

REGULAR MEETING MINUTES
MARCH 11, 2024
MAYOR AND BOROUGH COUNCIL
MEETING NO. 7

A meeting of the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey was held on March 11, 2024, and was called to order by Mayor Guindi at 7:00 PM with the following Council Members in Attendance:

Mayor and Council Roll Call	Present	Absent	Excused Tardy
<i>Mayor Peter S. Guindi</i>	X		
<i>Council President Jason Oliveira</i>	X		
<i>Councilwoman Donna Balazs</i>	X		
<i>Councilman Anthony Ciulla</i>	X		
<i>Councilman Hank Dziemian</i>	X		
<i>Councilman James Gurchensky</i>	X		
<i>Councilman John Krenzel</i>	X		

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

IN COMPLIANCE WITH CHAPTER 231 OF PUBLIC LAW OF 1975, NOTICE OF THIS MEETING TO BE HELD AT THE CRIMINAL JUSTICE BUILDING, 61 MAIN STREET, SOUTH RIVER HAS BEEN PUBLISHED IN THE HOME NEWS TRIBUNE ON JANUARY 5, 2024, POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD, THE BOROUGH WEBSITE, THE FRONT DOOR OF THE CRIMINAL JUSTICE BUILDING AT 61 MAIN STREET, SOUTH RIVER.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Mayor Guindi lead the salute to the Flag and a moment of silence.

AGENDA SESSION

- Discussions on First Reading Ordinance – BA Londensky speaks on ordinance 2024-13. BA Londensky states there have been complaints from residents regarding bus parking in residential areas. The code book was checked and there was nothing written regarding bus parking. Bus types C & D will not be allowed to park in residential areas. Shorter buses will be permitted.

INTRODUCTION OF THE 2024 MUNICIPAL BUDGET

2024-123 RESOLUTION ACCEPTING THE BOROUGH OF SOUTH RIVER MUNICIPAL BUDGET FOR THE FISCAL YEAR OF 2024

The Clerk reads Resolution 2024-123. CFO Zanga discusses the highlights in the 2024 municipal budget. CFO Zanga speaks on the rate increases for water utility of 10%. The budget also includes repairs to the water systems and the installation of new meters. Debt services have been paid down aggressively. There is also a decrease in the electric rates. CFO Zanga discusses the current fund and project funding. CFO Zanga thanks the budget committee along with BA Londensky.

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the BOROUGH of SOUTH RIVER, County of MIDDLESEX for the Fiscal Year 2024

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024;

Be it Further Resolved, that said Budget be published in the Home News Tribune
in the issue of April 11th, 2024

The Governing Body of the BOROUGH of SOUTH RIVER does hereby approve the following as the Budget for the year 2024:

RECORDED VOTE
(Insert Last Name)

Ayes

Balazs
Ciulla
Dziemian
Gurchensky
Krenzel
Oliveira

Nays

Abstained

Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the COUNCIL MEMBERS of the BOROUGH
of SOUTH RIVER, County of MIDDLESEX, on March 11th, 2024.
A Hearing on the Budget and Tax Resolution will be held at Public Safety Building, on April 22nd, 2024 at
7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other
interested persons.

ORDINANCE- SECOND READING & PUBLIC HEARING

ORDINANCE 2024-8

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

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

SECTION 1.

155-30 Chapter 30, Water.

A. Article 1, Water Use:

1. Payment of bills; discontinuance of service;
 - a. To cover the cost of turning on water service during 7:00 a.m. until 2:00 p.m., Monday through Friday, excluding holidays: \$50.
 - b. After 2:00 p.m. on any given workday or on weekends or holidays: \$125.
 - c. Application fee for opening or changing an account: \$25.
 - d. Final read fee for closing an existing account: \$25.
2. Water rates.
 - a. Effective April 1, 2024, the minimum charge per quarter for all consumers within the Borough of South River shall be as follows:

Meter-Size (inches)	Minimum Charge per Quarter
All meter sizes	\$80.38

b. Quarterly rates.

1. Effective April 1, 2024, the quarterly rates of all water consumed by consumers in all meter size categories shall be as follows:

Amount (cubic feet)	Rate per 1,000 Cubic Feet per Quarter
0 to 1,000	\$80.38
1,001 to 4,000	\$97.84
4,001 to 8,000	\$107.25
8,001 to 12,000	\$118.10
12,001 and up	\$129.87

2. There will be a surcharge of 5% on all water consumption based on water readings taken in the months of July, August and September. Said readings are taken during the normal water reading cycles as established by the Borough of South River Water Utility.

c. Senior citizen discount not to exceed \$10.00 for each quarterly tax bill

d. Tapping fees:

1. Three-fourths inch: \$46.30

2. One inch: \$52.90

3. Tap larger than one inch: the owner's plumbing contractor shall make waterline tap under supervision of Utilities Department personnel upon payment of an inspection fee of \$35

e. Water meter fee:

According to meter size and vendor pricing.

f. Connection fees:

Connection Size (inches)	Connection Fee Charge
$\frac{3}{4}$	\$947.58
1 and 1 1/4	\$2,132.05
1 1/2	\$3,600.80
2	\$5,969.75
3	\$13,171.36
4	\$22,647.16
6	\$50,600.77

B. Fire Service Charges Effective April 1, 2024.

1. Quarterly charges

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

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

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

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

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

Councilman Ciulla motioned to waive the full reading; seconded by Council President Balazs. All in Favor. The Clerk read Ordinance 2024-8 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-8 only.

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

Adopted 3-11-24

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

**ALYSSA HAGER, RMC
BOROUGH CLERK**

ORDINANCE 2024-9

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 155 – FEES

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

SECTION 1. Chapter 155 of the Borough Code of the Borough of South River, entitled “Fees” is hereby amended so as to amend Section 155-29 entitled “Chapter 147, Electrical Connections, Article I” to read entirely as follows:

§ 155-11. Chapter 147, Electric Connections, Article I.

The schedule of charges for electrical energy consumption is as follows:

A. Class A: residential consumption.

(1) Service charge: \$8.75.

(2) Charge per kilowatt-hour:

Number of Kilowatt-Hours	Charge (per kilowatt-hour)
All consumption	\$0.1970

B. Class B: general service/nondemand consumption.

(1) Service charge: \$35.

(2) Charge per kilowatt-hour:

Number of Kilowatt-Hours	Charge (per kilowatt-hours)
All consumption	\$0.2972

C. Class C: retail power/demand consumption.

(1) Service charge: \$25.

(2) Demand charge (all kilowatts). The kilowatt demand charge for all kilowatts of monthly demand shall be as follows:

(a) June 1 through September 30: \$17.70.

(b) October 1 through May 31: \$15.60.

(3) Kilowatt-hour charge.

(a) All consumption:\$0.2100.

(4) Minimum monthly charge: \$81.30.

D. Class F: street lighting consumption.

(1) Charge per kilowatt-hour.

	Charge
Number of Kilowatt-Hours	(per kilowatt-hour)
All consumption	\$0.1910

Pole rental: \$4.82 per month.

E. Class G: yardlighting.

(1) Charges:

Size of Light Bulb	Rental Charge	Monthly Charge
(inwatts)	(per lamp)	(per pole)
90 Watt LED	\$49.40	\$4.82
70 Watt LED	\$38.87	\$4.82

F. Class H: standby emergency service.

(1) Service charge: \$25

(2) Demand charge (all kilowatts). The kilowatt demand charge for all kilowatts of monthly demand shall be as follows:

(a) June 1 through September 30: \$17.70.

(b) October 1 through May 31: \$15.60.

(3) Kilowatt-hour charge.

(a) All consumption:\$0.2000.

G. Class I: commercial demand rate: general purpose at secondary - distribution voltages.

(1) Service charge: \$20.

