

**BOROUGH OF SOUTH RIVER
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
ORDINANCE NO. 2026-23**

AN ORDINANCE CONSOLIDATING CHAPTER 13, “ADMINISTRATOR, OFFICE OF,” INTO CHAPTER 9, “ADMINISTRATION,” OF THE CODE OF THE BOROUGH OF SOUTH RIVER AND RESERVING CHAPTER 13

WHEREAS, Chapter 9 of the Code of the Borough of South River is presently titled “Administration, Department of” and establishes the Department of Administration and the Office of the Borough Clerk; and

WHEREAS, existing § 9-1 provides that the Department of Administration is under the supervision and control of a Director of Administration who is a member of the Borough Council appointed annually at the Borough's organizational meeting; and

WHEREAS, Chapter 13 of the Borough Code is separately titled “Administrator, Office of” and establishes the Office of the Borough Administrator and various administrative offices and positions under or associated with that Office; and

WHEREAS, the Mayor and Council have determined that the present organization of Chapters 9 and 13 is duplicative, outdated, and does not accurately reflect the present administrative structure of the Borough; and

WHEREAS, pursuant to N.J.S.A. 40A:9-136, the governing body of a municipality may, by ordinance, create the office of municipal administrator and delegate to the administrator all or a portion of the executive responsibilities of the municipality, subject to the powers and responsibilities otherwise vested by general law in the Mayor, Council, or other municipal officers or bodies; and

WHEREAS, pursuant to N.J.S.A. 40A:9-137, the Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council and shall serve at the pleasure of the governing body, and removal of the Borough Administrator shall be governed by N.J.S.A. 40A:9-138; and

WHEREAS, the Borough Clerk is a statutory municipal officer established pursuant to N.J.S.A. 40A:9-133, possessing powers, duties, responsibilities and a statutory term established by general law; and

WHEREAS, the Mayor and Council desire to place the Department of Administration under the administrative supervision and coordination of the Borough Administrator while expressly preserving the independent statutory powers, duties, responsibilities, tenure and authority of the Borough Clerk and all other municipal officers whose powers and duties are established by general law; and

WHEREAS, the Mayor and Council further desire to establish a clearer administrative chain of command by creating the office of Deputy Borough Administrator and reorganizing the Borough's local code-enforcement function under an Office of Code Enforcement administered by a Director of Code Enforcement; and

WHEREAS, the Mayor and Council desire to modernize the provisions governing administrative personnel by retaining the essential functions of existing positions while removing obsolete, unnecessarily detailed, or duplicative personnel provisions more appropriately addressed by job descriptions, personnel policies, Civil Service requirements, collective negotiations agreements, and other applicable law; and

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. Chapter 9 repealed and replaced.

Chapter 9, presently titled "Administration, Department of," of the Code of the Borough of South River is hereby repealed and replaced in its entirety as follows:

CHAPTER 9

ADMINISTRATION

ARTICLE I. DEPARTMENT OF ADMINISTRATION; OFFICE OF THE BOROUGH ADMINISTRATOR

§ 9-1. Organization and authority.

- A.** There shall be a Department of Administration in the Borough of South River under the administrative supervision and coordination of the Borough Administrator.
- B.** The Department of Administration shall include the Office of the Borough Administrator, the Office of the Borough Clerk, the Office of Code Enforcement, TV35, and such other administrative offices, agencies, officers, employees, or functions as may from time to time be placed within the Department by ordinance, resolution, or other lawful action of the Mayor and Council.
- C.** The Borough Administrator shall be responsible for the general administrative coordination of the Department and its constituent offices, subject at all times to the powers, duties, responsibilities and authority vested by statute, regulation or other applicable law in the Mayor, Borough Council, Borough Clerk, Chief Financial Officer, Tax Collector, Tax Assessor, Construction Official, Zoning Officer, Fire Official, Police Chief, or any other municipal officer, official, board, body or agency.
- D.** The Borough Administrator may coordinate the administrative operations of the Office of the Borough Clerk; provided, however, that nothing in this chapter shall interfere with,

diminish, transfer or otherwise affect any statutory power, duty, responsibility, term, tenure or independence vested in the Borough Clerk or Deputy Borough Clerk by law.

