

**REGULAR MEETING MINUTES
MARCH 20, 2023
MAYOR AND BOROUGH COUNCIL
MEETING NO. 6**

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 February 27, 2023, and was called to order by Mayor Krenzel at 7:00 PM with the following Council Members in Attendance:

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

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

IN COMPLIANCE WITH CHAPTER 231 OF PUBLIC LAW OF 1975, NOTICE OF THIS MEETING TO BE HELD AT THE CRIMINAL JUSTICE BUILDING, 61 MAIN STREET, SOUTH RIVER OR REMOTELY VIA ZOOM HAS BEEN PUBLISHED IN THE HOME NEWS TRIBUNE ON JANUARY 6, 2023, POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD, THE BOROUGH WEBSITE, AND THE FRONT DOOR OF THE CRIMINAL JUSTICE BUILDING AT 61 MAIN STREET, SOUTH RIVER.

EXECUTIVE SESSION

RESOLUTION 2023-125

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:

- Contract Negotiations
- Litigation

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

Councilman Guindi asks to add Property Acquisition to the Closed Session resolution.

Adjourn to Executive Session at 7:03 pm

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

Reconvene to Public Session at 7:22 pm

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

AGENDA SESSION

- None

INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

2023-126 RESOLUTION ACCEPTING THE BOROUGH OF SOUTH RIVER MUNICIPAL BUDGET FOR THE FISCAL YEAR OF 2023

Councilman Oliveira motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Resolution 2023-126 by title only. CFO Zanga spoke on the 2023 budget.

Mayor Krenzel states the budget will be posted on the website, along with copies being at the library, 48 Washington Street, and 55 Reid Street. Councilwoman Meira speaks on the possible water utility increase. CFO Zanga states there has been a lot of capital work that has been done to the water plant and the Borough is not collecting enough money. BA Londensky states that South River has received a 36% increase from East Brunswick. Councilwoman Meira would like to know how much the borough is currently receiving from East Brunswick. CFO Zanga states that South River is responsible for 850,000 gallons and the borough is working with East Brunswick to possibly dropping 300,000 gallons. Discussions ensue regarding the borough’s water wells. Councilman Oliveira thanks CFO Zanga and BA Londensky for their hard work on the budget. Councilman Oliveira would like to know if there is any way that South River’s sewer can be pulled out of the taxes and put into its own utility so that money can be bonded. CFO Zanga states this is something that has been discussed and BA Londensky speaks on the water meter project. Discussions ensue regarding sewer. Councilwoman Meira speaks on the committee that Mayor Krenzel put in place for the Utility Authority. Discussions ensue between Councilwoman Meira and Councilman Guindi regarding the Utility Authority.

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the BOROUGH of SOUTH RIVER, County of MIDDLESEX for the Fiscal Year 2023

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

Be it Further Resolved, that said Budget be published in the Home News Tribune

in the issue of April 20th, 2023

The Governing Body of the BOROUGH of SOUTH RIVER does hereby approve the following as the Budget for the year 2023:

RECORDED VOTE (Insert Last Name)

Handwritten vote record showing 'Ayes' (Balazs, Guindi, Gurchensky, Meira, Oliveira), 'Nays' (empty), 'Abstained' (empty), and 'Absent' (Ciulla).

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 20th, 2023.

A Hearing on the Budget and Tax Resolution will be held at Public Safety Building, on May 1st, 2023 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

ORDINANCE-- SECOND READING & PUBLIC HEARING

ORDINANCE 2023-11

AN ORDINANCE BY THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE SO AS TO AMEND CHAPTER 262, RENTAL PROPERTIES, SO AS TO CREATE A NEW ARTICLE II, LEAD-BASED PAINT INSPECTIONS

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are now required to inspect every single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

WHEREAS, the governing body desires to amend the Borough Code to require inspections for lead-based paint in residential rental dwellings in accordance with P.L. 2021, c. 182.

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

SECTION 1. That the governing body hereby amends Chapter 262, Rental Properties, so as to create a new Article II, entitled "Lead-based Paint Inspections" as follows:

ARTICLE II Lead-Based Paint Inspections

§ 262-4 Definitions.

Lead Abatement – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner, State, Department of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

Dust Wipe Sampling – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

Lead Evaluation Contractor – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17-1.1 et seq.