(2) Demand charge (all kilowatts). The kilowatt demand charge for all kilowatts of monthly demand shall be as follows:

(a) June 1 through September 30 (after first 15 kilowatt- hours): \$20.66.

(b) October 1 through May 31 (after first 15 kilowatt-hours):
\$18.22.

(3) Kilowatt-hour charge.

(a) Up to 4,500 KWH: \$0.2970.

(b) 4,501 KWH and up: \$0.2360.

(4) Minimum monthly charge: \$81.30.

H. Class J: public school building operated by the South River Board of Education with demandmetering.

(1) Service charge: \$27.

(2) Demand charge (all kilowatts). The kilowatt demand charge for all kilowatts of monthly demand shall be as follows:

(a) June 1 through September 30: \$5.

(b) October 1 through May 31: \$3.30.

(3) Kilowatt-hour charge.

(a) June 1 through September 30: \$0.1930.

(b) October 1 through May 31: \$0.1860.

(4) Minimum monthly charge: \$292.50.

I. Application fee for opening an account: \$25.

J. Final read fee for closing an existing account: \$25.

K. Reconnection fee: \$50.

L. Tenant deposit.

(1) Residential: \$200.

(2) Commercial: \$500.

M. Interest shall be charged on all unpaid account balances at 8% per annum on the first \$1,500 of delinquency and 18% per annum on any amount in excess of \$1,500 from the billing date if the balance is not paid within 30 days of the billing date. For all South River

Board of Education accounts, interest shall be charged on all unpaid account balances at 8% per annum on the first \$1,500 of delinquency and 18% per annum on any amount in excess of \$1,500 from the billing date if the balance is not paid within 60 days of the billing date.

N. Annual power cost adjustment (APCA).

(1) Each class of service set forth in this § 155-11 that is billed for electricity on a per-kilowatt-hour basis shall be billed or credited with the annual power cost adjustment factor as provided in § 147-3B.

O. Notwithstanding the kilowatt charge subsections above, the governing body is authorized to provide demand charge relief to certain not-for-profit organizations residing within the Borough of South River. The governing body shall provide said demand charge relief through the adoption of a resolution on an annual basis.

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 on April 1, 2024 after upon final adoption and publication as may be required by law.

Councilman Ciulla motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-9 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-9 only.

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

Adopted 3-11-24

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

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024-10

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

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water Utility improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$950,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$50,000 as the down payment for said purposes. Said down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets. In accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, no down payment is required as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h. Additionally, this bond ordinance authorizes a project intended to be funded through the New Jersey Water Bank.

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

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

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall

include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

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

(d) An aggregate amount not exceeding \$400,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

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

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad

valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Gurchensky motioned to waive the full reading; seconded by Councilman Krenzel. All in Favor. The Clerk read Ordinance 2024-10 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-10 only.

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

Adopted 3-11-24

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

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024 –11

**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 CREATE CHAPTER
43, ENTITLED “FILMING PERMITS”**

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 43 of the Borough Code of the Borough of South River is hereby amended
so as to create Chapter 43 entitled “FILMING PERMITS” to read entirely as follows:

§43-1. Purpose and Intent

The intent of the Borough in adopting this filming and broadcasting chapter is to facilitate entertainment industry work performed in the Borough while safeguarding the interests of Borough residents and businesses. The chapter delegates responsibility for processing applications and permits within the Department of Administration under the direction and supervision of the Administrator which will be dedicated to responding to the needs and issues pertaining to entertainment industry work.

§43-2. Permits for filming and broadcasting.

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- A. Any producer that wishes to perform entertainment industry work, including filming or broadcasting, on public property must first obtain a permit.
- B. Permits are issued under the authority of the Administrator on behalf of the Borough Council.
- C. Permits are issued to the producer.
- D. A permit is required for each location where filming or broadcasting will take place.
- E. All permit applications will be processed on a "first come, first served" basis. If two or more permit applicants request the same date and the same location, the filming or broadcasting application that was received first shall be first eligible for approval.
- F. Duration of permits. Permits shall be valid for a minimum of one day and a maximum of 30 days calculated from the date of issuance. Longer filming or broadcasting periods require additional permits and payment of the established application and permit fees.
- G. A permit will specify the filming or broadcasting that may occur at a particular location at a particular time. The permit will authorize element(s) to be performed as part of the filming or broadcasting provided that the elements have been approved by the Administrator after consultation with the appropriate Department.
- H. Where the application includes a request to close all or any portion of a Borough street, lane and/or sidewalk, the request shall be evaluated under and the closure must comply with all pertinent sections and subsections of this chapter applicable to the filming or broadcasting at issue.
- I. A producer that receives a permit is responsible for knowing and complying with all other laws, including other ordinances and regulations that establish prerequisites, authorizations and other required permissions applicable to the filming.
- J. Where permitted filming or broadcasting includes advertising signs or other displays of commercial speech, the signs and/or displays must be removed upon the expiration of the permit.
- K. Notwithstanding any other part of this Code, any producer that performs filming or broadcasting without receiving a permit, violates the material terms of a permit, or is otherwise in violation of this entertainment filming and broadcasting ordinance, shall be subject to the provisions of § 43-11.
- L. Notice. Applicants are required to provide written notice to any residents, businesses, and merchants located within a three-block radius of the site. The notice shall state the location and approximate duration, and describe the nature and extent of the filming or broadcasting. The notice shall be provided no later than the date and time contained in the permit. The applicant shall provide the Administrator proof that notice was provided within 24 hours of the notice date and time.
- M. Hold harmless/indemnification. Applicants must agree in writing to hold harmless and indemnify the Borough and its officials, employees, and agents for any and all claims, liabilities, judgments, and damages, including reasonable attorneys' fees and costs of suit, resulting from death, bodily injury, or property damage arising out of or in any way connected with their filming or broadcasting activities.
- N. Additional police protection. If the South River Chief of Police determines that additional police protection/manpower is necessary to maintain peace and good order and control traffic and spectators at the site of a filming event, the cost thereof determined by the Chief of Police shall be paid by the applicant in accordance with § 155-3.2, Chapter 72, Department of Public Safety, Article III- Off-duty

police officer compensation of Chapter 155 of the Code. The applicant may be required to execute an agreement with the Borough setting forth the terms and conditions of the arrangement.

- O. While it is the intent of the Borough to honor each permit, the issuance of such permit shall not grant the producer a constitutionally protected property interest.

§43-3. Exemption from filming or broadcasting permit requirement.

- A. The following types of filming and broadcasting are exempt from the permitting requirement of § 43-2 above. This provision does not exempt a producer from complying with other applicable code provisions, laws, ordinances or regulations that require elements or other activities included in the filming or broadcasting to be permitted or approved by the appropriate governmental entity.

- (1) First Amendment activity.

- (a) Filming or broadcasting associated with any permitted or unpermitted parade, rally, protest or demonstration, except when the same is staged for the sole purpose of being included in the filming's final product.
 - (b) Filming or broadcasting associated with any permitted or unpermitted parade, rally, protest or demonstration, except when using vehicles or equipment.
 - (c) Filming or broadcasting associated with an outdoor event that is authorized by a Borough-issued outdoor special event permit, as defined in this chapter, except when the same is staged for the sole purpose of being included in the film's or broadcast's final product.

- (2) Other than First Amendment activity.

- (a) Coverage of news or matters of public importance by print, broadcast, or electronic media.
 - (b) Filming of limited duration intended primarily for personal, documentary, or promotional purposes that does not involve a movie studio or production company.
 - (c) Filming or broadcasting occurring on public property involving the use of handheld devices.
 - 1. For the purposes of this section, handheld devices shall mean Film, still or television cameras, video cameras or other equipment which are held in the photographer's or filmmaker's hand and carried at all times with the photographer or filmmaker during the course of filming. Handheld devices shall not include cables or any other item or equipment not carried by the photographer or filmmaker at all times during the course of photography, filming or transmission.
 - 2. If such activity does not involve the assertion by any means of exclusive use of all or any section of the public property
 - 3. For purposes of this subsection, standing on public property while using a handheld

device and not otherwise asserting exclusive use by any means is not activity that requires a permit.

