

ORDINANCE 2026-7

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 155, TITLED "FEES," AT SECTION 155.19.1, SUBSECTION S, TO REQUIRE A SECURITY DEPOSIT FOR RESERVATIONS TO USE GREKOSKI PARK BASEBALL FIELD

WHEREAS, pursuant to N.J.S.A. 40:61-1 et seq., municipalities are authorized to acquire, maintain, regulate and control parks, playgrounds and recreational facilities and to adopt rules and regulations governing the use thereof; and

WHEREAS, pursuant to N.J.S.A. 40:48-2.56, municipalities are authorized to establish and collect reasonable fees and charges for the use of municipal facilities and services; and

WHEREAS, the Borough of South River owns and maintains Grekoski Park Baseball Field, a turf field, as a public recreational facility for the benefit of Borough residents; and

WHEREAS, the Mayor and Borough Council previously adopted Ordinance 2026-02 amending Chapter 155 of the Borough Code, titled "Fees," to establish and revise recreation program and park fees, including athletic field use fees; and

WHEREAS, the Mayor and Borough Council recognize that Grekoski Park Baseball Field is a specialized athletic surface requiring significant public investment, ongoing maintenance, inspection, and repair to preserve its safe and functional condition, and that its use by non-Borough-sponsored sports teams, leagues, associations, entities, and individuals may result in wear and tear, damage, additional clean-up, policy violations, or unpaid balances that impose financial burdens upon the Borough and its taxpayers; and

WHEREAS, the Mayor and Borough Council find that amending § 155.19.1 of the Borough Code to require a refundable security deposit for non-Borough-sponsored users of the Grekoski Park Baseball Field is in the best interests of the Borough and serves a legitimate public purpose.

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

SECTION 1. AMENDMENT OF CODE

The Code of the Borough of South River, Chapter 155, titled "Fees," at Section 155.19.1, Subsection S, is hereby amended to read as follows:

S. Athletic field use fees:

- (1) When any sports team or league seeks to reserve the use of a Borough athletic field, it shall be charged a fee for the use as set forth below:
 - a. Grass Fields:
 - i. \$25 per two-hour increment for resident teams or Non-Profit organizations;
 - ii. \$50 per two-hour increment for non-resident or For-Profit organizations.
 - b. Grekoski Park Baseball Field:
 - i. \$150 per two-hour increment for resident teams or Non-Profit organizations;
 - ii. \$200 per two-hour increment for non-resident or For-Profit organizations.
 - iii. Refundable Security Deposit. In addition to the incremental usage fees for Grekoski Park Baseball Field, any non-Borough-sponsored sports team or league seeking to make one or more reservations to use this field shall be required to deposit funds with the Borough as follows:

- \$250 for one (1) to five (5) reservations;
- \$500 for six (6) to ten (10) reservations;
- \$1,000 for eleven (11) or more reservations.

Such funds shall be held by the Borough and shall be used for any clean-up, maintenance, repair, or payment in satisfaction necessitated by any wear and tear beyond ordinary use, damage, policy violation, or other unpaid balances arising from the sports team or league's use of the field. No later than thirty (30) days following a final inspection of the field by the Borough Parks & Recreation Department or its designee, after completion of any such clean-up, maintenance, repair, or payment in satisfaction, any remaining balance in the sports team or league's security deposit shall be returned to said sports team or league.

Nothing herein shall limit the Borough's right to pursue additional legal remedies in the event the security deposit is insufficient to cover the full extent of damages or unpaid obligations.

- (2) All fees and deposits will be collected up front, based on the amount of field time reserved, at the beginning of each season.
- (3) If there are any dates paid for and not used, due to rainouts or other cancellations, said fees shall be refunded in a reasonable time following the end of the sports season.

SECTION 2. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect. The provisions of this Ordinance are declared to be severable.

SECTION 3. REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. Nothing herein is intended to repeal or abrogate any existing ordinance or resolution that is not in conflict with this Ordinance.

SECTION 4. CONFLICT WITH OTHER LAWS

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance, law, rule, or regulation of the State of New Jersey, the more restrictive requirements shall apply.

SECTION 5. CODIFICATION

This Ordinance shall be a part of the Code of the Borough of South River as though codified and set forth fully herein. The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect after final passage 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 2nd, 2026, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026, 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 3-2-26

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman DaSilva</i>			X			
<i>Councilman Donato</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>		X	X			
<i>Council President DeSantis</i>	X		X			

Alyssa Hager, RMC
Municipal Clerk
Borough of South River