Lead-based Paint Hazard – Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

Tenant turnover – The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

Borough Inspector - The Borough Code Enforcement Officer or other employee or agent of the Borough that is licensed as an individual lead inspector and risk assessor by the New Jersey Department of Health.

Visual Assessment – A visual examination for deteriorated paint or visible surface dust, debris, or residue.

§ 262-5 Inspections; Remediation; Certification

A. Initial inspection. Every single-family, two-family, or multiple rental dwelling unit offered for rental must be inspected for lead-based paint by July 24, 2024 or upon tenant turnover, whichever is earlier.

1. Either a Borough Inspector or, a lead evaluation contractor retained by the Borough, shall inspect every single-family, two-family, or multiple rental dwelling located in the Borough of South River for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.1 et seq.

2. In lieu of having the dwelling inspected by the Borough's lead evaluator, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to perform the lead-based paint inspection in accordance with N.J.S.A. 52:27D-437.1 et seq.
- B. Periodic Inspection Procedure. Every single-family, two-family, or multiple rental dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification, which are valid for two years.
1. If the lead-safe certification has expired, and there is tenant turnover, a re-inspection will be required prior to the expiration of the three (3) year period from the last inspection.
- C. Exceptions. A dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:
- (1) Has been certified to be free of lead-based paint;
 - (2) Was constructed during or after 1978;
 - (3) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1 et seq.;
 - (4) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
 - (5) Has a valid lead-safe certification.
- D. Lead-safe Certification. If no lead-based paint hazards are identified, then the Borough's lead evaluator or Borough Inspector shall certify the dwelling as lead-safe on a form prescribed by the Department of Community Affairs, which shall be valid for two (2) years.
- E. Remediation of hazard. If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the non-exempt dwelling shall remediate the lead-based paint hazard using lead abatement or lead-based

control methods in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Borough Inspector or Borough's lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists.

§ 262-6 Requirements of Property owner

- A. Pursuant to N.J.S.A. 52:27D-437.16(e), property owners on non-exempt dwelling units shall:
- (1) Provide evidence of valid lead-safe certification and the most recent tenant turnover at the time of the cyclical inspection;
 - (2) Provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to this Article.
 - (3) Maintain records of lead-safe certification, which shall include name(s) of the unit tenant(s), if inspection was conducted during a period of tenancy.

§ 262-7 Fees

- A. Notwithstanding any other fees due pursuant to this Chapter, a fee in the amount of \$200.00 shall be paid for each lead-based paint inspection. Said fee shall be dedicated to meeting the costs of implementing and enforcing this Article and shall not be used for any other purpose. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of this Article, in which case no additional Lead-Based Paint inspection fee shall be paid.
- B. The fee for the filing of a lead-safe certification or lead-free certification shall be \$50.
- C. In a common interest community, any inspection fee charged shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.
- D. In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20.00 per dwelling unit inspected by the Borough's lead evaluation contractor, Borough Inspector or the owner's private lead evaluation contractor shall be addressed for the purpose of the Lead Hazard Control Assistance Act, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00. The fees collected pursuant to this subsection shall be deposited into the Lead

Hazard Control Assistance Fund.

§ 262-8 Record keeping

The Borough Code Enforcement Officer shall:

- A. Retain a copy of any lead-safe certifications for a property in the Borough.
- B. Maintain an inspection schedule of properties, any lead-based paint hazards in a non-exempt dwelling, and any remediation initiated.

§ 262-9 Violations and Penalties

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this Article shall be as follows:

- a If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given 30 days to cure the violation.
- b If the property owner has not cured the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated.

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

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

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

Councilman Gurchensky motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2023-11 by title only. Mayor Krenzel opened the floor for public hearing of Ordinance 2023-11 only.

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

Adopted 3-20-23

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

<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>		X	X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2023-12

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 193 ENTITLED "VEHICLES AND TRAFFIC"

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 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-37 entitled, "Schedule VIII: Stop Intersections," so as to add the following locations to the schedule of locations designated as stop intersection:

Intersection

Cleveland Avenue and Snapper Avenue
Colfax Street and Ferris Street
Darrow Street and Ferris Street

Stop Sign on

Cleveland Ave in the North and South directions
Colfax Street in the North and South directions
Darrow Street in the North and South directions

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 Guindi motioned to waive the full reading; seconded by Councilman Oliveira. All in Favor. The Clerk read Ordinance 2023-12 by title only. Mayor Krenzel opened the floor for public hearing of Ordinance 2023-12 only.