§43-4. Filming and broadcasting elements.

- A. An applicant shall indicate on the application each of the elements listed below that will be included in the filming or broadcasting. The final decision of whether to allow the element shall be made by the Administrator after consultation with the Borough department head. Prior to denying permission to perform an element, the Administrator and a representative from the department shall consult with the producer in an attempt to find alternative ways to accommodate the producer's filming needs.
- B. This section applies to the activities listed below only when they occur on public property. Where the element requires approval from an additional governmental jurisdiction, the producer must obtain that approval as well. The elements are as follows:
 - (1) Nighttime filming or broadcasting with the use of outdoor lighting where a residence exists within 150 feet from the location of an outdoor light;
 - (2) Filming or broadcasting in buildings that are owned by the Borough or leased to a third party by the Borough, or in buildings of which the Borough is a lessee;
 - (3) Use of public property that is owned, leased or maintained to or by the Borough;
 - (4) Use of a temporary structure that requires permitting by any local, county, state or federal agency;
 - (5) Closure of all or any section of a street, lane and/or sidewalk;
 - (6) Use of pyrotechnics or other explosives;
 - (7) Use of smoke effects, water effects, or flame effects;
 - (8) Display of real or artificial fire arms, grenades, or other weapons that would cause the public to fear violence;
 - (9) Vehicle chases and/or vehicle crashes;
 - (10) Dangerous stunts that have a reasonable likelihood of causing substantial personal injury;
 - (11) Use of large or any other equipment that has a reasonable likelihood of causing damage to public property;
 - (12) Filming or broadcasting in a Borough park or from a Borough beach or boardwalk; and
 - (13) Use of wild animals controlled under federal, state, or county law and/or ordinances.

§43-5. Processing of Permit Applications.

- A. A producer that wishes to perform filming or broadcasting must submit to the Administrator a completed application and the application fee set forth in § 43-10 below. Where the producer is an organization, corporation or other entity, the application must be signed and submitted by an individual authorized to bind the producer.
- B. The application shall include, but not be limited to, the following:
 - (1) The filming or broadcasting project name;
 - (2) The name and contact information of the applicant, including postal address, email address, and telephone number;
 - (3) A valid photo identification of the applicant;
 - (4) The name and contact information of the producer (if the applicant is not the producer);
 - (5) The dates, times and locations of the filming or broadcasting for which a permit is being requested, and a general description of the filming or broadcasting activity that will occur at each location;
 - (6) A description of any elements that may be performed during the filming or broadcasting, including the dates, times and locations of each;
 - (7) A description of any aspects of the filming or broadcasting, other than the elements, that may require Borough services;
 - (8) A description of any assistance the producer may need from the Administrator and Department of Administration, and/or concerns that the producer wants the Administrator and Department of Administration to be aware of; and
 - (9) Where the producer is a student, an official letter or document from her/his school confirming that s/he is currently enrolled there. In addition, the student must appear in person at the Department of Administration and present her/his current student identification card and a valid driver's license. Where the student does not have a driver's license, s/he may present a different form of identification that includes her/his photo.
- C. There is no deadline by which a permit application must be submitted to the Administrator; however, where a permit application includes a request for a street closure, the closure portion of the application will not be approved unless it is received at least 10 business days prior to the closure.

§43-6. Permit denials.

- A. The Administrator may deny an application if the Administrator reasonably determines that one or more of the below-listed conditions exists. Prior to denial, the Administrator shall make reasonable efforts to consult with the producer in an attempt to resolve issues of concern and/or find alternative ways to accommodate the producer's filming or broadcasting needs.
 - (1) The filming or broadcasting poses an unreasonable risk of personal injury or property damage to

people or property not associated with the filming or broadcasting;

- (2) The filming or broadcasting poses an unreasonable risk of damage to public property;
- (3) Filming or broadcasting would unreasonably interfere with the use and enjoyment of adjoining properties;
- (4) Filming or broadcasting would unreasonably impede the free flow of vehicular or pedestrian traffic;
- (5) The location sought is not suitable because the proposed use cannot reasonably be accommodated in the proposed location;
- (6) The applicant is unlikely to comply with the material terms of the requested permit;
- (7) Filming or broadcasting would endanger the public's health, safety, or welfare, or otherwise create a public nuisance;
- (8) Filming or broadcasting would negatively affect residents' quality of life;
- (9) Filming or broadcasting would negatively impact local businesses;
- (10) Filming or broadcasting would unduly strain Borough resources;
- (11) Noncompliance with the provisions of this chapter;
- (12) Other municipalities' experience with the applicant's activities;
- (13) The cast or crew's prior criminality;
- (14) The date and time requested for a particular location conflicts with previously issued permits or permissions for filming, broadcasting, outdoor events, or other activities;
- (15) Use of the location, or use of the location during the date or time requested, would unreasonably interfere with the operation of Borough functions;
- (16) Use of the location or the proposed activity at the location would violate a law, ordinance, statute or regulation, regardless of whether the illegal activity is part of the message or content of the filming. A permit shall not be denied based upon simulation of an illegal activity where the actual illegal activity is not being performed;
- (17) The producer owes an outstanding debt to the Borough;
- (18) The producer previously caused significant damage to public property and, at the time of submitting the application under consideration, failed to adequately repair the damage or pay in full the Borough's invoice for damage repair and restoration of services;
- (19) The producer previously violated this chapter, including without limitation by violating a material

condition and/or restriction of a permit;

(20) The applicant made a material misrepresentation or gave incorrect material information on the application.

- B. Where the Administrator reasonably determines that one or more of the conditions set forth above exists and that the application should therefore be denied, the Administrator shall issue a written communication to the applicant that includes an explanation for the denial.
- C. In the event that permission to perform an element is denied, the Administrator will process the remainder of the application and grant all other aspects of the filming or broadcasting for which the requirements have been met.
- D. In no event shall the Administrator's or any Borough employee's evaluation of whether to grant or deny the application, including any of the elements, include consideration of: a) the race, color, creed, religion, gender, age, disability, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, political affiliation or associational relationships of the applicant, producer or any person associated with the filming; or b) the message or content of the filming.

§43-7. Appeal.

- A. Grounds for appeal. An aggrieved applicant may appeal the denial of a permit, or the imposition of any conditions imposed thereon, in accordance with the procedures set forth below.
- B. Time for appeal. The appeal must be submitted in writing to the Administrator no later than seven business days following the decision denying or conditionally approving the permit.
- C. Appeal panel. The appeal will be reviewed by the South River Borough Council. The appeal will be adjudicated based on the written submission of the applicant.
- D. Standard of review.
 - (1) The denial of a permit, or the imposition of any conditions thereon, may be overturned only upon a showing by clear and convincing evidence that the filming or broadcasting will not produce any of the negative effects upon which the original denial was based.
 - (2) The denial of a permit pursuant to § 43-5 may be overturned only upon a showing by clear and convincing evidence that the filming or broadcasting:
 - (a) Will not result in the negative effects identified in §43-5;
 - (b) Will be completed in less than three days;
 - (c) Will take place largely in the interior of a residential dwelling;
 - (d) Will not violate any applicable Borough zoning ordinance;
 - (e) Will comply with all other provisions of this section.

- E. Decision on appeal. The South River Borough Council shall issue a written decision affirming, reversing, or modifying the original determination no later than 30 days following the filing of the appeal.

§43-8. Responsibilities of producer once permit is obtained.