§ 9-2. Borough Administrator.

A. Office created; status.

The office of Borough Administrator of the Borough of South River is hereby continued and established pursuant to N.J.S.A. 40A:9-136.

The position may be full-time or part-time as determined by the Borough Council. The Borough Administrator shall be selected on the basis of executive and administrative ability and qualifications, with special consideration given to education, training and experience in governmental or public administration.

A Borough Administrator may engage in outside employment, consulting or professional activities only to the extent permitted by applicable law and Borough policy and provided that such activity creates no prohibited conflict of interest and does not materially interfere with the performance of the Administrator's duties to the Borough.

B. Appointment and term.

The Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council pursuant to N.J.S.A. 40A:9-137 and shall serve at the pleasure of the governing body.

C. Chief administrative officer.

The Borough Administrator shall serve as the chief administrative officer of the Borough and shall be responsible for the coordination and administration of the executive and administrative functions delegated to the office by this chapter, by other ordinance or resolution, or by lawful direction of the Mayor and Council.

D. Powers and duties.

Subject to the powers, duties and responsibilities vested by law in the Mayor, Borough Council, or another municipal officer, official, board or agency, the Borough Administrator shall:

- (1) Attend meetings of the Mayor and Council and such other meetings as may be requested by the Mayor and Council.
- (2) Serve as an administrative liaison between the Mayor and Council and the various municipal departments, offices, agencies, boards and professional advisors of the Borough.

- (3)** Coordinate the implementation and administration of Borough ordinances, resolutions, policies and lawful directives.
- (4)** Keep the Mayor and Council reasonably informed concerning matters assigned to the Administrator or otherwise within the Administrator's administrative jurisdiction.
- (5)** Coordinate interdepartmental operations and facilitate communication among Borough departments, offices, agencies, boards, officers and employees.
- (6)** Negotiate or participate in the negotiation of contracts, agreements and other municipal matters, subject to all approvals required by law and the ultimate authority of the Mayor and Council.
- (7)** Make recommendations to the Mayor and Council concerning Borough operations, improvements, facilities, services, programs, policies and administrative practices.
- (8)** Conduct studies, surveys and administrative reviews concerning municipal matters as requested by the Mayor and Council and provide reports and recommendations concerning the same.
- (9)** Review and make recommendations concerning present and future budgets, purchasing procedures, administrative procedures, personnel organization and municipal operations.
- (10)** Monitor performance under contracts for services or goods provided to the Borough and report material noncompliance to the appropriate municipal officials.
- (11)** Coordinate the preparation and dissemination of public information when authorized by the Mayor and Council and consistent with applicable law.
- (12)** Coordinate the administration, maintenance and use of real property owned by the Borough, subject to the authority of the Mayor and Council and other officials or departments having responsibility for such property.
- (13)** Serve as liaison between the Borough and county, State and federal agencies concerning grants, funding, programs, services and other municipal matters as appropriate.
- (14)** Establish or coordinate appropriate administrative procedures for the receipt, referral, tracking and response to complaints concerning Borough operations and services.
- (15)** Make recommendations intended to increase the efficiency, effectiveness, coordination and responsiveness of Borough operations.

- (16) Prepare such administrative reports as may be requested by the Mayor and Council, including periodic and annual reports concerning Borough governmental activities.
- (17) Coordinate with the Chief Financial Officer concerning the timely preparation and submission of financial reports required by law or requested by the governing body.
- (18) Participate in the preparation of the annual operating and capital budgets in coordination with the Chief Financial Officer, Auditor and other appropriate officials.
- (19) Review and approve vouchers, bills, requisitions and other financial documents to the extent authorized by applicable law, Borough financial procedures and lawful delegation.
- (20) Coordinate and administer sound personnel and management practices and maintain or coordinate appropriate personnel records, subject to Civil Service requirements, collective negotiations agreements, personnel policies and other applicable law.
- (21) Review the administrative operations of Borough departments and offices to the extent within the Administrator's lawful authority.
- (22) Serve as the Borough's representative to any joint insurance fund in which the Borough participates if so designated by the Mayor and Council.
- (23) Perform such other administrative and ministerial duties and functions as may lawfully be assigned by the Mayor and Council.

