHASED AT WHOLESALE AND NOT CONSUMED AT THIS AFFAIR MUST BE RETURNED TO THE WHOLESALER.

PERMITTEE MAY RECEIVE DELIVERY OF THE AFOREMENTIONED ALCOHOLIC BEVERAGES SUBSEQUENT TO ISSUANCE OF THIS PERMIT WITHIN FOUR DAYS PRIOR TO THE AFFAIR EITHER AT THE PREMISES AT WHICH THE AFFAIR IS TO BE HELD OR AT OTHER PREMISES IN THE POSSESSION OR UNDER THE CONTROL OF THE PERMITTEE, AND TRANSPORT SUCH ALCOHOLIC BEVERAGES THROUGH ANY DULY LICENSED TRANSPORTER IN THE STATE OF NEW JERSEY, OR IN ANY VEHICLE OWNED OR CONTROLLED BY THE PERMITTEE, PROVIDED THAT THIS PERMIT OR A COPY THEREOF BE CARRIED BY THE OPERATOR OF SUCH VEHICLE.

THIS PERMIT IS EXPRESSLY SUBJECT TO ALL LIMITATIONS AND CONDITIONS SET FORTH OR HEREAFTER IMPOSED, AND TO ALL RULES AND REGULATIONS PROMULGATED HERETOFORE AND HEREAFTER BY THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL. THIS PERMIT MAY BE CANCELED BY THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL IN HIS SOUND DISCRETION AT ANY TIME WITHOUT NOTICE, REASON OR CAUSE.

SPECIAL CONDITIONS

1 - SEE ATTACHED FESTIVAL SPECIAL CONDITIONS.

2 - NO PITCHERS OF ALCOHOLIC BEVERAGES MAY BE SOLD AND/OR SERVED.

3 - ALCOHOL MUST BE CONSUMED IN A CONFINED AREA.

RESOLUTION 2022-211

RESOLUTION AUTHORIZING THE BOROUGH OF SOUTH RIVER TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Passaic Valley Sewerage Commission, hereinafter referred to as the "Lead Agency" has offered voluntary participation in the North Jersey Wastewater Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 1, 2022, the Governing Body of the Borough of South River, County of Middlesex, State of New Jersey, duly considered participation in the North Jersey Wastewater Cooperative Pricing System for the provision and performance of goods and services.

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

This Resolution shall be known and may be cited as the North Jersey Wastewater Cooperative Pricing Resolution of the Borough of South River.

Pursuant to the provision of N.J.S.A. 40A:11-11(5), the Mayor and the Borough Clerk are hereby authorized to enter into the North Jersey Wastewater Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

This Resolution shall take effect immediately upon passage.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022.

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-212
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 July 11, 2022 Regular and Executive Session Meeting Minutes are approved.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2022-213
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 $ and previously paid claims in the amount of $ 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
Councilwoman Balasz						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

BILL LIST WILL BE SENT UNDER SEPARATE COVER ON FRIDAY, JULY 29TH.

RESOLUTION 2022-214

RESOLUTION AUTHORZING PERMANENT STATUS TO POLICE OFFICER MATTHEW McCANN FOR THE BOROUGH OF SOUTH RIVER POLICE DEPARTMENT

WHEREAS, the Borough of South River Police Department Police Officer, Matthew McCann, has passed the Police Academy and served his one year probationary period successfully; and

WHEREAS, the South River Police Chief, Mark Tinitigan, recommends permanent status for said Police Officer; and

WHEREAS, the Borough of South River Mayor and Council desire to approve permanent status for Officer McCann.

NOW, THEREFORE, BE IT RESOLVED, the Borough of South River Mayor and Council, do hereby authorize the permanent status of Police Officer Matthew McCann within the Borough of South River Police Department retroactive to May 24, 2022.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

SOUTH RIVER POLICE DEPARTMENT

Mark E. Tinitigan
Chief of Police
61 Main Street
South River, NJ 08882
Phone: (732) 238-1000
Fax: (732) 613-6103

July 28, 2022

To: John Krenzel
Mayor

From: Mark E. Tinitigan
Chief of Police

Re: Probationary Police Officer Status

Mayor,

Please be advised that the below listed police officer has completed their one (1) year probationary period with the South River Police Department:

- Matthew McCann

Therefore, I am recommending that he be granted permanent status with the Police Department.

Respectfully,

Mark E. Tinitigan
Chief of Police

RESOLUTION 2022-215

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:

- PROPERTY ACQUISITION

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

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

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 August 1, 2022

_____

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

ORDINANCE 2022-24
ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE BOROUGH OF SOUTH RIVER

AN ORDINANCE BY THE MAYOR AND BOROUGH COUNCIL AMENDING THE BOROUGH OF SOUTH RIVER CODE OF ORDINANCES TO REPEAL CHAPTER 174, ENTITLED "FLOOD DAMAGE PREVENTION," SO AS TO ADOPT A NEW CHAPTER 174, ENTITLED "FLOOD HAZARD AREAS"

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Borough of South River and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Borough of South River was accepted for participation in the National Flood Insurance Program on **June 4, 1980** and the Mayor and Borough Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65, and 70 necessary for such participation; and

WHEREAS, the Borough of South River is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Borough of South River is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the Borough of South River is required, pursuant to N.J.S.A. 58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. These regulations specifically repeal and replace the following ordinance(s) and regulation(s): Repeal Chapter 174, entitled "Flood Damage Prevention" and replace with Chapter 174, entitled "Flood Hazard Areas."

§174 FLOOD HAZARD AREAS

ARTICLE I. SCOPE AND ADMINISTRATION

§174-1. Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of Borough of South River (hereinafter "these regulations").

§174-2. Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Article II of these regulations.

§174-3. Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

A. Protect human life and health.

B. Prevent unnecessary disruption of commerce, access, and public service during times of flooding.

C. Manage the alteration of natural floodplains, stream channels and shorelines;

D. Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.

E. Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.

F. Contribute to improved construction techniques in the floodplain.

G. Minimize damage to public and private facilities and utilities.

H. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.

I. Minimize the need for rescue and relief efforts associated with flooding.

J. Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.

K. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.

L. Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

§174-4. Coordination with Building Codes. Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Borough of South River administer and enforce the State building codes, the Mayor and Borough Council of the Borough of South River hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

§174-5. Ordinary Building Maintenance and Minor Work. Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance

with the Substantial Damage and Substantial Improvement Section 174-27 of this ordinance.

§174-6. Warning. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

§174-7. The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

§174-8. Violations and Penalties for Noncompliance. No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than $1250, imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than $1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

§174-9. Solid Waste Disposal in a Flood Hazard Area. Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $2500 or up to a maximum penalty by a fine not exceeding $10,000 under N.J.S.A. 40:49-5.

§174-10. Abrogation and greater restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

ARTICLE II. APPLICABILITY

§174-11. General. These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit

under the Uniform Construction Code; and other buildings and development activities.

§174-12. Establishment of Flood Hazard Areas. The Borough of South River was accepted for participation in the National Flood Insurance Program on June 4, 1980.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Office of the Borough Construction Code Official at 48 Washington Street, South River Borough, New Jersey.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Flood Insurance Study, Middlesex County, New Jersey (All Jurisdictions) dated July 6, 2010 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 174-12(1) whose effective date is July 6, 2010 are hereby adopted by reference.

Table 174-12(1)

Map Panel #	Effective Date	Revision Letter
34023C0134	July 6, 2010	F
34023C0142	July 6, 2010	F
34023C0153	July 6, 2010	F
34023C0161	July 6, 2010	F

2) **Federal Best Available Information.** The Borough of South River shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 174-12(2)

Map Panel #	Preliminary Date
34023C0134G	January 31, 2014
34023C0153G	January 31, 2014
34023C0161G	January 31, 2014

3) **Other Best Available Data.** The Borough of South River shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Borough of South River. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 174-12 (1) and (2), above. This information shall be used for floodplain regulation purposes only.

4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in Article IX, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 174-12(3) List of State Studied Waters

Name of Studied Water	File Name	Map Number
S River	D0000003	SO-3
S River, Tennents Bk	D0000004	SO-2
S River	D0000005	SO-1
Raritan Rv	D0000020	R-4

§174-13. Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 174-12, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 174-12, above plus two feet or as described by N.J.A.C. 7:13 of freeboard; or

2) For any undelineated watercourse (where mapping or studies described in 174-12 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:

   a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus two feet of freeboard and any additional freeboard as required by ASCE 24; or

   b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus two feet of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 174-36 and 174-37.

3) AO Zones – For Zone AO areas on the municipality's FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus two feet of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.

4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.

5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot two feet of freeboard in accordance with ASCE 24.

ARTICLE III. DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

§174-14. Floodplain Administrator Designation. The Construction Code Official is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

§174-15. General. The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article VII of these regulations.

§174-16. Coordination. The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

§174-17. Duties. The duties of the Floodplain Administrator shall include but are not limited to:

(1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Article II of these regulations.

(2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.

(3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.

(4) Determine whether additional flood hazard data shall be obtained or developed.

(5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.

(6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 174-27 of these regulations.

(7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.

(8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Article VII of these regulations.

(9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.

(10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).

(11) Inspect development in accordance with Article VI of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.

(12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Article VII of these regulations.

(13) Cite violations in accordance with Article VIII of these regulations.

(14) Notify the Federal Emergency Management Agency when the corporate boundaries of the Borough of South River have been modified.

(15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 174-12.

§174-18. Use of changed technical data. The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

§174-19. Other permits. It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

§174-20. Determination of Local Design Flood Elevations. If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

(1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or

(2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 174-12 and 174-13 respectively. This information shall be provided to the Construction Official and documented according to Section 174-28.

§174-21. Requirement to submit new technical data. Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

§174-22. Activities in riverine flood hazard areas. In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

§174-23. Floodway encroachment. Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land- disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

A. **Floodway revisions.** A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

§174-24. Watercourse alteration. Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

A. **Engineering analysis.** The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

§174-25. Alterations in coastal areas. The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

§174-26. Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

§174-27. Substantial improvement and substantial damage determinations. When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

i. Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

ii. Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 174-12, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.

iii. Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.

iv. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage. This determination requires the evaluation of previous permits issued for improvements and repairs of a period of 5 years prior to the permit application or substantial damage determination as specified in the definition of substantial improvement.

v. Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant in writing when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

§174-28. Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

§174-29. Liability. The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

ARTICLE IV. PERMITS

§174-30. Permits Required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

§174-31. Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

(1) Identify and describe the development to be covered by the permit.

(2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

(3) Indicate the use and occupancy for which the proposed development is intended.

(4) Be accompanied by a site plan and construction documents as specified in Article V of these regulations, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.

(5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.

(6) Be signed by the applicant or the applicant's authorized agent.

§174-32. Validity of permit. The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

§174-33. Expiration. A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

§174-34. Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

ARTICLE V. SITE PLANS AND CONSTRUCTION DOCUMENTS

§174-35. Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

(1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.

(2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 174-36.

(3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 174-36(3) of theseregulations.

(4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.

(5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

(6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill

areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.

(7) Extent of any proposed alteration of sand dunes.

(8) Existing and proposed alignment of any proposed alteration of a watercourse.

(9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

§174-36. Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

(1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.

(2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.

(3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

§174-37. Analyses and certifications by a Licensed Professional Engineer. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and constructiondocuments:

i. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 174-38 of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and constructiondocuments.

ii. For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

iii. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the

analysis to FEMA as specified in Section 174-38 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.

iv. For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.

v. For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

§174-38. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

ARTICLE VI. INSPECTIONS

§174-39. General. Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not bevalid.

§174-40. Inspections of development. The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

§174-41. Buildings and structures. The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

1) **Lowest floor elevation**. Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 174-76 shall be submitted to the Construction Official on an Elevation Certificate.

2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 174-76 shall be submitted to the Construction Official on an Elevation Certificate.

3) **Installation of attendant utilities (**electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 174-76.

4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 174-76 shall be submitted to the Construction Official on an Elevation Certificate.