- A. A producer or producer's designee must have the permit on site at the time and location of the filming or broadcasting, and must also have on site any other permits required for that location by the Borough or any other governmental agency.
- B. A producer must confine filming to the locations, times, guidelines and conditions specified in the permit and must abide by all other material terms of the permit.
- C. Permits are not transferable.
- D. A producer must clean and repair the filming location, and restore it to the condition it was in immediately prior to the filming, unless otherwise agreed upon in writing by the Administrator and the producer. The Administrator will inspect the filming location after the filming is completed to ascertain whether this requirement has been met. Where a producer fails to fulfill this requirement, the Administrator will bill the producer for the cleaning, repair and/or restoration costs borne by the Borough, and the producer must pay the invoice in full within 30 days of receipt.
- E. A producer shall remove all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit.
- F. Permits shall require the producer to notify the Administrator immediately upon learning of any emergency event regarding or arising from the filming or broadcasting that involves the media, the police or fire departments or emergency medical services.
- G. Vehicle parking. Only vehicles with permits issued by the South River Police Department will be allowed to park in areas designated for the rigging or shooting activity at the time(s) and location(s) described in the applicable permit.
- H. Dolly track or other equipment. No dolly track or other equipment may be laid across a street or block a fire lane without prior approval of the Administrator and the South River Police Department.
- I. Pyrotechnics. The use of pyrotechnics, fire effects and explosions, including simulated smoke and smoke effects, shall be conducted only upon authorization by the New Jersey Division of Fire Safety or other approval agencies and subsequent approval shall be obtained from the Administrator prior to shooting.
- J. Animals. The use of wild animals shall be used only upon authorization by the appropriate New Jersey department or agency, and subsequent approval shall be obtained from the Administrator prior to shooting.
- K. Potentially dangerous activities. Conduct or activities associated with rigging or shooting permits which are determined by the Administrator to cause a potential danger to persons or property will be referred by the Administrator for approval by the South River Police Department or other governmental agency having jurisdiction over such activity. Such activities shall include, but not be limited to, the use of stunts, helicopters, firearms or simulated firearms.
- L. Trees and plantings. Trimming, damaging, removing or cutting trees or vegetation on public property is prohibited without the prior approval of the Administrator.

- M. Street structures. No street signs, lights, postal boxes, parking meters or any other permanent street structure may be removed or altered without the prior approval of the Administrator and/or local, state or federal agencies charged with maintaining such structures.
- N. Production location access. If determined by the Administrator to be appropriate, permittees shall submit a mitigation plan for minimizing the potential inconvenience to residents and/or businesses caused by rigging or shooting activities.
- O. A producer is responsible for:
 - (1) Knowing and complying with all Borough ordinances and other laws applicable to the filming or broadcasting and to the other activities arising from the producer's permit; and
 - (2) Requiring and using commercially reasonable efforts to enforce the requirement that any person working for or at the direction of the producer (including without limitation contractors) complies with all Borough ordinances and other laws applicable to the filming or broadcasting and to the other activities arising from the permit.
- P. The requirements above shall include without limitation that the producer is responsible for obtaining any and all permissions, licenses or other required authorizations for use of intellectual property, including intellectual property which is on public property but is not owned by the Borough.
- Q. Notwithstanding issuance of permit pursuant to this article, a producer is prohibited from acting or claiming to act as a representative or agent of the Borough or Administrator, and from indicating Borough endorsement of the filming or broadcasting, except as otherwise agreed to in writing by the Administrator. This provision shall not prohibit the producer's use of the Borough logo in the filming credits.
- R. The Administrator shall require that notification be given to residents and businesses within a three-block radius of a location for which a permit has been issued. The Administrator may provide the notification, may require the producer to provide the notification, or may utilize a different mechanism for providing notification. The notification must state that a filming or broadcasting permit has been issued, and must include the date(s), time(s), location(s) and activities that are authorized by the permit. The Administrator shall determine the most effective means and timing of notification based upon factors such as the type of impact that the filming or broadcasting will have on the neighborhood, the time between receipt of the application and commencement of the filming or broadcasting, the producer's budget and previous communications from a neighborhood regarding notification preferences.

§43-9. Other Permit Requirements.

After a permit has been approved by the Administrator, it will be issued once the following have occurred:

- A. The producer signs an indemnification provision on the permit whereby the producer agrees to indemnify the Borough and its officials and employees from all claims, losses and expenses, including attorneys' fees and costs, that may arise from the permit and any of the activities performed pursuant to the permit by, on behalf of, or at the direction of the producer, except to the extent that that claims, losses and/or expenses are caused by the negligence or intentional misconduct of the Borough, its officials and/or employees.

- B. The producer signs a provision agreeing to comply with all applicable environmental laws, including an agreement not to allow legally prohibited contaminants from entering the sewage and stormwater drainage systems serving the area where the filming or broadcasting will occur. The producer must sign a separate indemnification clause, such as the one described in Subsection A immediately above, that pertains specifically to environmental breaches and includes without limitation the fines and cleanup costs associated therewith;
- C. The producer obtains insurance coverage in an amount determined by the Borough's risk manager, covers the Borough as an additional insured on the policy, and provides proof of the coverage in a manner established by the Borough's risk manager;
- D. The producer pays the permit fee and any other applicable fees set forth in § 43-10 below

§43-10. Other Permit Requirements.

- A. The Borough shall collect all applicable fees arising pursuant to this chapter. These fees are set forth below, and in other sections of the Code pertaining to the cost of services or goods provided by other Borough departments.
 - 1. Nonrefundable application fee. A filming or broadcasting permit application must be accompanied by a nonrefundable application fee in the amount set forth below. An application shall not be deemed complete until the application fee is received by the Borough Clerk.
 - i. Except for students: \$300.
 - ii. For students: \$25.
 - 2. Filming or broadcasting permit fee. A permit authorizes all filming or broadcasting for a particular project during a calendar month, regardless of the number of filming or broadcasting locations. A permit is valid through the last day of the calendar month and may be renewed for additional calendar months.
 - 3. Standard permit fee. The following fees apply when the completed permit application is submitted to the Administrator more than three business days prior to the effective date of the permit:
 - i. For original filming or broadcasting permit, except for students: \$300.
 - ii. For each renewal permit, except for students: \$300.
 - iii. For students, valid for length of filming project: \$25. Monthly renewals not required.
 - 4. Rush permit fee. Where a completed filming or broadcasting permit application is submitted to the Administrator three or fewer business days prior to the intended effective date of the permit, the producer must pay the standard permit fee plus the rush fee set forth below in this subsection. Additionally, where a producer submits an application more than three business days prior to the intended effective date of the permit, the producer voluntarily may pay the standard permit fee plus the rush fee in order to have the application processed within three or fewer business days.

- (a) Except for students: \$300.
- (b) For students: \$25.
- 5. Cancellation fee. Except as set forth in § 43-10A(6) below, a filming or broadcasting permit fee is nonrefundable.
- 6. A filming or broadcasting permit fee is refundable if cancellation is required because of extraordinary circumstances for which the producer is not responsible and which are not within the producer's control. Inclement weather, except for declared states of emergency, and common illness shall not be deemed extraordinary circumstances.
- B. Street closures permits — minimum notice. A full street closure will not be permitted unless the application or change request is submitted at least five business days prior to the closure.
- C. Rush fees may not be utilized for full street closure requests.

§43-11 Violations and Penalties.

Any person who violates any provisions of this article shall, upon conviction, be punished as provided in Chapter 1, Article I, General Penalty. Each violation of any of the provisions of this article and each day that such violation continues shall be deemed and taken as a separate and distinct offense.

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

SECTION 3. This ordinance shall take effect after second reading and publication as required by law.

Councilman Gurchensky motioned to waive the full reading; seconded by Councilman Krenzel. All in Favor. The Clerk read Ordinance 2024-11 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-11 only.