E. Preservation of authority of other officials.

No power or duty assigned to the Borough Administrator shall be construed to authorize the Administrator to perform, interfere with, supersede, reverse or diminish any function that by statute, regulation or other general law is vested exclusively in another municipal officer, official, board, body or agency.

F. Compensation.

The Borough Administrator shall receive compensation in such amount as may be established by the applicable Salary Ordinance, resolution, or other lawful action of the governing body.

G. Removal.

The Borough Administrator may be removed by a two-thirds vote of the governing body in accordance with N.J.S.A. 40A:9-138.

A resolution of removal shall become effective three months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the Borough shall cause to be paid to the Administrator forthwith any unpaid balance of salary and the Administrator's salary for the next three calendar months following adoption of the resolution, as required by N.J.S.A. 40A:9-138.

H. Political activity.

Political activity by the Borough Administrator shall be governed by applicable law and Article X of Chapter 68, Personnel Regulations, of the Borough Code.

I. Leave and benefits.

The Borough Administrator shall be entitled to vacation, personal leave, sick leave and other benefits in accordance with applicable Borough personnel policies, ordinances and resolutions, and any employment agreement lawfully authorized by the Borough.

§ 9-3. Deputy Borough Administrator.

A. Position created.

There is hereby created the office and position of Deputy Borough Administrator.

The position may be full-time or part-time as determined by the Borough Council. Creation of the office shall not require the Borough to fill the position at all times.

B. Appointment.

The Deputy Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council.

C. Duties.

The Deputy Borough Administrator shall report to and assist the Borough Administrator in the administration of the affairs of the Borough and shall perform such lawful duties as may be assigned by the Borough Administrator or by the Mayor and Council.

The duties may include:

- (1)** Attending meetings of the governing body when requested;
- (2)** Assisting in the implementation and administration of Borough ordinances, resolutions, policies and directives;
- (3)** Coordinating administrative matters involving Borough departments, offices and personnel;

- (4) Representing the Borough in dealings with federal, State, county and other municipal governments when authorized;
- (5) Assisting in personnel administration, departmental coordination, scheduling and administrative practices;
- (6) Monitoring and following up on administrative assignments, projects and directives;
- (7) Assisting in reviewing vouchers, bills and other administrative documents when authorized;
- (8) Coordinating projects involving multiple Borough departments or agencies;
- (9) Performing the functions of Acting Borough Administrator as provided in § 9-4; and
- (10) Performing such other duties as the Borough Administrator may lawfully assign.

D. Compensation.

The Deputy Borough Administrator shall receive compensation in accordance with the applicable Salary Ordinance and any other lawful authorization of the governing body.

§ 9-4. Acting Borough Administrator.

A. Temporary absence or inability to serve.

In the event the Borough Administrator is temporarily unable to perform the duties of the office because of vacation, illness, leave of absence, suspension or other temporary absence:

- (1) The Deputy Borough Administrator, if the position is then filled and the Deputy is available to serve, shall perform the duties and responsibilities of the Borough Administrator.
- (2) If the office of Deputy Borough Administrator is vacant or the Deputy Borough Administrator is unavailable, the Chief Financial Officer shall perform the duties and responsibilities of the Borough Administrator for a period not exceeding 30 consecutive days.
- (3) If neither the Deputy Borough Administrator nor the Chief Financial Officer is available to serve, the Mayor may designate another qualified Borough employee to perform the duties and responsibilities of the Borough Administrator on a temporary basis for a period not exceeding 30 consecutive days, subject to applicable law.

B. Vacancy or extended absence.

If the office of Borough Administrator is vacant, or if an absence is anticipated to continue for more than 30 consecutive days, an Acting Borough Administrator shall be appointed in the manner required by applicable law.