§174-42. Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

ARTICLE VII. VARIANCES

§174-43. General. The Zoning Board of Adjustment shall hear and decide requests for variances. The Zoning Board of Adjustment shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 174-47, the conditions of issuance set forth in Section 174-48, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Zoning Board of Adjustment has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

§174-44. Historic structures. A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

§174-45. Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

§174-46. Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 174-37(i) of these regulations.

§174-47. Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

(1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.

(2) The danger to life and property due to flooding or erosion damage.

(3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.

(4) The importance of the services provided by the proposed development to the community.

(5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.

(6) The compatibility of the proposed development with existing and anticipated development.

(7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

(8) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.

(10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

§174-48. Conditions for issuance. Variances shall only be issued upon:

(1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision

of these regulations or renders the elevation standards of the building code inappropriate.

(2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.

(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

ARTICLE VIII. VIOLATIONS

§174-49. Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

§174-50. Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

§174-51. Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

§174-52. Review Period to Correct Violations. A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than $1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

ARTICLE IX. DEFINITIONS

§174-53. General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

§174-54. Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of 'Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. AREA OF SPECIAL FLOOD HAZARD – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical,

hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the "100-year flood elevation".

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The aerial mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, "Building" means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, "Critical Building" means that:

a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.
ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
    1. The overflow of inland or tidal waters.
    2. The unusual and rapid accumulation or runoff of surface waters from any source.
    3. Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.
FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Article VII of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Zoning Board of Adjustment requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    1. By an approved State program as determined by the Secretary of the Interior; or
    2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

a. Prior to January 31, 1980; or
b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered "lawfully existing" for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on an Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the

Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The **Start of Construction is as follows:**

a. **For other than new construction or substantial improvements, under the** Coastal Barrier Resources Act (CBRA), this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.
SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place over a 5-year period the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. The period of accumulation includes the first improvement or repair of each structure that is permanent subsequent to the adoption of this ordinance. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

ARTICLE X. SUBDIVISIONS AND OTHER DEVELOPMENTS

§174-55. General. Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

(1) All such proposals are consistent with the need to minimize flooddamage.

(2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.

(3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

§174-56. Subdivision requirements. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

(1) The flood hazard area, including floodways, coastal high hazard areas, and CoastalA Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.

(2) Residential building lots shall be provided with adequate buildable area outside the floodway.

(3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

ARTICLE XI. SITE IMPROVEMENT

§174-57. Encroachment in floodways. Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 174-37(i) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flooddischarge. If Section 174-37(i) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 174-76 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

§174-58. Prohibited in floodways. The following are prohibited activities:

(1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.

(2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

§174-59. Sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities andsystems.

§174-60. Water facilities. All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate

infiltration of floodwater into the systems.

§174-61. Storm drainage. Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons orproperty.

§174-62. Streets and sidewalks. Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

§174-63.Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

§174-64. Hazardous Materials. The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

ARTICLE XII. MANUFACTURED HOMES

§174-65. General. All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

§174-66. Elevation. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section 174-76.

§174-67. Foundations. All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on permanent, reinforced foundations that are designed in accordance with Section R322 of the Residential Code.

§174-68. Anchoring. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

§174-69. Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 174-76.

§174-70. Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 174-76 of these regulations.

> **Exception.** Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 174-76, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE XIII. RECREATIONAL VEHICLES

§174-71. Placement prohibited. The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

§174-72. Temporary placement. Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

§174-73. Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 174-76 for habitable buildings.

ARTICLE XIV. TANKS

§174-74. Tanks. Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

ARTICLE XV. OTHER DEVELOPMENT AND BUILDING WORK

§174-75. General requirements for other development and building work. All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

(1) Be located and constructed to minimize flood damage;

(2) Meet the limitations of Section 174-37(i) of this ordinance when located in a regulated floodway;

(3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section 174-13;

(4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;

(5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 174-13 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:

i. Specifically allowed below the Local Design Flood Elevation; and

ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.

(6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and

(7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

§174-76. Requirements for Habitable Buildings and Structures.

1) Construction and Elevation in A Zones not including Coastal A Zones.

a. No portion of a building is located within a V Zone.

b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.

c. All new construction and substantial improvement of any habitable building (as defined in Article IX) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant

utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 174-13, be in conformance with ASCE 24 Chapter 7, and be confirmed by an Elevation Certificate.

d. All new construction and substantial improvements of non-residential structures shall:
   i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 174-13, be in conformance with ASCE 24 Chapter 7, and be confirmed by an Elevation Certificate; or
   ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
      1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
      2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.

e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:

   i. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
   ii. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 174-76(1)(d)ii are met;
   iii. Be constructed to meet the requirements of ASCE 24 Chapter 2;
   iv. Have openings documented on an Elevation Certificate; and
   v. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C. 7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:

      1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
      2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
      3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

§174-77. Garages and accessory storage structures. Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

§174-78. Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 174-37(i) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences

for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Article VII of this ordinance.

§174-79. Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 174-37(i) of these regulations and N.J.A.C. 7:13.

§174-80. Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 174-37(i) of theseregulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

§174-81. Roads and watercourse crossings.

(1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.

(2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 174-37(i) of these regulations.

ARTICLE XVI. TEMPORARY STRUCTURES AND TEMPORARY STORAGE

§174-82. Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

§174-83. Temporary storage. Temporary storage includes storage of goods and materials fora period of less than 180 days. Stored materials shall not include hazardous materials.

§174-84. Floodway encroachment. Temporary structures and temporary storage in floodways shall meet the requirements of Section 174-37(i) of these regulations.

ARTICLE XVII. UTILITY AND MISCELLANEOUS GROUP U

§174-85. Utility and Miscellaneous Group U. In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

§174-86. Flood loads. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 174-13.

§174-87. Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 174-13 and in accordance with ASCE

24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

§174-88. Enclosures below base flood elevation. Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 174-76 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

§174-89. Flood-damage resistant materials. Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 174-13.

§174-90. Protection of mechanical, plumbing, and electrical systems. Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 174-13.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

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.