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

Adopted 3-11-24

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

**ALYSSA HAGER, RMC
BOROUGH CLERK**

ORDINANCE 2024 –12

**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 155-1.1 entitled “Ch. 43, Filming Permits” to read entirely as follows:

§155-1.1 Chapter 43, Filming Permits.

1. Nonrefundable application fee.
 - i. Except for students: \$300.
 - ii. For students: \$25.
2. Standard permit fee:
 - i. For original filming or broadcasting permit, except for students: \$300.
 - ii. For each renewal permit, except for students: \$300.
 - iii. For students, valid for length of filming project: \$25. Monthly renewals not required.
3. Rush permit fee.
 - (c) Except for students: \$300.
 - (d) For students: \$25.

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.

Councilman Gurchensky motioned to waive the full reading; seconded by Councilman Ciulla. All in Favor. The Clerk read Ordinance 2024-12 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-12 only.

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

Adopted 3-11-24

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

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE– FIRST READING BY TITLE ONLY

The Borough Clerk read Ordinance 2024-13 by title only.

ORDINANCE NO. 2024-13

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

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

SECTION 1. The Borough Code of the Borough of South River is hereby amended and supplemented so as to amend Chapter 350, entitled “Zoning” so as to amend subsection D(17) of Section 350-27 entitled “Off-Street Parking Requirements”, to add subsection D(17)(d) which shall read as follows:

§ 350-27 Off-Street Parking Requirements.

D.

(17) Prohibited parking in Residential Zones

d. All school buses registered as Type C which transports 10-54 passengers and/or Type D which transports 10-54 passengers are prohibited from parking on private property in a residential zone, except as authorized by Section 193-10.

SECTION 2. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the Borough Planning Board for its review and comment. The Borough Clerk shall also send a copy of the ordinance to the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

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

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 11, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 25th day of March, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-11-24

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

ALYSSA HAGER, RMC
BOROUGH CLERK

DEPARTMENTAL/PROFESSIONAL REPORTS

Borough Engineer Bruce Koch

- **NJDOT FY 2023 Local Aid Program**
 - The borough received a \$681,405.00 grant Leonardine Ave. from the OBT to Grand Ave., Prentice Ave., from Willet Ave. to Sheldon Ave., & Beryl St. from Cleveland Ave., to Wilcox. We are working on the project design.
- **NJDOT FY 2023 Local Transportation Projects Grant**
 - We applied for Albourne Street from Ferris Street to Seppi Avenue, Franklin Street from Wilson Avenue to Pulawski Avenue and Olchaskey Avenue from Kamm Avenue to Prentice Avenue.
- **NJDOT FY 2024 Local Aid Program**
 - The NJDOT has awarded the Borough a grant in the amount of \$606,980.00 for the Improvements to Darrow Street from Virginia Street to Bright Street, Dailey Street from Ferris Street to John Street and John Street from Colfax Street to George Street. We are working on the project design.
- **NJDOT FY 2024 Local Transportation Projects Grant**
 - According to the NJDOT SAGE site, applications are being accepted for the above program. Applications must be submitted by June 30, 2024.
- **2023 Electrical Substation Maintenance**
 - The contractor is working on the testing of the batteries and various relays.
- **NJDEP Stormwater Assistance Grant Application**
 - Our survey department is working on this year's portion of the project.

Chief Financial Officer Joseph Zanga

- Speaks on resolutions 2024-124 and 2024-125.

DPW Director Adriano Soares

- The Asphalt Plant has opened. DPW will be out on the roads working on potholes for 3-4 weeks. Please be patient.

Councilman Krenzle speaks on power failures with the recent winds and storms. DPW Director Soares states 48 Washington had some issues.

Borough Clerk Alyssa Hager

- No report

Borough Attorney Andrea Wyatt

- No report

Borough Administrator Londensky

- The repair for the Pumping Station is almost complete. Hopefully it will be back online next week.
- The Fire Department has been granted \$75,000 for new equipment and has applied for a new radio grant with the help of the administration office.

COUNCIL LIAISON REPORTS

Councilman Krenzle

- TV 35 will be having a meeting in the near future.

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- Speaks on pothole repairs.
- Tree trimming has been helping with no power outages.

Councilman Gurchensky

- OOA will be required to use key tags to sign in at the beginning of this month.
- Senior Freeze is in effect. Give the Department of Taxation a call at 800-882-6597. The deadline for filing is 10/31/24.
- OOA will be closed on 3/29 for Good Friday.

Council President Oliveira

- Thank you to the budget committee for their hard work. There will be two budget workshops on 3/23 and 4/20 at 8 am. There will be a budget presentation and the public will have opportunities to ask any questions. The borough auditor will also be present.
- Spring registration for parks and recreation is live.
- The Easter Egghunt will be 3/23 at Grekoski Park.
- Congrats for Rec Wrestlers who qualified for the State Tournament. There will be 5 wrestlers competing.
- All 4 Cheerleading teams also competed placing 1st and 2nd place. Congrats to all the coaches as well.
- Thank you Dawn for receiving the grant for the Fire Department.

Councilman Ciulla

- The next EDC meeting will be on 3/20 at 7pm at 55 Reid Street.

Councilman Dziemian

- There will be a budget workshop on 3/23 at 8 am.

Councilwoman Balazs

- Free Rabies Clinic will be on 3/16 at the Public Works building at 9 Ivan Way. 12-2pm for dogs and 2-3pm for cats. Licenses will be available for purchase. The TNR program will be receiving donations as well.
- This Thursday the Howling Woods Farms will be having a presentation on wolves at 6:30 pm at the library. The last day of book donations will be 3/16 and the library will be working on their book sale.
- The Cultural Arts & Heritage are working on plans for South River Day that will be on June 15th. Plans for the Memorial Day parade are in the works.

Mayor Guindi

- Gives Fire Department report. 78 alarms so far in 2024 and all apparatus are in service.
- Engine 4 will be taken out of service in the near future.

PUBLIC COMMENT

Mayor Guindi opened the floor for Public Comment.

Kya, 183 Whitehead Avenue, speaks on limited parking on her street and believes it is unfair to provide more parking spaces for new developments in South River.

Julie Littman, 31 Division Street, speaks on ongoing parking issues. A lot of vehicles have been side swiping her vehicle. Ms. Littman wants clarification on ordinance 2024-13 and Mayor Guindi explains the reasoning behind the ordinance.

Mike, 183 Whitehead Avenue, speaks on parking and hit and run issues on Whitehead Avenue.

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Barbara, 42 Ivy Hill Road (Parlin), speaks on catalytic converter theft in surrounding towns and speaks on certain businesses that will install anti-theft devices on catalytic converters.

Julie Meira, 189 Main Street, speaks on the introduced budget and would like to know when the budget workshops will be. Council President Oliveira states the workshops will be on 3/23 and 4/20. Ms. Meira would like to know if the budget is at the library and CFO Zanga answers. Ms. Meira speaks on the Human Relations Commission and wants to know when there will be appointments and Mayor Guindi states the appointments will be on the 3/25 agenda. There is discussion regarding who will oversee Flag Raising events and what the Human Relations Commission will be doing going forward. As the Chairman, Teresa Hutchison will oversee Flag Raising events.

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

MAYORAL APPOINTMENTS

- None

CONSENT RESOLUTIONS 2024-124 TO 2024-135

WHEREAS RESOLUTION 2024-01 AUTHORIZES THE BOROUGH COUNCIL TO UTILIZE A CONSENT AGENDA TO ADOPT VARIOUS RESOLUTIONS OF A ROUTINE AND NONCONTROVERSIAL NATURE AT ONE TIME. NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT THE BELOW LISTED RESOLUTIONS ARE HEREBY ADOPTED BY THE BOROUGH COUNCIL IN WHOLE AS IF THE SAME WERE INDIVIDUALLY ACTED UPON.