Where appointment to the office is required, the Mayor shall nominate and, with the advice and consent of the Borough Council, appoint an Acting Borough Administrator to serve until a Borough Administrator is duly appointed and qualified or the incumbent Borough Administrator resumes the duties of the office, as applicable.

Pending such appointment, the temporary succession established by Subsection A shall continue to the extent permitted by law.

C. Powers.

A person lawfully serving as Acting Borough Administrator shall exercise the powers and perform the duties of the Borough Administrator during the period of such service, subject to applicable law and any lawful limitations imposed by the Mayor and Council.

D. Compensation.

Additional compensation, if any, for service as Acting Borough Administrator shall be established by Salary Ordinance, resolution, employment agreement lawfully authorized by the Borough, or other lawful action of the governing body.

§ 9-5. Executive Assistant to the Borough Administrator.

A. Position created.

There is hereby continued within the Office of the Borough Administrator the position of Executive Assistant to the Borough Administrator. The position shall be full-time unless otherwise authorized by ordinance.

B. Duties.

The Executive Assistant shall provide administrative and clerical support to the Borough Administrator and, when assigned by the Borough Administrator, to other appropriate administrative offices.

Duties may include:

- (1) Preparing correspondence, memoranda, reports and administrative documents;
- (2) Gathering, organizing and maintaining information and records;
- (3) Maintaining appropriate financial, budgetary, purchasing, requisition and administrative records;

- (4) Maintaining schedules, appointments and administrative calendars;
- (5) Maintaining confidential and personnel-related records to the extent authorized;
- (6) Collecting and organizing data used for administrative decision-making;
- (7) Maintaining office files, records and administrative systems;
- (8) Attending department-head or other administrative meetings when directed;
- (9) Providing administrative assistance to other Borough departments or offices when assigned by the Borough Administrator; and
- (10) Performing such other compatible administrative and clerical duties as may be assigned.

C. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

D. Appointment and employment status.

The position shall be filled and employment shall continue in accordance with applicable law, including applicable Civil Service laws and regulations, Borough personnel policies and collective negotiations agreements.

§ 9-6. Office Manager.

A. Position created.

The position of Office Manager within the Office of the Borough Administrator is hereby continued and may be full-time or part-time as authorized by the Borough.

B. Duties.

The Office Manager shall perform administrative and office-management functions assigned by the Borough Administrator, which may include:

- (1) Preparing administrative correspondence, memoranda, reports and documents;
- (2) Collecting and analyzing information needed for administrative purposes;
- (3) Coordinating designated clerical and administrative work;
- (4) Establishing and maintaining administrative records and files;

- (5) Assisting with personnel records, recruitment postings, employment applications and job descriptions;
- (6) Assisting with central purchasing, supplies, postage and other common administrative services;
- (7) Coordinating maintenance and updating of Borough administrative materials and Code publications;
- (8) Supervising assigned clerical personnel when authorized by the Borough Administrator; and
- (9) Performing other compatible administrative duties as assigned by the Borough Administrator.

C. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

D. Appointment and employment status.

The position shall be filled and employment shall continue in accordance with applicable law, including applicable Civil Service laws and regulations, Borough personnel policies and collective negotiations agreements.

§ 9-7. Assistant to the Borough Administrator for Special Projects.

A. Position created.

The position of Assistant to the Borough Administrator for Special Projects is hereby continued. The position shall be part-time unless otherwise authorized by ordinance.

B. Duties.

The Assistant to the Borough Administrator for Special Projects shall assist the Borough Administrator with designated municipal projects, initiatives, studies and administrative assignments and shall perform such other compatible duties as may lawfully be assigned.

C. Qualifications.

The individual shall possess education, training, experience or a combination thereof reasonably related to the administrative responsibilities of the position, as established by applicable law and the Borough's approved job description.

D. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

E. Appointment and employment status.

The position shall be filled and employment shall continue in accordance with applicable law, including applicable Civil Service laws and regulations, Borough personnel policies and collective negotiations agreements.

§ 9-8. Receptionist.

A. Position created.

The position of Receptionist within the Department of Administration is hereby continued. The position shall be full-time unless otherwise authorized by ordinance.