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

Adopted 3-20-23

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

<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2023-13

**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 193 ENTITLED "VEHICLES AND
TRAFFIC"**

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 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-31 entitled, "No Parking Certain Hours," so as to delete the following street:

Name of Street	Side	Location
Division Street	East	From a point westerly of the curb line of Willet Avenue to a point 63 feet westerly thereof

SECTION 2. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-6 entitled, "No Parking Any Time," so as to add the following street:

Name of Street	Side	Location
Division Street	East	Beginning from the intersection of Willet Avenue, extending 215 feet thereof

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

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

Councilwoman Balazs motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2023-13 by title only. Mayor Krenzler opened the floor for public hearing of Ordinance 2023-13 only.

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

Adopted 3-20-23

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

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

ORDINANCE NO. 2023 –14

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 103 ENTITLED “ALCOHOLIC BEVERAGES”

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 103 of the Borough Code of the Borough of South River, entitled "Alcoholic Beverages," is hereby amended and supplemented so as to amend Article III entitled “Consumption in Public Places” so as to amend § 103-30 entitled, “Consumption in Certain Places Prohibited,” to provide entirely as follows:

§ 103-30 Consumption in Certain Places Prohibited.

No person shall drink, imbibe or consume any alcoholic beverage in or upon:

- A. Any private property not his or her own without the express permission of the owner or other person having authority to grant such permission.
- B. A public street, lane, roadway, avenue, sidewalk, public parking place, park, playground, recreation area or any other public or quasi-public place.
- C. A public conveyance.
- D. Any place to which the public at large is generally invited; provided, however, that nothing herein shall be construed to prohibit the consumption or sale of alcoholic beverages within the licensed premises of a plenary retail consumption liquor license.

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.

Councilwoman Balazs motioned to waive the full reading; seconded by Councilman Guindi. All in Favor. The Clerk read Ordinance 2023-14 by title only. Mayor Krenzel opened the floor for public hearing of Ordinance 2023-14 only.

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

Adopted 3-20-23

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

**ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK**

ORDINANCES – FIRST READING

The Borough Clerk read Ordinance 2023-15 by title only.

ORDINANCE NO. 2023 -15

**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 350 ENTITLED “ZONING”**

WHEREAS, The Borough Council of the Borough of South River passed Ordinance No. 2023- 7 on first reading at the Borough Council meeting on February 13 2023; and

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the ordinance was presented to the Planning Board for review and recommendation; and

WHEREAS, on February 21, 2023, the Planning Board considered the ordinance and issued its recommendation dated February 27, 2023; and

WHEREAS, on February 27, 2023, the Borough Council reviewed the Board’s recommendation and determined it should implement the Boards recommendation; and

WHEREAS, Ordinance No. 2023-15, accepts and implements the Planning Board’s recommendation dated February 27, 2023.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex,

and State of New Jersey, as follows:

SECTION 1. Chapter 350 of the Borough Code of the Borough of South River, entitled "Zoning," is hereby amended and supplemented so as to amend § 350-28 entitled, "Landscaping and buffering," so as to amend 350-28(G)(5) so as to read entirely as follows:

350-28 (G) Tree Removal and woodlands management

§ 350-28 Tree Removal and Woodlands Management

G.

(5) a. If there are 10 trees or less replacement trees required by the tree replacement formula in section (2), the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement

Fund at a rate of \$250 per tree.

b. If there are more than 10 trees but less than or equal to 20 replacement trees required by the tree replacement formula in section (2), then the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement Fund at a rate of \$2,500 for the first 10 trees required, plus \$150 per tree for each tree required over 10, or
- iii. voluntarily perform a recreational improvement project in an amount equal to the contribution in subsection (G)(5)(b)(ii).
 - 1. A recreational improvement project is a project in which the applicant performs an agreed upon service or project, including but not limited to the planting of trees, to one of the Borough's public parks or open space areas.
 - 2. To utilize subsection G(5)(b)(iii), the applicant must enter into a project agreement with the Borough of South River.

c. If there are more than 20 replacement trees required by the tree replacement formula in section (2), then the applicant may

- i. provide replacement trees on site or on public property with the Borough's prior consent; or
- ii. make a contribution to the Borough of South River Tree Replacement Fund at a rate of \$4,000 for the first 20 trees required, plus \$50 per tree for each tree required over 20, or
- iii. voluntarily perform a recreational improvement project in an amount equal to the contribution in subsection (G)(5)(c)(ii).