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

RESOLUTION 2024-124

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY MUNICIPAL BUDGET

WHEREAS, the introduced 2024 Municipal Budget has not been finally adopted; and

WHEREAS, additional emergency temporary budget appropriations are required for the normal operation of the government and NJSA 40A:4-20 allows for the creation of emergency temporary appropriations.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED (not less than two-thirds of all members thereof affirmatively consenting) that in accordance with the provisions of NJSA 40A:4-20 emergency appropriations be made for:

CURRENT FUND

WITHIN "CAPS

	<u>FROM</u>	<u>TO</u>
<u>DEPARTMENT</u>		
<u>GENERAL GOVERNMENT FUNCTIONS:</u>		
GENERAL ADMINISTRATION		
Salaries and Wages	\$ 35,000.00	\$ 70,000.00
Other Expenses	\$ 10,000.00	\$ 15,000.00
Cable Television	\$ 8,000.00	\$ 10,000.00
COMMUNICATIONS & TECHNOLOGY		
Salaries and Wages	\$ 2,000.00	\$ 3,000.00
Other Expenses	\$ 10,000.00	\$ 16,000.00

HUMAN RESOURCES		
Other Expense	\$ 20,000.00	\$40,000.00
MAYOR AND COUNCIL		
Salaries and Wages	\$ 9,000.00	\$18,000.00
Other Expenses	\$ 4,000.00	\$15,000.00
BOROUGH CLERK		
Salaries and Wages	\$ 33,000.00	\$60,000.00
Other Expenses	\$ 5,000.00	\$11,000.00
Codification of Ordinances	\$ 5,000.00	\$ 8,000.00
ELECTIONS		
Other Expenses	\$ 2,000.00	\$ 4,000.00
FINANCIAL ADMINISTRATION		
Salaries and Wages	\$ 37,000.00	\$60,000.00
Other Expenses	\$ 20,000.00	\$40,000.00
COLLECTION OF TAXES		
Salaries and Wages	\$ 20,000.00	\$40,000.00
Other Expenses	\$ 8,000.00	\$10,000.00
ASSESSMENT OF TAXES		
Salaries and Wages	\$ 12,000.00	\$18,000.00
Other Expenses	\$ 5,000.00	\$15,000.00
LEGAL SERVICES		
Other Expenses	\$ 40,000.00	\$80,000.00
ENGINEERING SERVICES AND COSTS		
Other Expenses	\$ 25,000.00	\$50,000.00
<u>LAND USE ADMINISTRATION:</u>		
PLANNING BOARD		
Salaries and Wages	\$ 3,500.00	\$ 7,000.00
Other Expenses	\$ 5,000.00	\$ 9,000.00
BOARD OF ADJUSTMENT		
Salaries and Wages	\$ 9,000.00	\$15,000.00
Other Expenses	\$ 5,000.00	\$ 9,000.00
INSURANCE		
Liability Insurance	\$300,000.00	\$485,000.00
Workers Compensation	\$ 50,000.00	\$ 76,000.00
Group Health	\$320,950.00	\$800,000.00

PUBLIC SAFETY FUNCTIONS:

POLICE

Salaries and Wages	\$ 975,000.00	\$2,000,000.00
Other Expenses	\$ 70,000.00	\$ 120,000.00
SPECIAL POLICE		
Salaries and Wages	\$ 75,000.00	\$ 125,000.00
Other Expenses	\$ 5,000.00	\$ 15,000.00
SCHOOL GUARDS		
Salaries and Wages	\$ 90,000.00	\$140,000.00
Other Expenses	\$ 1,000.00	\$ 2,000.00
POLICE DISPATCH/911		
Salaries and Wages	\$ 75,000.00	\$150,000.00
Other Expenses	\$ 250.00	\$ 4,000.00
EMERGENCY MANAGEMENT		
Other Expenses	\$ 2,500.00	\$ 5,000.00
VOLUNTEER FIRE DEPARTMENT		
Other Expenses	\$ 25,000.00	\$ 50,000.00
MUNICIPAL COURT		
Salaries and Wages	\$ 55,000.00	\$100,000.00
Other Expenses	\$ 4,000.00	\$ 11,000.00
MUNICIPAL PROSECUTOR		
Other Expenses	\$ 6,000.00	\$ 10,000.00
CODE ENFORCEMENT		
Salaries and Wages	\$ 21,000.00	\$ 40,000.00
<u>PUBLIC WORKS FUNCTIONS:</u>		
ROAD REPAIRS & MAINTENANCE		
Salaries and Wages	\$200,000.00	\$400,000.00
Other Expenses	\$ 50,000.00	\$ 90,000.00
GARBAGE AND TRASH REMOVAL		
Salaries and Wages	\$220,000.00	\$400,000.00
Other Expenses	\$ 10,000.00	\$ 15,000.00
PUBLIC BUILDING & GROUNDS		
Other Expenses	\$ 50,000.00	\$125,000.00
VEHICLE MAINTENANCE		
Salaries and Wages	\$ 35,000.00	\$ 55,000.00
Other Expenses	\$ 80,000.00	\$180,000.00
<u>HEALTH AND HUMAN SERVICES FUNCTIONS:</u>		
BOARD OF HEALTH		
Salaries and Wages	\$ 4,500.00	\$ 7,500.00
Other Expenses	\$ 1,500.00	\$ 2,500.00

County Health Program	\$ 37,000.00	\$ 45,000.00
OFFICE ON AGING		
Salaries and Wages	\$ 40,000.00	\$ 50,000.00
Other Expenses	\$ 4,000.00	\$ 9,500.00
ANIMAL CONTROL		
Salaries and Wages	\$ 10,000.00	\$ 5,000.00
Other Expenses	\$ 0.00	\$10,000.00
MUNICIPAL ALLIANCE		
Salaries and Wages	\$ 2,000.00	\$ 3,000.00
<u>PARKS AND RECREATION FUNCTIONS:</u>		
RECREATION		
Salaries and Wages	\$ 20,000.00	\$ 40,000.00
Other Expenses	\$ 10,000.00	\$ 20,000.00
MAINTENANCE OF PARKS		
Salaries and Wages	\$110,000.00	\$200,000.00
Other Expenses	\$10,000.00	\$ 25,000.00
CELEBRATION OF PUBLIC EVENTS, ANNIVERSARY OR HOLIDAY		
Fireworks	\$ 0.00	\$ 12,000.00
Memorial Day Parade	\$ 0.00	\$ 750.00
Senior Events	\$ 5,000.00	\$ 11,000.00
CULTURAL ARTS		
Other Expenses	\$ 2,000.00	\$ 4,000.00
UTILITY EXPENSES AND BULK PURCHASES		
Telephone	\$ 20,000.00	\$ 45,000.00
Heating Oil	\$ 30,000.00	\$ 45,000.00
Gasoline	\$ 35,000.00	\$ 60,000.00
Postage	\$ 10,000.00	\$ 20,000.00
Office Supplies	\$ 10,000.00	\$ 20,000.00
Computer Maintenance	\$ 25,000.00	\$ 50,000.00
SEWER DEPARTMENT		
Salaries and Wages	\$ 25,000.00	\$ 45,000.00
Other Expenses	\$ 15,000.00	\$ 30,000.00
LANDFILL/SOLID WASTE DISPOSAL		
Sanitary Landfill Contract	\$150,000.00	\$300,000.00
<u>Appropriation offset by Dedicated Revenues:</u>		
Uniform Construction Code		
Salaries and Wages	\$ 50,000.00	\$ 90,000.00
Other Expenses	\$ 1,500.00	\$ 20,000.00