B. Duties.

The Receptionist shall perform front-office, public-contact and general clerical duties, including:

- (1) Receiving and directing visitors and callers;
- (2) Providing general municipal information and referring inquiries to the appropriate department or official;
- (3) Receiving, sorting and distributing correspondence, mail and deliveries;
- (4) Scheduling appointments when directed;
- (5) Maintaining appropriate clerical records and files;
- (6) Preparing routine correspondence, reports and other documents;
- (7) Providing general clerical support to the Department of Administration; and
- (8) Performing such other compatible duties as may be assigned by the Borough Administrator.

C. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

D. Appointment and employment status.

The position shall be filled and employment shall continue in accordance with applicable law, including applicable Civil Service laws and regulations, Borough personnel policies and collective negotiations agreements.

ARTICLE II. OFFICE OF THE BOROUGH CLERK

§ 9-9. Borough Clerk.

A. Office established; appointment and term.

There shall be an Office of the Borough Clerk of the Borough of South River.

The Borough Clerk shall be appointed by the governing body for a term of three years in accordance with N.J.S.A. 40A:9-133 and shall possess all qualifications and certifications required by applicable law.

The Office may include a Deputy Borough Clerk, Assistant Borough Clerks and such other clerical personnel as may be authorized by the Borough.

B. Statutory independence.

The Borough Clerk is a statutory municipal officer. Nothing contained in this chapter shall diminish, transfer or interfere with any power, function, duty, responsibility, term, tenure or authority vested in the Borough Clerk by N.J.S.A. 40A:9-133 or any other applicable law.

C. Duties.

The Borough Clerk shall:

- (1)** Act as secretary of the municipal corporation and custodian of the municipal seal and of all minutes, books, deeds, bonds, contracts and archival records of the municipal corporation, except where custody of a particular class of records is otherwise lawfully assigned;
- (2)** Act as secretary to the governing body, prepare meeting agendas at the discretion of the governing body, be present at meetings of the governing body, keep a journal of proceedings, retain original ordinances and resolutions and record meeting minutes;
- (3)** Serve as chief administrative officer of all elections held in the Borough, subject to Title 19 of the Revised Statutes;
- (4)** Serve as chief registrar of voters in the Borough, subject to Title 19 of the Revised Statutes;

- (5) Serve as the administrative officer responsible for acceptance of applications for licenses and permits and issuance of licenses and permits, except where statute or municipal ordinance assigns such responsibility to another municipal officer;
- (6) Serve as coordinator and records manager responsible for local archives and records-retention programs as required by law;
- (7) Administer oaths and take acknowledgments when authorized by law;
- (8) Issue or administer bingo and raffle licenses to the extent authorized by law;
- (9) Maintain and preserve ordinances, resolutions, contracts and other official records of the Borough;
- (10) Maintain appropriate records of licenses and permits issued through the Clerk's Office and account for fees received in accordance with Borough financial procedures; and
- (11) Perform such other duties as are now or hereafter imposed by statute, regulation, ordinance or other applicable law.

D. Administrative coordination.

The Borough Clerk shall cooperate with the Borough Administrator concerning matters of general municipal administration and interdepartmental coordination, provided that all assignments involving the statutory functions of the Office of the Borough Clerk shall remain subject to the authority of the Borough Clerk and applicable law.

E. Meetings.

The Borough Clerk shall attend meetings of the governing body as required by N.J.S.A. 40A:9-133 and such additional municipal meetings as may lawfully be required.

F. Hours.

The Office of the Borough Clerk shall maintain such regular hours as are established for Borough administrative offices, subject to operational requirements and applicable personnel policies.

G. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

§ 9-10. Deputy Borough Clerk.

A. Office created; appointment.

Pursuant to N.J.S.A. 40A:9-135, there is hereby continued the office of Deputy Borough Clerk.

The Deputy Borough Clerk shall be appointed by the Mayor with the advice and consent of the Borough Council and shall possess all qualifications required by applicable law.