Introduced 7-11-22

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

Dawn McDonald

DAWN McDONALD, RMC

ORDINANCE 2022-24 (page 29)

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs						
Councilman Guindi						
Councilman Gurchensky						
Councilwoman Meira						
Councilman Oliveira						
Council President Ciulla						

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

ATTESTED BY:

JOHN M. KRENZEL
MAYOR

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
1STCH005	1ST CHOICE SAFETY EQUIPMENT						
22-00927	04/19/22	FIREFIGHTING BOOT	Open	364.98	0.00		
22-01210	05/17/22	FIREFIGHTING BOOT	Open	364.98	0.00		
				729.96			
A0001	COMMUNITY PHARMACY & MOBILITY						
22-01500	06/22/22	NARCAN NASAL SPRAY	Open	604.62	0.00		
A0153	AHOLD USA, INC.						
22-01772	07/20/22	Food Bank purchase	Open	143.28	0.00		
A0487	APPLIED CONCEPTS INC						
22-01197	05/12/22	MOUNT & SUN SHIELDS	Open	284.00	0.00		
A0519	ARROW ELEVATOR, INC.						
22-01665	07/07/22	Elevator Maint-July 2022	Open	557.00	0.00		
A072	AEP ONSITE PARTNERS LLC						
22-01704	07/13/22	SERVICE FEE-10MW BATTERY 6/22	Open	35,417.00	0.00		
A073	ELIJAH ABASS-SHEREEF						
22-01748	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
A074	DOMINIQUE AMBROZIA						
22-01846	07/27/22	REFUND OF CD	Open	90.21	0.00		
A370	MICHAEL CURRAN						
22-01760	07/20/22	Bal. Senior Blues Event 7/15	Open	431.00	0.00		
A5019	AT&T CORP						
22-01785	07/20/22	BILLED FOR 6/11/22-7/10/22	Open	469.51	0.00		
A601	APRUZZESE MCDERMOTT MASTRO &						
22-01701	07/13/22	GENERAL LABOR MATTERS 6/22	Open	2,585.38	0.00		
22-01776	07/20/22	JG & JM VS SOUTH RIVER	Open	8,014.50	0.00		
22-01777	07/20/22	MG VS SOUTH RIVER	Open	1,755.00	0.00		
				12,354.88			
B079	DARREN BARBERIO						
22-01779	07/20/22	REIM FOR FINGERPRINTS-SUMMER	Open	96.45	0.00		
B0893	BENECARD SERVICES, INC.						
22-01721	07/13/22	PRESCRIPTION PLAN 6/22	Open	42,389.08	0.00		
22-01722	07/13/22	PRESCRIPTION PLAN 7/22	Open	44,084.55	0.00		
				86,473.63			
B0903	C BENTLEY'S CAR WASH						
22-01765	07/20/22	BILLING FOR JUNE 2022	Open	40.00	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
B0952	BIGNELL PLANNING CONSULTANTS						
21-00540	03/05/21	MASTER PLAN RE-EXAM	Open	196.25	0.00		B
22-01715	07/13/22	PLANNER RETAINER 6/22	Open	400.00	0.00		
22-01716	07/13/22	ANDRE-1678	Open	155.00	0.00		
22-01717	07/13/22	PATEL-SOLAR-1871	Open	155.00	0.00		
22-01718	07/13/22	PHILLIP CAP-1816	Open	121.25	0.00		
22-01719	07/13/22	SANTOS-1822	Open	451.25	0.00		
22-01720	07/13/22	ESPINAL-1874	Open	316.25	0.00		
				1,795.00			
B0960	BLUE CROSS/BLUE SHIELD OF NJ						
22-01821	07/21/22	DENTAL INSURANCE 8/22	Open	6,887.10	0.00		
B1202	BYRAM ELECTRICAL LABS,INC.						
22-01918	07/29/22	AMI READS 8/22	Open	3,681.00	0.00		
C116	MALCOLM A CUMBERBATCH						
22-01699	07/13/22	YOUTH AGILITY CLASS	Open	100.00	0.00		
22-01899	07/28/22	YOUTH AGILITY CLASSES	Open	450.00	0.00		
				550.00			
C117	TIAGO CAPELA						
22-01749	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	96.45	0.00		
C118	KAYLEE CONRAD						
22-01750	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
C119	MARIANA COSTA						
22-01751	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
C120	CLEAR SKIES TITLE						
22-01847	07/27/22	REFUND OF OVERPAYMENT	Open	158.85	0.00		
C121	GLEN & KECILENE CONNELL						
22-01848	07/27/22	REFUND OF OVERPAYMENT	Open	124.09	0.00		
C122	MAYRE COSTA						
22-01849	07/27/22	REFUND OF CD	Open	132.92	0.00		
C123	ALLISON COVENAS						
22-01850	07/27/22	REFUND OF CD & OVERPAYMENT	Open	141.72	0.00		
C124	JAVIS & KERFIESHA CRANDELL						
22-01852	07/27/22	REFUND OF CD	Open	13.43	0.00		
C1333	CENTRAL JERSEY HEALTH INS.FUND						
22-01901	07/28/22	MEDICAL INSURANCE 8/22	Open	174,054.00	0.00		
C1441	VINCENT QUILES, JR.						
22-01663	07/07/22	Janitorial Supplies	Open	560.95	0.00		
C1482	CME ASSOCIATES						
19-00306	02/05/19	BID PHASE SERVICES-FIRE DEMO	Open	471.25	0.00		B