Accumulated Absences	\$ 0.00	\$ 20,000.00
<u>Statutory Expenditures:</u>		
Public Employees Retirement System	\$ 0.00	\$ 381,000.00
Social Security	\$ 90,000.00	\$ 170,000.00
Police and Firemen Retirement System	\$ 0.00	\$1,263,748.00
Defined Contribution Pension Plan	\$ <u>2,000.00</u>	\$ <u>5,000.00</u>
Total Operations within "CAPS"	\$4,021,700.00	\$9,279,998.00
EXCLUDED FROM "CAPS"		
County Sewerage Authority Contract	\$500,000.00	\$850,000.00
Maintenance of Free Public Library	\$100,000.00	\$350,000.00
<u>Interlocal Municipal Service Agreements:</u>		
M.C.I.A. – Recycling	\$ 95,000.00	\$200,000.00
Radio Safety Communications System	\$ 14,000.00	\$ 25,000.00
Emergency Medical Services	\$ 8,000.00	\$ 15,000.00
<u>Public and Private Programs offset by Revenues:</u>		
County of Middlesex:		
Physical Grant	\$ 2,000.00	\$ 5,000.00
Residential Maintenance Grant	\$ 3,000.00	\$ 8,078.00
Information and Assistance: Grant	\$ 2,000.00	\$ 6,000.00
Information and Assistance: Match	\$ 0.00	\$ 1,000.00
Assisted Transportation Grant	\$ 11,000.00	\$ 88,176.00
Assisted Transportation Match	\$ 0.00	\$ 55,572.00
Socialization and Recreation	\$ 2,000.00	\$ 3,500.00
Mental Health Grant	\$ 15,000.00	\$ 50,000.00
Mental Health Match	\$ 0.00	\$ 40,000.00
State of New Jersey:		
Community Affairs – Dailey Field Grant	\$ 0.00	\$ 75,000.00
Capital Improvements – Parks	\$ 0.00	\$ 200,000.00
Capital Improvement Fund	\$ 25,000.00	\$ 120,000.00
Total – Outside "CAPS":	\$ 777,000.00	\$2,092,326.00
Total Current Fund Appropriations	<u>\$4,798,700.00</u>	<u>\$11,372,324.00</u>
<u>ELECTRIC UTILITY</u>		
<u>Operating:</u>		
Salaries and Wages	\$ 500,000.00	\$ 900,000.00
Purchase of Power	\$ 1,800,000.00	\$4,000,000.00
Operating	\$ 200,000.00	\$ 400,000.00
Insurance	\$ 500,000.00	\$ 700,000.00
Professional Services	\$ 434,000.00	\$ 600,000.00
<u>Capital Improvements</u>		
Capital Outlay	\$ 0.00	\$ 300,000.00
<u>Statutory Expenditures:</u>		
Social Security	\$ 50,000.00	\$ 70,000.00
Total Electric Utility Appropriations:	<u>\$ 3,732,000.00</u>	<u>\$7,218,000.00</u>

WATER UTILITY**Operating:**

Salaries and Wages	\$ 240,000.00	\$ 500,000.00
Purchase of Water	\$ 300,000.00	\$ 600,000.00
Operating	\$ 104,000.00	\$ 300,000.00
Insurance	\$ 200,000.00	\$ 400,000.00
Professional Services	\$ 90,700.00	\$ 300,000.00
Accumulated Absences	\$ 0.00	\$ 5,000.00
<u>Capital Improvements:</u>		
Capital Outlay	\$ 100,000.00	\$225,000.00

Statutory Expenditures:

Public Employees Retirement System	\$ 0.00	\$ 153,000.00
Social Security	\$ 20,000.00	\$ 40,000.00

Total Water Utility Appropriations: \$1,057,700.00 \$2,526,000.00

PARKING UTILITY**Operating:**

Salaries and Wages	\$ 9,000.00	\$ 15,000.00
Operating	\$ 2,000.00	\$ 5,000.00
Professional Services	\$ 800.00	\$ 4,000.00

Statutory Expenditures:

Social Security	\$ 1,000.00	\$ 2,000.00
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Total Parking Utility Appropriations: \$ 15,300.00 \$ 28,500.00

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-125
RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING
LOSAP ANNUAL CONTRIBUTIONS TO QUALIFIED MEMBERS

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

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

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of South River that the individuals on the attached list have been certified by their respective departments to have fulfilled all the requirements and qualifications of a Length of Service Award Program by the Borough of South River for the year 2023.

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

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-126
RESOLUTION AUTHORIZING THE RELIABLE FIRE COMPANY OF THE SOUTH RIVER FIRE DEPARTMENT TO
CONDUCT A BOOT DRIVE ON APRIL 7, 2024 AND OCTOBER 5, 2024

WHEREAS, the Reliable Fire Company of the South River Fire Department has requested permission to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Sunday, April 7, 2024, and Saturday, October 5, 2024 from 8:00 a.m. to 3:00 p.m with rain dates of April 11, 2024 and October 6, 2024; and

WHEREAS, the Reliable Fire Company of 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 Reliable Fire Company of the South River Fire Department is hereby authorized to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Sunday, April 7, 2024 and Saturday, October 5, 2024 from 8:00 a.m. to 3:00 p.m with rain dates of April 11, 2024 and October 6, 2024; 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
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman Ciulla</i>		X			X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Councilman Krenzel</i>			X			
<i>Council President Oliveira</i>			X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-127

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

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

WHEREAS, a requisition dated February 29, 2024 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE:	\$1,480,978.00
RESTORED FUNDS:	0.00
DEBT SERVICE EXPENSE:	<u>\$259,820.00</u>
TOTAL	\$1,740,798.00

March 11, 2024 Council Regular Meeting Minutes- ADOPTED 3/25/24

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by April 10, 2024.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-128
RESOLUTION AUTHORIZING BOROUGH OF SOUTH RIVER ENGINEER CME ASSOCIATES TO PERFORM THE SURVEY OF THE ELECTRIC UTILITY

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that CME Associates is authorized to perform the survey of the Electric Utility as required by the U.S. Department of Energy 2023 Electric Utility Audit, as outlined in the Borough Engineer's letter dated January 17, 2024, at a cost not to exceed \$6,318.00.

BE IT FURTHER RESOLVED THAT the Chief Financial Officer of the Borough has certified the availability of funds in account 4-03-55-502-205.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-129
RESOLUTION AUTHORIZING A PROPERTY TAX REFUND

WHEREAS, the following property listed below applied for tax exempt status under the provisions for a total disabled veteran status in accordance with N.J.S.A. 54:4-3.30et seq, and

WHEREAS, the Tax Assessor reviewed and approved the application for the date of February 12, 2024 through the 2024 tax year for Mario Perez, and

WHEREAS, the Tax Collector is recommending a partial refund taxes for the 1st quarter 2024 (based on the date of application).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South River, County of Middlesex, State of New Jersey that the Tax Collector refund partial taxes for the 1st quarter 2024 in accordance with the following schedule:

<u>Block</u>	<u>Lot</u>	<u>Property Location:</u>	<u>Amount</u>
225	3	Mario Perez 63 New Street South River NJ 08882	\$1070.15 – Refund (partial 1st qtr 2024)

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-130
RESOLUTION AUTHORIZING CERTAIN UTILITY REFUNDS

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

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

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

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-995-556 ELEC CURRENT	EDITH COSTELLO POD THOMAS COSTELLO JR 3343 MEMORIAL BLVD APT B225 MURFREESBORO, TN 37129	\$51.26
65-999-995-556 ELEC CURRENT	DAROCHA HOLDINGS LLC 1316 ENGLISHTOWN RD OLD BRIDGE, NJ 08857	\$56.59
66-999-966-790 WATER CURRENT	LEONARD GORDON 3 BUGLE CT HOWELL, NJ 07731	\$150.83
65-999-008-629 CD	JOAN KEAN 91 PRICE PL SOUTH RIVER, NJ 08882	\$143.02
65-999-009-190 CD	NITINKUMAR PATEL	\$150.57
65-999-009-190 ELEC CURRENT	156 D WILLETT AVE SOUTH RIVER, NJ 08882	\$18.89
65-999-008-641 CD	VICTOR TORRES EKATERIN RESHETNIKOVA A 12 GEORGES RD DAYTON, NJ 08810	\$148.26