B. Duties.

The Deputy Borough Clerk shall report to the Borough Clerk and shall:

- (1) Assist the Borough Clerk in the performance of the statutory and administrative duties of the Office;
- (2) Assist in preparation and maintenance of agendas, minutes, resolutions, ordinances, official records and archives;
- (3) Assist with municipal elections, licensing, records management and public-record functions;
- (4) Perform such additional duties as may be assigned by the Borough Clerk consistent with law; and
- (5) During the absence or disability of the Borough Clerk, possess all powers and perform all functions and duties of the Borough Clerk as provided by N.J.S.A. 40A:9-135.

C. Vacancy.

Nothing herein shall limit any additional authority conferred upon a Deputy Borough Clerk by applicable law during a vacancy in the office of Borough Clerk.

D. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

ARTICLE III. OFFICE OF CODE ENFORCEMENT

§ 9-11. Office established; scope.

- A. There is hereby established within the Department of Administration an Office of Code Enforcement.
- B. The Office shall be responsible for the administration and enforcement of municipal ordinances and regulations assigned to the Code Enforcement Officer or other personnel within the Office.

- C.** The Office may coordinate enforcement matters with other Borough departments and officials, including the Zoning Officer, Construction Official, Fire Official, Police Department, Health Department and other governmental agencies.
- D.** Nothing in this Article shall confer upon the Director of Code Enforcement, Code Enforcement Officer or Assistant Code Enforcement Officer any power or authority independently vested by statute, regulation or other law in the Zoning Officer, Construction Official, subcode official, Fire Official, Health Officer or any other statutory or licensed official unless the same individual has been separately and lawfully appointed to that office and possesses all qualifications required to exercise such authority.

§ 9-12. Director of Code Enforcement.

A. Position created.

The position of Director of Code Enforcement is hereby created.

The Director may be full-time or part-time as determined by the Borough Council. Creation of the position shall not require that it be separately filled at all times.

B. Appointment.

The Director of Code Enforcement shall be appointed by the Mayor with the advice and consent of the Borough Council.

C. Reporting relationship.

The Director shall report administratively to the Borough Administrator and shall serve as the chief administrator of the Office of Code Enforcement.

D. Duties.

The Director shall:

- (1)** Administer and coordinate the day-to-day operations of the Office of Code Enforcement;
- (2)** Supervise Code Enforcement Officers, Assistant Code Enforcement Officers and assigned clerical personnel, subject to applicable law;
- (3)** Assign, coordinate and track complaints, inspections, enforcement matters and follow-up activities;
- (4)** Develop and implement consistent administrative procedures for complaint intake, inspections, notices, records and case tracking;

- (5) Coordinate enforcement activity with other Borough departments, agencies and officials when appropriate;
- (6) Monitor workload, staffing, equipment, training and operational needs of the Office;
- (7) Prepare periodic reports concerning code-enforcement activities for the Borough Administrator, Mayor and Council;
- (8) Assist in preparation and administration of the Office's budget;
- (9) Serve as an administrative liaison between the Office, Borough Administrator, other municipal departments and the public; and
- (10) Perform such other compatible administrative duties as may lawfully be assigned.

E. Limitation of authority.

The Director's administrative supervision shall not authorize the Director to alter, reverse, supersede or substitute the Director's judgment for any determination or function that by law is vested in another statutory, licensed or certified municipal official, unless the Director has been separately and lawfully appointed to that office.

F. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

§ 9-13. Code Enforcement Officer.

A. Position created.

The position of Code Enforcement Officer is hereby continued. The Borough may appoint one or more Code Enforcement Officers on a full-time or part-time basis as authorized by the governing body.

B. Appointment.

Code Enforcement Officers shall be appointed by the Mayor with the advice and consent of the Borough Council, subject to applicable law.

C. Duties.

The Code Enforcement Officer shall be responsible for field and office work associated with enforcing municipal ordinances and resolutions assigned to the Office of Code Enforcement, with particular emphasis upon property-maintenance and similar local regulatory requirements.