1. A recreational improvement project is a project in which the applicant performs an agreed upon service or project, including but not limited to the planting of trees, to one of the Borough’s public parks or open space areas.
2. To utilize subsection G(5)(c)(iii), the applicant must enter into a project agreement with the Borough of South River.

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

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 20th, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of April, 2023, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-20-23

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

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

The Borough Clerk reads Ordinance 2023-16 by title only.

**BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX**

BOND ORDINANCE NO. 2023-16

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$1,075,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF

\$236,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of South River, in the County of Middlesex, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,075,000.00, said sum being inclusive of all appropriations heretofore made therefor, including \$825,782.56 grant funds expected to be received from the American Rescue Plan, and the sum of \$12,717.44 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$236,500.00, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of: (i) various sewer system improvements; and (ii) the acquisition of various capital equipment, including, but not limited to, replacement gear and air packs, 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 (b) bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$236,500.00, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,075,000.00, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,075,000.00 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$12,717.44 down payment for said purposes, and the \$825,782.56 grant funds expected to be received from the American Rescue Plan for said sewer system improvements.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 7.95 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$236,500.00 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$54,000.00 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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

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 20, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of April 2023, at 7:00 p.m., or as soon thereafter as this matter can be reached,

at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-20-23

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

**ALYSSA GUGLIETTI, RMC
BOROUGH CLERK**

The Borough Clerk reads Ordinance 2023-17 by title only.

ORDINANCE NO. 2023 –17

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 193 ENTITLED “VEHICLES AND TRAFFIC”

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 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-31.1 entitled, "Schedule IIA: Handicapped Parking," so as to delete the following location:

Name of Street	Side	Location
Prentice Ave	North	65 feet south from the southern curbline of Foothills Drive, continuing 22 feet east

SECTION 2. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-31.1 entitled, "Schedule IIA: Handicapped Parking," so as to add the following location:

Name of Street	Side	Location
New Street	North	86 Feet East of Fourth Street, extending 22 feet thereof

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 20, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of April 2023, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-20-23

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

**ALYSSA GUGLIETTI, RMC
BOROUGH CLERK**

The Borough Clerk reads Ordinance 2023-18 by title only.

ORDINANCE NO. 2023 –18

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING A NONBINDING REFERENDUM TO CONSIDER WHETHER THE BOROUGH SHOULD ISSUE RETAIL LICENSES TO BUSINESSES FOR THE RETAIL SALE OF CANNABIS ITEMS FOR ADULT RECREATIONAL USE WITHIN THE BOROUGH OF SOUTH RIVER

WHEREAS, the Borough Council of the Borough of South River is authorized pursuant to N.J.S.A. 19:13-1 to submit a question or policy concerning municipal government to the voters in the municipality at a general election to ascertain the sentiment of the legal voters on the question or policy; and

WHEREAS, the results of the election are non-binding on the Borough but may be followed by the governing body in its discretion; and

WHEREAS, the Mayor and Council of the Borough of South River have determined that it would be in the public interest to place a non-binding referendum question on the November 7, 2023 general election ballot for the purpose of determining the sentiment of the majority of legal voters in the Borough of South River concerning

the Borough offering retail licenses to businesses authorizing the retail sale of cannabis items for adult recreational use within the Borough.

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. The Clerk of the County of Middlesex is hereby requested to print upon the official ballots to be used at the November 7, 2023 general election the following question:

Shall new cannabis related license for businesses involved in the retail sale of adult recreational use cannabis items be issued in the Borough of South River?

SECTION 2. The Clerk of the County of Middlesex is hereby requested to print upon the official ballots to be used at the November 7, 2023 general election the following Interpretative Statement:

A “yes” vote for this proposal means that you want the Borough of South River to issue licenses for businesses to engage in the retail sale of cannabis items for adult recreational use within the Borough of South River.

A “no” vote for this proposal means that you do not want the Borough of South River to issue licenses for businesses to engage in the retail sale of cannabis items for adult recreational use within the Borough of South River.