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
C1482	CME ASSOCIATES	Continued					
19-02678	09/13/19	REPLACEMENT OF WELL # 2	Open	1,607.00	0.00		B
21-01791	07/21/21	2021 ROADWAY IMP & CURB/SIDE	Open	3,613.50	0.00		B
22-00912	04/14/22	2022 ROADWAY IMPROVEMENTS	Open	8,604.50	0.00		B
22-01797	07/20/22	MAIN ST PAVING/TROLLEY	Open	598.00	0.00		
22-01798	07/20/22	INSPECT CURBS	Open	348.50	0.00		
22-01799	07/20/22	75 COLFAX ST-SOLAR-1858	Open	138.00	0.00		
22-01800	07/20/22	91 LARK DR-SOLAR-1857	Open	138.00	0.00		
22-01801	07/20/22	30 LARK-SOLAR-1864	Open	138.00	0.00		
22-01802	07/20/22	10 LARK-SOLAR-1878	Open	204.50	0.00		
22-01803	07/20/22	POND VILLAGE-1804	Open	138.00	0.00		
22-01804	07/20/22	ANDRE-1759	Open	206.00	0.00		
22-01805	07/20/22	330 WILLIAM-1868	Open	690.00	0.00		
22-01806	07/20/22	RIA MAR-1846	Open	184.00	0.00		
22-01836	07/27/22	POND VILLAGE-1804	Open	580.00	0.00		
				17,659.25			
C1510	COMCAST						
22-01723	07/13/22	SERVICE FOR 7/1-7/31/22	Open	320.41	0.00		
22-01724	07/13/22	SERVICE FOR 7/6-8/5/22	Open	211.59	0.00		
22-01725	07/13/22	SERVICE FOR 7/3-8/2/22	Open	118.40	0.00		
22-01726	07/13/22	SERVICE FOR 7/8-8/7/22	Open	140.77	0.00		
22-01727	07/13/22	SERVICE FOR 7/9-8/8/22	Open	207.67	0.00		
22-01747	07/15/22	SERVICE FOR 7/8-8/7/22	Open	304.70	0.00		
22-01761	07/20/22	BILLING FOR 7/10/22-8/9/22	Open	8.55	0.00		
22-01764	07/20/22	BILING FOR JULY 2022	Open	272.45	0.00		
22-01791	07/20/22	SERVICE FOR 7/17-8/16/22	Open	192.44	0.00		
22-01792	07/20/22	SERVICE FOR 7/17-8/16/22	Open	433.77	0.00		
22-01793	07/20/22	SERVICE FOR 7/17-8/16/22	Open	286.89	0.00		
22-01837	07/27/22	SERVICE FOR 7/15-8/14/22	Open	187.80	0.00		
22-01838	07/27/22	SERVICE FOR 7/16-8/15/22	Open	316.33	0.00		
22-01839	07/27/22	SERVICE FOR 7/22-8/21/22	Open	256.08	0.00		
				3,257.85			
C1511	COMCAST BUSINESS						
22-01840	07/27/22	SERVICE FOR 7/15-8/14/22	Open	1,382.55	0.00		
C1538	CONTINENTAL FIRE & SAFETY INC						
22-01426	06/09/22	FD HIGHRISE CARYING STRAP	Open	365.00	0.00		
C2235	CARTRIDGE CENTER INC						
22-01763	07/20/22	TONER FOR REPORT WRITING ROOM	Open	496.00	0.00		
CS3000	COUNTY OF SOMERSET						
22-01681	07/08/22	FD Academy Training	Open	575.00	0.00		
D067	MYA DELLAVALLE						
22-01752	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
D068	ZACHARY DOHERTY						
22-01753	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
D069	DREW & CAROL DALEY						
22-01853	07/27/22	REFUND OF OVERPAYMENT	Open	17.79	0.00		
D070	DIANE DECICCO						
22-01854	07/27/22	REFUND OF OVERPAYMENT	Open	184.83	0.00		
D071	MARIA DOMINGUES						
22-01855	07/27/22	REFUND OF OVERPAYMENT	Open	33.64	0.00		
D072	RONALD DUROVICH						
22-01856	07/27/22	REFUND OF OVERPAYMENT	Open	145.54	0.00		
D1708	D & M FIREWORKS, LLC						
22-01697	07/13/22	FIREWORKS 8/19/22	Open	9,700.00	0.00		
D548	DRY MASTER RESTORATIONS INC						
22-01230	05/18/22	Mold Test-Police Dept.	Open	1,394.55	0.00		
E020	E ANDRE PROPERTIES SVCS LLC						
22-01857	07/27/22	REFUND OF OVERPAYMENT	Open	29.95	0.00		
E021	ROBERT T ERRICO						
22-01858	07/27/22	REFUND OF OVERPAYMENT	Open	494.48	0.00		
E022	ESTATE OF NANCY WALLING						
22-01859	07/27/22	REFUND OF OVERPAYMENT	Open	116.19	0.00		
E2029	EARTHSPIRITS NET, INC.						
22-01289	05/23/22	EQUIPMENT FOR BIKES	Open	382.93	0.00		
E2044	RONZ & KIDS, LLC						
22-00933	04/19/22	JR POLICE ACADEMY UNIFORMS	Open	1,710.00	0.00		
E2046	EAST COAST EMERG. LIGHTING INC						
21-02864	11/19/21	EQUIP/LIGHTING/INSTALL PACK	Open	16,466.59	0.00		
ECF101	EAST COAST FLAG & FLAGPOLE INC						
22-01661	07/07/22	Repair Flagpole-48 Washington	Open	1,064.00	0.00		
F052	VIVIANA FREIRE						
22-01754	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
F053	FREDERICK FRENCH						
22-01827	07/27/22	REFUND OF DUMPSTER PERMIT	Open	200.00	0.00		
F054	MARIA FERREIRA						
22-01860	07/27/22	REFUND OF OVERPAYMENT	Open	1,201.00	0.00		
F055	FALCO FIGUEIREDO						
22-01861	07/27/22	REFUND OF OVERPAYMENT	Open	116.14	0.00		
F056	FIRST TEAM TITLE						
22-01862	07/27/22	REFUND OF OVERPAYMENT	Open	170.76	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
F057	TONYA FRANKLIN						
22-01863	07/27/22	REFUND OF CD	Open	192.17	0.00		
F2731	FAIL SAFE FIRE TESTING,LLC						
22-01478	06/17/22	ANNUAL HOSE & LADDER TESTING	Open	4,270.50	0.00		
FAR100	FARWEST LINE SPECIALTIES						
22-01627	06/30/22	Supplies	Open	2,822.92	0.00		
G056	MIGUEL GAMA						
22-01864	07/27/22	REFUND OF CD	Open	146.86	0.00		
G068	ALYSSA GUGLIETTI						
22-01711	07/13/22	7/11/22 COUNCIL MEETING	Open	175.00	0.00		
G069	EDWARD & MELANIE GUERRA						
22-01865	07/27/22	REFUND OF CD	Open	112.70	0.00		
GRIEB02	DYLAN GRIEBELL						
22-01908	07/28/22	Sub July Yoga Classes	Open	80.00	0.00		
H048	CHAUDENE M HAHN						
22-01691	07/13/22	Mileage Reimbursement	Open	29.00	0.00		
H1709	HUNTER CARRIER SERVICES LLC						
22-01796	07/20/22	LONG DISTANCE 6/22	Open	696.93	0.00		
H3369	HACH COMPANY						
22-01607	06/28/22	Supplies for Testing	Open	1,399.04	0.00		
H3708	HOME DEPOT						
22-01469	06/15/22	Blanket - Supplies	Open	449.24	0.00		
H3719	HOME NEWS TRIBUNE						
22-01810	07/21/22	Legals 7/11/22	Open	330.24	0.00		
22-01830	07/27/22	Legal Advertising 7/11/22	Open	21.93	0.00		
				352.17			
H3803	THE HUDSON WORKWEAR CO., INC.						
22-01466	06/15/22	Nicholas Sommer-FR Clothing	Open	1,830.68	0.00		
22-01467	06/15/22	Ken Szabo-FR Clothing	Open	1,830.68	0.00		
				3,661.36			
H6552	GEORGE P. HORDOBOY						
22-01290	05/23/22	Truck #22 A/C Repairs	Open	1,422.38	0.00		
J030	MATTHEW JOHNSON						
22-01851	07/27/22	REFUND OF CD	Open	87.58	0.00		
J031	JANET JEFFRIES						
22-01866	07/27/22	REFUND OF CD & OVERPAYMENT	Open	166.15	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
J032	LE ANDREW JENNINGS						
22-01867	07/27/22	REFUND OF CD	Open	162.50	0.00		
J4694	JOHNNY ON THE SPOT, LLC.						
22-01818	07/21/22	PORTA JOHNS 7/18-8/14/22	Open	350.00	0.00		
22-01895	07/27/22	CHAIN FENCE-PD 7/24-8/20/22	Open	48.25	0.00		
				398.25			
K029	SAMANTHA KAMIN						
22-01620	06/28/22	BeatingtheBlues July classes	Open	450.00	0.00		
K039	BRIAN KIM						
22-01868	07/27/22	REFUND OF CD	Open	123.55	0.00		
K225	KYOCERA/DUPLITRON						
22-01698	07/13/22	COPIER USAGE 5/28-6/27/22	Open	199.45	0.00		
22-01909	07/28/22	OOA August Copier Contract	Open	182.63	0.00		
22-01917	07/29/22	COPIER LEASE 8/8-9/7/22	Open	334.85	0.00		
				716.93			
K519	KLEINFELDER INC						
22-00712	03/23/22	WATER METER REPLACEMENT PROJEC	Open	1,435.00	0.00		B
L058	EDWARD LANZA						
22-01869	07/27/22	REFUND OF CD	Open	154.20	0.00		
L059	LAMONT DAVES & AMANDA LEON						
22-01870	07/27/22	REFUND OF CD	Open	126.78	0.00		
L060	RAY ESPINAL & CASSANDRA LORA						
22-01871	07/27/22	REFUND OF CD	Open	169.10	0.00		
L5128	LANGUAGE LINE SERVICES, INC.						
22-01694	07/13/22	phone interp for court june 22	Open	156.73	0.00		
L5144	LAWMEN SUPPLY CO. OF NJ, INC.						
22-00559	03/07/22	GAS MASK FILTERS	Open	1,714.32	0.00		
L5310	LOMBARDI & LOMBARDI PA						
22-01712	07/13/22	PLANNER RETAINER 6/22	Open	300.00	0.00		
22-01713	07/13/22	CROWNPOINT PREROGATIVE WRITS	Open	645.00	0.00		
22-01714	07/13/22	PATEL-SOLAR-1871	Open	112.50	0.00		
22-01834	07/27/22	UNIQUE BUILDING-1761	Open	29.00	0.00		
22-01835	07/27/22	DESOUZA-1838	Open	30.00	0.00		
				1,116.50			
M050	MEGA TITLE LLC						
22-01876	07/27/22	REFUND OF OVERPAYMENT	Open	600.00	0.00		
M115	KYLE MACIK						
22-01872	07/27/22	REFUND OF CD	Open	143.49	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
M116	LISA MARLOW						
22-01873	07/27/22	REFUND OF OVERPAYMENT	Open	417.60	0.00		
M119	AVA MARIE MENDES						
22-01755	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
M120	RITA MARTIN						
22-01874	07/27/22	REFUND OF CD	Open	168.85	0.00		
M121	JAMES C MATTHEWS						
22-01875	07/27/22	REFUND OF CD	Open	132.30	0.00		
M122	ANTONIO MIGUEL						
22-01877	07/27/22	REFUND OF OVERPAYMENT	Open	17.26	0.00		
M123	EDISON MINCHALO						
22-01878	07/27/22	REFUND OF CD	Open	107.24	0.00		
M124	MARIA JULIA MIRANDA MOURAO						
22-01879	07/27/22	REFUND OF OVERPAYMENT	Open	14.02	0.00		
M125	SCOTT MUSCLE						
22-01880	07/27/22	REFUND OF OVERPAYMENT	Open	1,501.58	0.00		
M5421	W.B.MASON CO.						
22-01545	06/24/22	Time Clock-DPW	Open	313.39	0.00		
22-01610	06/28/22	Office Supplies/ Food bank	Open	515.25	0.00		
22-01745	07/15/22	Printer & Office Supplies	Open	597.08	0.00		
				1,425.72			
M5428	MADISON NAT.LIFE INS.CO.,INC.						
22-01775	07/20/22	GROUP TERM DIS LIFE &AD&D 8/22	Open	869.24	0.00		
M5640	MIDATLANTIC TRUCK CENTRE, INC.						
22-01542	06/24/22	Repairs to Sweeper	Open	4,973.77	0.00		
M5698	MIDD CTY UTILITY AUTHORITY						
22-01688	07/08/22	Landfill Charges-June 2022	Open	53,417.20	0.00		
M5709	MIDDLESEX COUNTY TREASURER						
22-01734	07/15/22	3RD QTR 2022 OPEN SPACE	Open	139,353.59	0.00		
M5712	MIDDLESEX COUNTY TREASURER						
22-01735	07/15/22	3RD QTR 2022 COUNTY TAXES	Open	1,612,502.81	0.00		
M5741	MIDDLESEX COUNTY MUNICIPAL JIF						
22-01703	07/13/22	INSURANCE DEDUCTIBLE	Open	20,000.00	0.00		
M5818	MICRO SYSTEMS-NJ.COM LLC						
22-01789	07/20/22	ANNUAL SERVICE MOD4 2022	Open	2,018.12	0.00		
N5972	SARAH F BANNISTER						
22-01692	07/13/22	Name Plate-Clerk	Open	15.00	0.00		