Duties may include:

- (1) Conducting inspections and investigations concerning suspected violations of municipal ordinances;
- (2) Receiving and investigating complaints;
- (3) Issuing notices, orders, summonses, complaints or other enforcement documents to the extent authorized by law;
- (4) Initiating or assisting with enforcement proceedings;
- (5) Preparing reports and maintaining inspection and enforcement records;
- (6) Conducting follow-up inspections and monitoring compliance;
- (7) Appearing and testifying before the Municipal Court or other appropriate governmental bodies when necessary;
- (8) Coordinating inspections or enforcement matters with other municipal departments and governmental agencies;
- (9) Inspecting properties for conditions governed by municipal property-maintenance, licensing, nuisance, sanitation or other local ordinances assigned for enforcement;
- (10) Identifying suspected zoning violations and referring such matters to the Zoning Officer where a determination or action by the Zoning Officer is required;
- (11) Identifying conditions that may fall within the jurisdiction of the Construction Official, Fire Official, Health Department or another governmental official and referring or coordinating such matters as appropriate; and
- (12) Performing such other compatible enforcement duties as may lawfully be assigned.

D. Limitations.

A Code Enforcement Officer shall not, solely by virtue of appointment to that position, exercise authority conferred by law upon the Zoning Officer, Construction Official, a Uniform Construction Code subcode official, Fire Official, Health Officer or another separately established municipal office.

Nothing herein shall prevent a Code Enforcement Officer from simultaneously serving in another compatible Borough office or position if separately and lawfully appointed and qualified.

E. Qualifications.

A Code Enforcement Officer shall possess the education, training, experience, licenses, certifications and other qualifications required by applicable law and the Borough's approved job description.

F. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

G. Removal.

A Code Enforcement Officer shall be subject to removal in accordance with applicable law.

§ 9-14. Assistant Code Enforcement Officer.

A. Position created.

The position of Assistant Code Enforcement Officer is hereby continued. The position shall be part-time unless otherwise authorized by ordinance.

B. Duties.

Under the supervision of the Director of Code Enforcement and Code Enforcement Officer, as applicable, the Assistant Code Enforcement Officer shall:

- (1) Assist Code Enforcement Officers in performing inspections, investigations and other code-enforcement functions;
- (2) Assist with complaint intake, recordkeeping and follow-up enforcement;
- (3) Perform enforcement functions that the Assistant is lawfully authorized and qualified to perform; and
- (4) Perform such additional compatible duties as may lawfully be assigned.

C. Qualifications.

The Assistant Code Enforcement Officer shall possess the education, experience, licenses and other qualifications required by applicable law and the Borough's approved job description.

D. Appointment.

The Assistant Code Enforcement Officer shall be appointed by the Mayor with the advice and consent of the Borough Council, subject to applicable law.

E. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

ARTICLE IV. TV35

§ 9-15. TV35 Manager/Cameraperson.

A. Position created.

The position of TV35 Manager/Cameraperson is hereby continued as a part-time position. The TV35 Manager/Cameraperson shall report to the Borough Administrator.

B. Duties.

The TV35 Manager/Cameraperson shall:

- (1)** Video-record meetings of the Mayor and Council and upload or transmit such recordings to the Borough's cable channel and appropriate Borough digital or social media platforms;
- (2)** Maintain the Borough cable channel's calendar of events and public announcements as directed;
- (3)** Maintain responsibility for assigned audiovisual equipment and report necessary repairs, replacements or purchases to the Borough Administrator;
- (4)** Video-record Borough events when directed and reasonably available and upload or transmit such recordings to appropriate Borough media platforms; and
- (5)** Perform such other compatible duties relating to Borough audiovisual communications as may be assigned by the Borough Administrator.

C. Qualifications.

The individual shall possess education, training or experience reasonably related to audiovisual production, broadcasting, digital media or computer technology, as established by applicable law and the Borough's approved job description.

D. Compensation.

Compensation shall be established by the applicable Salary Ordinance.

E. Appointment and employment status.

The position shall be filled and employment shall continue in accordance with applicable law, including applicable Civil Service laws and regulations , Borough personnel policies and collective negotiations agreements.

ARTICLE V. GENERAL PROVISIONS

§ 9-16. Simultaneous service in multiple offices or positions.