SECTION 3. That a copy of this ordinance shall be filed with the Clerk of the Middlesex County.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 20, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of April 2023, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-20-23

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

ALYSSA GUGLIETTI, RMC
BOROUGH CLERK

DEPARTMENTAL/PROFESSIONAL REPORTS

Engineers Report (Borough Engineer Koch was not present)

- **NJDOT 2020 and 2021 Local Aid Projects and the Curb and Sidewalks Program**
 - The Borough received a \$580,000.00 grant from the NJDOT for the 2020 Roadway Improvements, and a \$475,575.00 grant from the NJDOT for the 2021 Roadway Improvements
 - **NJDOT 2020 Roadways**
 - First Street (New Street to Leonardine Avenue)
 - Claremont Avenue (James Street to David Street)
 - Obert Street (Main Street to Jackson Avenue)
 - Gordon Street (Main Street to Washington Street)
 - Clayton Court;
 - Wilcox Street Drainage Repairs (Darrow Street to Edgewood Street)
 - We issued an updated Punch-list for the project and reviewed it with the contractor in the field.
 - **NJDOT 2021 Roadways**
 - Albourne Street (Cleveland Ave. to Wilbur St);
 - Ferris Street (Cleveland Avenue to Darrow Street)
 - We issued an updated Punch-list for the project and reviewed it with the contractor in the field.
- **NJDOT 2022 Local Aid Program**
 - The borough received a \$457,410.00 grant for Appleby Avenue, Morningside Avenue, and 5th Street. The contractor has performed the concrete work at the Municipal Building. Depending upon the weather, they plan to return in early to mid-March.
- **NJDOT FY 2023 Local Aid Program**
 - We applied for Leonardine Ave. from the OBT to Grand Ave., Prentice Ave. from Willett Ave. to Sheldon Ave. & Beryl St. from Cleveland Ave. to Wilcox Ave. According to the NJDOT PMRS site the borough has received a \$681,405.00 grant. We issued a proposal regarding this project.
- **2020 Electrical Substation Maintenance**
 - The SCADA system is installed and the contractor is working on commissioning it. Then they will schedule the training.
- **Well No. 2 Replacement**
 - The Well is running and the contractor is working on the punchlist.
- **Water Treatment Plan Upgrades**
 - The contractor is waiting for delivery of the equipment and materials for the backwash air gap and the backflow valve.
 - We are scheduling the Bid Date for the Sodium Hypochlorite Storage Improvements.

Borough Engineer Koch states the bid date for the Sodium Hypochlorite Storage will be April 21st at 10 am. Mr. Koch speaks on the drilling locations and the work that will be done on Fitzpatrick and Veterans Drive. Councilwoman Meira speaks on the drilling at Fitzpatrick and Mr. Koch comments.

Chief Financial Officer Joseph Zanga

- Bond Ordinance 2023-16 is for the Fire Department air packs.
- Resolution 2023-127.

Councilwoman Meira would like clarification on the American Rescue Plan and CFO Zanga speaks on the plan.

Chief of Police Mark Tinitigan

- The Police Department is still in need of Crossing Guards.
- The Chili Cook-off has been cancelled as there was not enough interest.

DPW Director Adriano Soares

- Pothole work has begun. Please be patient.
- No garbage pickup next Friday, April 27th.

Mayor Krenzel states there is a hole on Virginia Street that keeps increasing in size.

Borough Clerk

- Resolution 2023-130.

Borough Administrator Londensky

- SCADA system will be giving the borough remote read of the circuits in town.
- There is a leaking valve on Exton and Main Street and work will be done to fix the valve. That cost will be estimated at \$68,000.
- Water main break on Washington Street and will be prepared next.

Councilwoman Meira would like to know who will be monitoring the security camera and BA Londensky states it will be Electric Utility, dispatch, and the BA. The system is very sophisticated, and many people can be added on to monitor the camera.

COUNCIL LIAISON REPORTS

Councilman Guindi

- The Municipal Alliance Chili event is cancelled. The Municipal Alliance did not have enough participants.

Councilwoman Balazs

- 3/25 Free Rabies Clinic. Dogs are from 12pm-2pm and cats are from 2pm-3pm.
- The TNR program is looking for donations of cat and kitten food. Dog and cat licenses will also be available at the clinic.