Vendor # / PO #	Name / PO Date / Description	Status	Amount	Void Amount	Contract	PO Type
N6044	NJ DEPT. OF HEALTH/SENIOR SVCS					
22-01913	07/29/22 REFUND OF STATE LIFELINE	Open	675.00	0.00		
N6161	ACTION FIRE APPARATUS CO.,INC					
22-01477	06/17/22 ANNUAL SCOTT SCBA EQUIP TEST	Open	2,102.27	0.00		
O022	JOVIANO &SAMOLA MARIZA OLIVERA					
22-01881	07/27/22 REFUND OF CD	Open	58.15	0.00		
O023	8 OBTP LLC					
22-01894	07/27/22 REFUND OF OVERPAYMENT	Open	10.98	0.00		
P065	LESILE PEREZ					
22-01756	07/15/22 REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
P066	JAMES PODESZWA					
22-01882	07/27/22 REFUND OF CD	Open	44.00	0.00		
P067	VINCENT & VICTORIA PONTILLO					
22-01883	07/27/22 REFUND OF OVERPAYMENT	Open	47.52	0.00		
P7179	PAWLOWSKI, INC.					
22-01666	07/07/22 Topsoil, Hay Bales	Open	785.25	0.00		
22-01667	07/07/22 Topsoil, Hay Bales	Open	945.25	0.00		
			1,730.50			
P7209	PUBLIC SERVICE ELECTRIC & GAS					
22-01914	07/29/22 SERVICE FOR 7/22	Open	19.18	0.00		
22-01915	07/29/22 SERVICE FOR 7/22	Open	414.61	0.00		
22-01916	07/29/22 SERVICE FOR 7/22	Open	19.18	0.00		
			452.97			
P7232	PUBLIC POWER ASSN OF N.J.					
22-01689	07/13/22 NYPA billing June 2022	Open	44,648.33	0.00		
PRIME01	PRIMEPOINT, LLC					
22-01795	07/20/22 P/R PROCESSING 7/22	Open	1,074.95	0.00		
Q7293	QUEST DIAGNOSTICS , INC.					
22-01693	07/13/22 Pre-Employment Drug Screen	Open	158.50	0.00		
R063	BRANDON RUSSO					
22-01700	07/13/22 YOUTH AGILITY CLASS	Open	100.00	0.00		
22-01898	07/28/22 YOUTH AGILITY CLASSES	Open	450.00	0.00		
			550.00			
R064	JAIDEN RODRIGUEZ					
22-01757	07/15/22 REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
R065	ENRIQUE ROMEROS					
22-01885	07/27/22 REFUND OF OVERPAYMENT	Open	13.43	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
R066	JOESPH RONQUILLO						
22-01886	07/27/22	REFUND OF CD	Open	147.08	0.00		
R7327	RAZOR PRINTING, INC.						
22-01788	07/20/22	NO PARKING SIGNS	Open	325.00	0.00		
R7329	V E RALPH & SON INC						
21-01812	07/22/21	supplies	Open	850.90	0.00		
REAG001	THOMAS & LINDA REAGAN						
22-01884	07/27/22	REFUND OF OVERPAYMENT	Open	4.42	0.00		
S044	JOHN SAPATA						
22-01758	07/15/22	REIMB FOR FINGERPRINTS-SUMMER	Open	57.38	0.00		
S087	SUPERHERO SUE ICE CREAM TRUCK						
22-01910	07/28/22	BalanceSenior Blues Event 8/10	Open	325.00	0.00		
S106	CHRISTINE SANTORO						
22-01778	07/20/22	CHEERING CLASS INSTRUCTION	Open	60.00	0.00		
22-01900	07/28/22	CHEERING CLASS INSTRUCTION	Open	120.00	0.00		
				180.00			
S116	SBB GROUP LLC						
22-01887	07/27/22	REFUND OF OVERPAYMENT	Open	1,218.28	0.00		
S117	JOESPH SERRA						
22-01888	07/27/22	REFUND OF CD	Open	166.42	0.00		
S118	YINGER SU						
22-01889	07/27/22	REFUND OF CD & OVERPAYMENT	Open	161.81	0.00		
S119	NICHOLAS SAPATA						
22-01783	07/20/22	REIMB FOR FINGERPRINTS-SUMMER	Open	44.13	0.00		
S120	SUCCESSFUL ABSTRACT						
22-01890	07/27/22	REFUND OF OVERPAYMENT	Open	285.78	0.00		
S121	LORRIANE SULT						
22-01891	07/27/22	REFUND OF OVERPAYMENT	Open	44.75	0.00		
S122	JOANNA SZAFRAN						
22-01892	07/27/22	REFUND OF CD	Open	90.27	0.00		
S238	S. BATATA CONSTRUCTION INC						
22-01113	05/10/22	Basketball Courts-Fitzpatrick	Open	16,900.00	0.00		
S7877	SAKER SHOPRITES INC						
22-01695	07/13/22	Food Bank/ OOA purchases	Open	473.34	0.00		
S8086	SPECTROTEL						
22-01841	07/27/22	SERVICE FOR 7/15-8/14/22	Open	2,251.34	0.00		