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

March 11, 2024 Council Regular Meeting Minutes- ADOPTED 3/25/24

RESOLUTION 2024-131
**RESOLUTION DESIGNATING BROTHERS BUILDERS PJ, LLC AS A CONDITIONAL REDEVELOPER OF
A PORTION OF THE MAIN STREET REDEVELOPMENT AREA**

WHEREAS, pursuant to Resolution 2016-144, adopted on March 28, 2016, the Borough of South River designated a portion of the Borough consisting of the properties then identified as Block, 147 Lots, 23, 24, 25, 26, 27, 29, 30, 31, 32; Block 150 Lots 1, 1.01, 2.01, 4, 4.01, 4.03, 5, 6, 6.01, 6.02, 7; Block 151, all lots including Lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 6.01, 7; Block 152 all lots including Lots 1, 1.01, 2, 3, 4, 5, 6, 7, 7.01, 8.01, 8.02, 9, 10, 11, 12, 12.01, 13, 14, 15, 16; Block 153, Lots 1, 2, 1.01, 3, 4, 5.01, 5.02, 6, 7; Block 154, all lots including Lots 1, 2, 3, 4, 5, 6, 7; Block 155 all lots including, Lots 1, 3, 4, 5, 6, 6.02, 6.01, 7, 8, 9,; Block 156 all lots including Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 8, 8.01, 9, 10, 11, 11.01; Block 157 all lots including Lots 1, 2, 3, 4, 5, 6, 7, 8, 8.01, 9, 10.01, 10.02, 11, 12, 13, 14.1, 15, 15.1, 16, 17, 18, 19, 20, 21; Block 158, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 30; Block 161, Lots 1, 2, 3, 4, 5, 6, 7, 7.01, 8, 9, 10, 11, 12, 13, 14, 15, 21, 29, 30, 21.01, 21.02; Block 321 Lots 11, 12, 13, 14; Block 325 Lot 1 on the Official Tax Map of the Borough of South River as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq; and

WHEREAS, on October 11, 2016, the Borough approved and adopted a Redevelopment Plan for the redevelopment of the Lower Main Street Redevelopment Area; and

WHEREAS, Brothers Builders Pj, LLC proposes to redevelop a portion of the Redevelopment Area know as Block 150, Lot 1, 1.01, 2.01, 4.01, 4.03, 5, 6 & 6.02 on the Borough's Tax Map; and

WHEREAS, Brothers Builders Pj, LLC owns the property known Block 150, Lot 1, 1.01, 2.01, 4.01, 4.03, 5, 6 & 6.02 on the Borough's Tax Map (the "project area"); and

WHEREAS, the Borough now desires to designate Brothers Builders Pj, LLC as the conditional redeveloper of the Project Area, in furtherance of entering into a formal redevelopment agreement with Brothers Builders Pj, LLC, with said preliminary negotiations to include the receipt and review of additional project specific information from Brothers Builders Pj, LLC as may be requested.

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

1. Brothers Builders Pj, LLC is hereby conditionally designated as the redeveloper of the Project Area and has, at the sole and exclusive discretion of the Borough, the option to enter into preliminary negotiations for a redevelopment agreement with the Borough in connection with the Project Area.
2. The within designation is hereby made for a limited period of one hundred eighty days (180), and is further contingent upon Brothers Builders Pj, LLC providing for any additional project related information as may be requested by the Borough.
3. That the Mayor and Borough Clerk are hereby authorized to execute and attest to, respectively, with Brothers Builders Pj, LLC, a redevelopment agreement, upon approval of the form and terms of the agreement by the Borough attorney.
4. A certified copy of this resolution shall be forwarded to Brothers Builders Pj, LLC and the Borough attorney.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-132

RESOLUTION AUTHORIZING APPOINTMENT OF 2023 SPRING/SUMMER RECREATION DEPARTMENT EMPLOYEES

I, Peter S. Guindi, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following to positions for the 2024 Spring/Summer Recreation Department Employees effective as of March 12, 2024.

<u>Volleyball</u>	
Brandon Russo	\$50.00/class
Malcom Cumberbatch	\$50.00/class
<u>Tennis</u>	
Paul Bricklin	\$40.00/class

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-133

RESOLUTION ACCEPTING THE BOROUGH OF SOUTH RIVER COUNCIL MEETING MINUTES

BE IT RESOLVED by the Mayor and Council of the Borough of South River that the February 26, 2024 Regular and Executive Session Meeting Minutes are approved.

March 11, 2024 Council Regular Meeting Minutes- ADOPTED 3/25/24

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-134
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 \$377,249.31 and previously paid claims in the amount of \$1,984,649.57 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-135
RESOLUTION AUTHORIZING THE GEORGE STREET FIREHOUSE LADIES AUXILIARY TO CONDUCT A BOOT DRIVE ON OCTOBER 19, 2024

WHEREAS, the George Street Firehouse Ladies Auxiliary has requested permission to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Saturday, October 19, 2024 from 9:30 a.m. to 2:00 p.m with a rain date of October 26, 2024; and

WHEREAS, the George Street Firehouse Ladies Auxiliary 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 George Street Firehouse Ladies Auxiliary is hereby authorized to conduct a boot drive at the intersection of Prospect Street and Old Bridge Turnpike on Saturday, October 19, 2024 from 9:30 a.m. to 2:00 p.m with a rain date of October 26, 2024; 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:

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

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 11, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

**Councilman Ciulla abstained from voting on resolutions 2024-125, 2024-126, and 2024-135.

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

Councilman Ciulla

- Speaks positively on the DPW and the Electric Department.
- There will be a paper shredding event at the Funeral Home on Whitehead Avenue on 4/27 from 12:30-3.
- Warmer weather is approaching, be mindful of children playing outside.

Councilwoman Balazs

- Speaks on potholes. Speaks to Mr. Koch about the paving on Leonardine Avenue.
- Happy St. Patty's Day. Easter is coming up.
- Warmer weather is coming!

Councilman Gurchensky

- Thank you to all public safety officers.
- Kids will be out playing, be careful.
- Happy St. Patty's Day and enjoy your Easter season.

Councilman Dziemian

- St. Peter & Paul Easter Bizarre will be on 3/23 from 10-3.

Councilman Krenzel

- On 3/23, St. Peter and Paul will have their Easter Bizarre.
- Take part in more of South River activities.
- Please don't wear dark clothing at night.

Council President Oliveira

- Speaks on the Neighborhood Watch program. There will be a meeting on 4/25 at 6pm. There is no location yet.
- Be mindful of children playing outside.

Mayor Guindi

- Easter Egghunt on 3/23 at Grekoski Park.
- Speaks on ordinance 2024-11 regarding filming permits. There will be another filming opportunity in South River.
- Speaks on water mainbreaks and the water sampling report.

EXECUTIVE SESSION

RESOLUTION 2024-136

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
- Contract Negotiation

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

Adjourn to Executive Session at 8:00 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>			X			
<i>Councilman Dziemian</i>		X	X			
<i>Councilman Gurchenksy</i>	X		X			
<i>Councilman Krenzel</i>			X			
<i>Council President Oliveira</i>			X			

Reconvene to Public Session at 8:16 pm

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

*The Borough Council did not take formal action after the Executive Session

ADJOURNMENT

Being no further business; Mayor Guindi requested motion to adjourn. Councilman Ciulla motioned to adjourn; seconded by Councilman Dziemian. All in favor. Meeting adjourned at 8:18 pm.

Respectfully submitted,

Alyssa Hager

Alyssa Hager, RMC
Borough Clerk