Councilman Oliveira

- As of March 16th, Parks and Rereation has 336 participants registered for activities.
- Volleyball has been a huge hit for adults. More activites are coming for older residents.
- Summer Recreation is in waiting from the BOE to use the facility.
- 4/1 Easter Egghunt from 2pm-4pm. The rain date is on April 8th at the same time.

Councilman Gurchensky

- OOA events in March are closed, April events are not published yet.

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- The Monthly Mingle is coming up this week.
- Mystery Trip will be next week.
- The No Knock applications are available online and at 48 Washington Street.

BA Londensky states the Monthly Mingle for this week has been cancelled. The reservations can be transferred over to the next mingle or refunded.

Councilwoman Meira

- Book sale at the library will be 4/11-4/14.
- 3/25 is Maker’s Day. The Library will be having all day events.
- The Shade Tree Commission will be having an event on 4/22, Earth Day at 7 Acres property from 11-3.

Mayor Krenzel

- The Borough has received a notice that PSEG will start to collect backpayments.

PUBLIC COMMENT

Mayor Krenzel opened the floor for Public Comment.

Richard Byrne, 11 Bissett Place, thank you for reconsidering the Tree Ordinance. The Referendum is a great idea. There will be a Green Fair hosted by the Environmental Commission. Mr. Byrne speaks on Kamm Avenue issues.

Maggie Georges, 35 Redwick Way, is happy to report that permits have finally received approval after 23 years. Ms. Georges speaks on the issues with chickens being labeled as emotional support animals and is still not resolved. Ms. Georges states this matter will be taken to court. BA Londensky states that in the absence of the Borough Attorney, Mr. Londensky advises the Council to not comment on this issue as it is now Litigation.

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

CONSENT RESOLUTIONS 2023-127 TO 2023-140

“Whereas Resolution 2023-01 authorizes the Borough Council to utilize a Consent Agenda to adopt various resolutions of a routine and noncontroversial nature at one time. Now Therefore, Be It and It is Hereby Resolved that the below listed resolutions are hereby adopted by the Borough Council in whole as if the same were individually acted upon”.

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

RESOLUTION 2023-127

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF STAINLESS-STEEL DUMP BODIES FOR PUBLIC WORKS VEHICLES VIA THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY UNDER CONTRACT 20/21-55

WHEREAS, there exists a need to purchase and install Stainless Steel Dump Bodies for Public Works vehicles by the Borough of South River in the County of Middlesex of the State of New Jersey; and

WHEREAS, the Borough of South River is a member of the Educational Services Commission of New Jersey under contract 20/21-55; and

WHEREAS, Cliffside Body Corp is the authorized vendor of Dump Bodies and installation under the Educational Services Commission of New Jersey; and

WHEREAS, the Chief Financial Officer of the Borough has advised that funds are available in account C-06-22-022-101; and

WHEREAS, this contract is awarded without competitive bidding pursuant to the provision of *NJSA 40A:11-11(5)* in the amount of \$71,155.09 to Cliffside Body Corp; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that the appropriate Officials are hereby authorized to sign those documents necessary for the purchase of and install of Dump Bodies for Public Works.

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

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-128

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 27, 2023 has been received from the Local School District for the following amount:

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

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the State of New Jersey by April 7, 2023.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-129
RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND

WHEREAS, the Borough Engineer originally calculated a performance bond to be posted by the developer in connection with Eleto Subdivision and Variance, for the property at Rose Street, Block 30, Lots 7, 8, and 8.01; and

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

WHEREAS, the Borough Engineer by letter dated March 8, 2023 has recommended that the performance bond be released subject to posting of a two (2) year maintenance bond in the amount of \$6,313.50, together with payment of all outstanding engineering inspection or other borough fees.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex, the State of New Jersey that the improvements required of the developer are accepted, and the performance bond previously posted may be released upon a maintenance bond being provided in the amount of \$6,313.50 and payment by the developer of all outstanding engineering inspection fees as well as any other fees due the Borough of South River.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-130
RESOLUTION BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF A RAFFLE APPLICATION FEE TO ST. MARY OF OSTRABRAMA CHURCH IN THE AMOUNT OF \$20.00

WHEREAS, St. Mary of Ostrabrama Church by letter dated March 9, 2023 has informed the Borough Clerk of the cancellation of their March 12, 2023 raffle event; and