Vendor # / PO #	Name / PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SAMZ01	GALLS PARENT HOLDING LLC						
22-01330	05/27/22	PINS	Open	125.44	0.00		
22-01408	06/09/22	TRIPLE BRIM STRAW CAMPAIGN HAT	Open	131.92	0.00		
				257.36			
T1709	CIT BANK N A						
22-01180	05/11/22	AVAYA IPO 35 OF 60 8/22	Open	845.80	0.00		
T1735	TARGETED TECHNOLOGIES LLC						
22-01606	06/28/22	FD STATION 2 COMPUTER	Open	1,445.00	0.00		
22-01746	07/15/22	ADV FIREWALL 5/1/22-4/30/24	Open	1,883.00	0.00		
22-01831	07/27/22	INSTALL NEW BOOST WIFI	Open	663.00	0.00		
22-01843	07/27/22	FD STATION 2 COMPUTER	Open	45.00	0.00		
22-01904	07/28/22	ADDT SERVERS-PD 6/22-8/22	Open	185.00	0.00		
				4,221.00			
T8324	TAYLOR OIL CO INC.						
22-01639	07/07/22	Fuel Delivered 6/27/2022	Open	2,388.72	0.00		
T8387	TELVUE CORPORATION						
22-01702	07/13/22	TV CLOUD SVS 7/1/22-6/30/23	Open	4,860.00	0.00		
TROJ231	DENISE TROJANOWSKI						
22-01728	07/13/22	BALANCED OWED PART B 1/1-6/30	Open	624.60	0.00		
TROJ232	MICHAEL TROJANOWSKI						
22-01729	07/13/22	BALANCED OWED PART B 1/1-6/30	Open	181.20	0.00		
U8894	UNIVAR USA, INC.						
22-00941	04/19/22	15% Sodium Hypchlorite	Open	1,339.80	0.00		
W330	WISS, JANNEY, ELSTNER ASSOC						
21-02491	10/05/21	ARCHITECTURAL SVS-BORO ROOFS	Open	5,749.50	0.00		B
W9470	WIRELESS ELECTRONICS, INC.						
22-01766	07/20/22	COVERAGE FOR JUNE & JULY 2022	Open	600.00	0.00		
Y9695	NANCY K. YOUNG						
22-01643	07/07/22	ZUMBA CLASS 6/27/22	Open	35.00	0.00		
ZAV01	ALBA ZAVALLA						
22-01893	07/27/22	REFUND OF CD	Open	116.45	0.00		