- A.** Nothing in this chapter shall prohibit the same individual from simultaneously holding or serving in more than one compatible Borough office, position, title or assignment, provided that:
- (1)** Each appointment or employment action required for each office or position is separately and lawfully made;
 - (2)** The individual possesses all licenses, certifications, qualifications and credentials required for each office or position;
 - (3)** The simultaneous service is not prohibited by statute, regulation, applicable Civil Service requirements, ethics or conflict-of-interest law, collective negotiations obligations, common-law principles governing incompatible public offices, or other applicable law; and
 - (4)** The individual is capable of performing the duties of each office or position.
- B.** Simultaneous service in more than one office or position shall not merge, transfer, diminish or enlarge the powers or duties assigned by law to any particular office.
- C.** An individual serving in multiple capacities shall exercise the powers of each office only in the capacity in which those powers have lawfully been conferred.

SECTION 2. Chapter 13 reserved.

Chapter 13, presently titled "Administrator, Office of," is hereby repealed as a separately codified substantive chapter, the provisions thereof having been consolidated, reorganized and continued as applicable within Chapter 9 pursuant to this Ordinance.

Chapter 13 shall hereafter be designated:

CHAPTER 13

RESERVED

SECTION 3. Continuation of existing offices, employees, appointments and actions.

- A.** Except where this Ordinance expressly creates a new office or position, the relocation, renumbering, reorganization or restatement of an existing office or position shall constitute a continuation of that office or position and not its abolition and recreation.
- B.** No person lawfully holding an existing Borough office or position immediately before the effective date of this Ordinance shall be required to be reappointed or rehired solely

because the provisions governing that office or position have been relocated or renumbered by this Ordinance.

C. Nothing in this Ordinance shall, solely by reason of recodification or reorganization:

- (1)** Create a vacancy in an existing office or position;
- (2)** Shorten or extend a statutory term of office;
- (3)** Impair tenure, Civil Service rights, contractual rights, collective-negotiations rights or other employment protections established by law;
- (4)** Alter existing compensation except where separately authorized by lawful action of the Borough;
- (5)** Invalidate an appointment, designation, delegation, personnel action, contract, resolution, approval, enforcement action or other municipal act lawfully undertaken before the effective date of this Ordinance; or
- (6)** Merge the independent statutory powers of separate municipal offices merely because the same individual may serve in multiple capacities.

D. The offices of Deputy Borough Administrator and Director of Code Enforcement are newly created by this Ordinance. Creation of either office shall not require that the position be immediately or continuously filled.

E. All references in the Borough Code, ordinances, resolutions, forms, policies, contracts or other municipal records to a provision of former Chapter 13 shall, where appropriate, be construed to refer to the corresponding successor provision of Chapter 9.

SECTION 4. Repealer.

All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed solely to the extent of such inconsistency.

No provision of this section shall be construed to repeal a provision merely because it has been relocated, reorganized or restated within Chapter 9 by this Ordinance.

SECTION 5. Severability.

If any section, subsection, paragraph, sentence, clause, phrase or provision of this Ordinance is adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall apply only to the portion so adjudged, and the remainder of this Ordinance shall remain valid and effective.

SECTION 6. Codification.

This Ordinance shall be incorporated into the Code of the Borough of South River.

The Borough's codifier is authorized to:

- A.** Renumber and format the provisions hereof as necessary for proper codification;
- B.** Update internal and external cross-references affected by the consolidation of former Chapter 13 into Chapter 9;
- C.** Preserve and appropriately relocate applicable legislative histories, amendment histories and editor's notes associated with provisions continued by this Ordinance;
- D.** Update the Code's table of contents, index, disposition lists and similar codification materials; and
- E.** Make non-substantive grammatical, punctuation, capitalization, formatting and typographical corrections necessary for consistent codification.

No authority granted by this section shall permit the codifier to make a substantive change to this Ordinance.

SECTION 7. Effective Date.

This Ordinance shall take effect upon final passage and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on September 14, 2026, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 5th day of October, 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 9-14-26

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			

Silvana Jaeckle

Silvana Jaeckle
Deputy Municipal Clerk
Borough of South River