WHEREAS, the representative of St. Mary of Ostrabrama Church request the Governing Body authorize a refund of the application fee in the amount of \$20.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South River hereby authorize the application fee refund in the amount of \$20.00 to St. Mary of Ostrabrama Church.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to St. Mary of Ostrabrama Church and the Borough CFO.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-131
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>
65-999-007-266 CD	NERIS JIMENEZ & LUIS CHACON 173 WILLIOW ST EAST BRUNSWICK, NJ 08816	\$68.82
65-999-008-393 CD	WILSON OLIVEIRA 250 NATHAN BLVD PARLIN, NJ 08859	\$78.13
65-999-004-549 CD	SEAN SCHERIFF 11 FARRELL CT WEST WAREHAM, MA 02576	\$49.59
65-999-007-258 CD	ANNA SEIDEL DEVIN WOJCIECHOWSKI 1 DALLY RD UNIT 210 HILLSBOROUGH, NJ 08844	\$156.56
65-999-008-612 CD	ANGELA VALDEZ 812 SOLOOK DR PARLIN, NJ 08859	\$152.81

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-132

RESOLUTION AUTHORIZING A CONTRACT WITH SPECIAL FORCES CONSULTING DISTRIBUTION, INC. DBA BYRAM LABORATORIES, INC. FOR ENERGY AXIS AUTOMATED METER SYSTEM SUPPORT

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WHEREAS, there exists a need for Energy Axis Automated Meter System Support; and

WHEREAS, the Borough Council desires to award a contract to Special Forces Consulting Distribution, Inc, dba Byram Laboratories, Inc. for Energy Axis Automated Meter System Support pursuant to the provisions of N.J.S.A. 19:44A-20.5 in the amount not to exceed \$44,172.00; and

WHEREAS, Special Forces Consulting Distribution, Inc. dba Byram Laboratories, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has made any reportable contributions to a political or candidate committee in the Borough of South River in the previous one year, and that the contract will prohibit Special Forces Consulting Distribution, Inc. dba Byram Laboratories, Inc. from making any reportable contributions to a political or candidate committee in the Borough of South River through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd) et seq., authorizes the award of contracts for support or maintenance of proprietary hardware and software and requires that the resolution and contract be made available for public inspection; and

NOW THEREFORE BE IT AND IT IS HERBY RESOLVED by the Mayor and Council of the Borough of South River as follows:

1. That the governing body does hereby award a contract for Energy Axis Automated Meter System Support to Special Forces Consulting Distribution, Inc. dba Byram Laboratories, Inc, in accordance with the attached Schedule D, an advantageous proposal.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Special Forces Consulting Distribution, Inc. dba Byram Laboratories, Inc. in a form acceptable to the Borough Attorney.

3. That this contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(dd) of the Local Public Contracts law because it is for support or maintenance of proprietary hardware and software.

4. That the Business Disclosure Entity Certification be placed on file with this resolution.

5. That a notice of this action shall be printed in the official newspaper of the as required by law.

6. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract: 3-03-55-502-205.

7. That a Certified Copy of this Resolution shall be provided to the Borough Administrator, Borough CFO, and Special Forces Consulting Distribution, Inc. dba Byram Laboratories, Inc.

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

<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>						X

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-133

RESOLUTION DESIGNATING HAMILTON STREET DEVELOPMENT, LLC AS A CONDITIONAL REDEVELOPER OF A PORTION OF THE LOWER 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.PT, 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, 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, Hamilton Street Development, LLC proposes to redevelop a portion of the Redevelopment Area know as Block 151, Lot 1, 2, 2.01, & 7 on the Borough’s Tax Map; and

WHEREAS, Hamilton Street Development, LLC owns the property known as Block 151, Lot 1, 2, 2.01, & 7 on the Borough’s Tax Map (the “project area”); and

WHEREAS, the Borough now desires to designate Hamilton Street Development, LLC as the conditional redeveloper of the Project Area, in furtherance of entering into a formal redevelopment agreement with Hamilton Street Development, LLC, with said preliminary negotiations to include the receipt and review of additional project specific information from Hamilton Street Development, 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. Hamilton Street Development, 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 Hamilton Street Development, 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 Hamilton Street Development, 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 Hamilton Street Development, LLC and the Borough attorney.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-134