Total Purchase Orders: 204 Total P.O. Line Items: 0 Total List Amount: 2,340,345.09 Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	3,194.57	0.00	3,194.57	0.00	0.00	3,194.57
CURRENT FUND	2-01	2,046,580.75	0.00	2,046,580.75	0.00	0.00	2,046,580.75
WATER UTILITY	2-02	64,519.75	0.00	64,519.75	0.00	0.00	64,519.75
ELECTRIC UTILITY	2-03	175,569.42	0.00	175,569.42	0.00	0.00	175,569.42
	2-14	1,714.32	0.00	1,714.32	0.00	0.00	1,714.32
	2-15	3,057.44	0.00	3,057.44	0.00	0.00	3,057.44
Year Total:		2,291,441.68	0.00	2,291,441.68	0.00	0.00	2,291,441.68
GENERAL CAPITAL	C-06	34,905.34	0.00	34,905.34	0.00	0.00	34,905.34
ESCROW ACCOUNT	E-17	3,986.75	0.00	3,986.75	0.00	0.00	3,986.75
OTHER TRUST ACCOU	T-05	3,774.75	0.00	3,774.75	0.00	0.00	3,774.75
WATER CAPITAL	W-07	3,042.00	0.00	3,042.00	0.00	0.00	3,042.00
Total Of All Funds:		2,340,345.09	0.00	2,340,345.09	0.00	0.00	2,340,345.09

	Previously paid bills for 8/1/22						
Date	From	Account	Amount	To	Account	Amount	Comment
7/8/2022	Provident Electric Utility Account	989400486	$ 57,441.64	PJM Settlement, Inc.		$ 57,441.64	Monthly Elect.Pymt. 6/1-6/29/22
7/15/2022	Provident Electric Utility Account	989400486	$ 3,700.41	PJM Settlement, Inc.		$ 3,700.41	Weekly Elect.Pymt. 6/1-6/30/22
7/15/2022	Provident Electric Utility Account	989400486	$ 57,717.21	PJM Settlement, Inc.		$ 57,717.21	Weekly Elect.Pymt. 7/1-7/6/22
7/15/2022	Provident Electric Utility Account	989400486	$ 76,788.01	PSEG Energy Resources		$ 76,788.01	Mo. Elect.Pymt. 6/21
7/19/2022	Provident Current Account	989402094	$ 286,116.91	Provident Payroll Account	889423703	$ 286,116.91	Payroll of 7/22/22
7/19/2022	Provident Water Account	989400791	$ 29,474.23	Provident Payroll Account	889423703	$ 29,474.23	Payroll of 7/22/22
7/19/2022	Provident Electric Utility Account	989400486	$ 54,483.99	Provident Payroll Account	889423703	$ 54,483.99	Payroll of 7/22/22
7/19/2022	Provident Trust - Other Account	889423737	$ 15,724.16	Provident Payroll Account	889423703	$ 15,724.16	Payroll of 7/22/22
7/19/2022	Provident Animal Control Account		$ 63.00	Provident Payroll Account	889423703	$ 63.00	Payroll of 7/22/22
7/19/2022	Provident Parking Utility Account	889423687	$ 395.39	Provident Payroll Account	889423703	$ 395.39	Payroll of 7/22/22
7/20/2022	Provident Electric Utility Account	989400486	$ 230,856.32	PSEG Energy Resources		$ 230,856.32	Mo. Elect.Pymt. 6/22
7/21/2022	Provident Current Account	989400791	$ 3,000.00	United States Post Office		$ 3,000.00	Bulk Mailing-tax bills
7/22/2022	Provident Current Account	989400791	$ 308.52	United States Post Office		$ 308.52	Petty Cash Reimbursement
7/22/2022	Provident Electric Utility Account	989400486	$ 50,078.10	PJM Settlement, Inc.		$ 50,078.10	Weekly Elect.Pymt. 7/1-7/13/22
7/29/2022	Provident Electric Utility Account	989400486	$ 63,976.57	PJM Settlement, Inc.		$ 63,976.57	Weekly Elect.Pymt. 7/1-7/20/22
			$ 930,124.46			$ 930,124.46	