PROPERTY TAX REFUND

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

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

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

Block	Lot	Reason	Name& Address	Property Location	Amount
363.07	9	1 st qtr payment 2023 (Dis Vet)	Steven Perez Pay to : Corelogic Attn:Tax Refunds	6 O'Brien Ave	\$1853.20

March 20, 2023 Council Regular Meeting Minutes- APPROVED 4/10/23

1. That the governing body does hereby recognize South River Little League as a Borough Recognized Sports Organization as of the date of the application.
2. That the governing body does hereby authorize the execution of a grant agreement with South River Little League in a form acceptable to the Borough attorney.
3. A certified copy of this resolution shall be forwarded to South River Little League.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

**RESOLUTION 2023-136
RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO
SUBMISSION OF NJDEP STORMWATER DISCHARGE PERMIT**

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and State of New Jersey that CME Associates is authorized to perform professional engineering services related to submission of the NJDEP Stormwater Discharge Report, as outlined in the Borough Engineer’s letter dated March 15, 2023, at a cost not to exceed \$3,085.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in account 3-01-20-165-205.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-137
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 27, 2023 Regular and Executive Session Meeting Minutes are approved.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-138
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 \$959,683.28 and previously paid claims in the amount of \$2,425,391.76 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-139

RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT

WHEREAS, Mark E. Tinitigan is currently being employed by the Borough of South River as the Chief of the Police Department;

WHEREAS, the Borough and the Chief of Police have agreed upon the terms and conditions of employment and wish to memorialize such matters in an employment agreement.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Employment Agreement between the Borough of South River and Mark E. Tinitigan as the Police Chief of the Police Department for the same is hereby approved and the Mayor and appropriate Borough Officials are hereby authorized to execute the same.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2023-140

RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT

WHEREAS, John J. McKenna is currently being employed by the Borough of South River as the Deputy Chief of the Police Department;

WHEREAS, the Borough and the Deputy Chief of Police have agreed upon the terms and conditions of employment and wish to memorialize such matters in an employment agreement.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Employment Agreement between the Borough of South River and John J. McKenna as the Deputy Police Chief of the Police Department for the same is hereby approved and the Mayor and appropriate Borough Officials are hereby authorized to execute the same.

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

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on March 20, 2023.

Alyssa Guglietti, RMC
Municipal Clerk
Borough of South River

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

Councilwoman Meira

- The Board of Education had a meeting this evening. The Elementary Schools Drama Club will have their play on 3/25 at 7 pm which will be Annie. Adults are \$5 and students are \$3.
- The Middle School Play will be Legally Blonde at the end of the month.
- There will be an early dismissal for Primary and Elementary Schools.
- Cheerleaders won 1st place in their competition. The South River Rambotics won 2nd place in their competition.
- 2 South River students from the Future Business Leaders of America won 2nd place for website design on March 8th and will advance to the National Competition.
- There are numerous competitions happening, watch out for kids.
- Congratulations to South River Recreation Cheerleaders for winning 1st and 2nd place in their competitions.
- National Honors Society is hosting a program to get more trees planted in South River. Get more info by calling the High School.
- Community Garden Plots are now available. They are kicking off 2023 beginning on April 15th from 10 am to 2 pm.

Councilman Gurchensky

- Thank you to all our public safety officers.
- Happy Spring.
- The VFW Lions breakfast was a success.

Councilman Oliveira

- Thank you to CFO Zanga, BA Londensky, and the Budget Committee for all their hard work with the 2023 budget.
- The weather will be getting nice, watch out for kids playing.

Councilman Guindi

- Be mindful of potholes in town.
- Drive safely.
- Happy Easter.

Councilwoman Balazs

- Pick up after your dogs.
- Congratulations to the boys' and girls' basketball teams.
- Happy Easter.

Mayor Krenzel

- Congratulations to all teams and individuals that are involved in various sports.
- The South River Lions Club breakfast event was a success.
- St. Peter and Paul will be having their bizarre on April 1st.
- There will be an Easter Egg Hunt event, hopefully the weather will cooperate.
- Happy Easter.

ADJOURNMENT

Being no further business; Mayor Krenzel requested motion to adjourn. Councilman Guindi motioned to adjourn; seconded by Councilman Oliveira. All in favor. Meeting adjourned at 8:21 pm.

Respectfully submitted,

Alyssa Guglietti

Alyssa Guglietti, RMC
Borough Clerk