

DISCLAIMER
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AGENDA:

MAYOR AND BOROUGH COUNCIL

MEETING NO. 12

DATE: 5/27/14

7:00 P.M.

BUSINESS (X)

REGULAR ()

SPECIAL ()

ROLL CALL: Mayor Krenzel () Atty: _____
Clm. Guindi () Clm. Jones () Eng: _____
Clm. Haussermann () Clm. Trenga () Adm: _____
Clm. Hutchison () Clm. Roselli () : _____

Public Announcement - Chapter 231, P. L. 1975

PUBLIC COMMENTS (agenda items only)

MINUTES

Minutes of Meeting No. 11 held on May 12, 2014

REPORTS

1. CFO/Treasurer
2. Professional staff
3. Departments

NEW BUSINESS

Refund of electric consumer deposits (Attachment A)
Refund of Municipal Lifeline (Attachment B)
Refund of State Lifeline (Attachment C)
Repeal Ord. 2008-23 - Creating handicapped parking space on Hollander Ave. (Attachment D)
Indemnification Agreement for 2014 Police Lieutenant and Police Sergeant Promotional Process (Attachment E)
Appoint Joseph Casey – Probationary Member – Reliable Fire Company (Attachment F)
Appoint DPW workers - Summer Help: Michael Zyskowski, Christopher Ryan (Attachment G)
Appoint Dog Census workers: Paul Flint, Tyler Burgess, Ryan Farrell, Jonathan Rodriguez (Attachment H)
Appoint Ashley Toropiw - Recreation Part-time (Attachment I)
Code Enforcement summer help (Attachment J)
Authorize Fireworks Display for Independence Day

UNFINISHED BUSINESS

Snow streets (Attachment K)
Jackson St.-Washington St. Parking Lot (Attachment L)
Property Vacation request
Federal grants – sidewalks
Camera surveillance – parking lots
Generators
Lincoln School/Ch. 350 Zoning amendment (Attachment M)
Firehouse site – demolition/site remediation (K of C/Fink/Boxing Club)
Amend Arcari and Iovino Agreement for Architectural Services - Human Services Building

COUNCIL COMMENTS

EXECUTIVE SESSION

ADJOURNMENT

A, B, C

Request for Council Action

Date: 5/21/14

Resolution: ✓

Ordinance: _____

Other Reason for Request (Attach Back-up)

- UTILITY REFUNDS
- STATE LIFELINE REFUNDS
- MUNICIPAL LIFELINE REFUNDS

Funds Appropriated: yes no not applicable

 Richard Under
Department Head

Approval/Disapproved Administrator



RESOLUTION

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>
65-999-000-640 CD	JOSEPH ALFANSO 34 SAFRAN AVE EDISON, NJ 08837	\$37.91
65-999-896-072 CD	LOIS ARNEEL	\$233.76
65-999-896-072 ELEC CURRENT	340 WHITEHEAD AVE APT 209 SOUTH RIVER, NJ 08882	\$36.57
65-999-000-963 CD	DONALD BROWN RIVERVIEW DR G10 SOUTH RIVER, NJ 08882	\$86.49
65-999-990-958 CD	ABDELALI ELJAI 103A TAYLOR AVE EAST BRUNSWICK, NJ 08816	\$484.97
65-999-985-755 CD	MARISSA KEROD P O BOX 174 SOUTH RIVER, NJ 08882	\$86.54
65-999-984-006 CD	CAROL KLINE 340 WHITEHEAD AVE APT 111 SOUTH RIVER, NJ 08882	\$32.47
65-999-896-798 CD	MARION KRZYWDA C/O BONNIE HETTLAR 5816 DAVIS MILL POND RD FEDERALSBURG, MD 21632	\$120.30
65-999-997-789 CD	JOHN MELILLO 1 ARLINGTON AVE APT 322 SPOTSWOOD, NJ 08884	\$212.50
65-999-855-768 CD	A MOLCHAN & E DAMAS 46 DAILEY ST SOUTH RIVER, NJ 08882	\$286.68

65-999-854-525 CD	SAMUEL BARRETO RIOS P O BOX 4745 HIGHLAND PARK, NJ 08904	\$147.79
65-999-885-919 CD	ESTATE OF FRANK RITACCO C/O CHARISSE MIGLIS – POA 593 ARLINGTON AVE SOUTH PLAINFIELD, NJ 07080	\$156.54
65-999-865-283 CD	KAREN RODRIGUEZ 30 FLORENCE ST APT 3 SOUTH RIVER, NJ 08882	\$99.24
65-999-857-616 CD	ARLENE SLADE 23 ORCHARD DR OLD BRIDGE, NJ 08857	\$17.38
66-999-987-085 WTR PREV	TOWER AS CUST FOR EBURY FUND 1 P O BOX 37695 BALTIMORE, MD 37695	\$68.55

/s/ _____
Councilmember

/s/ _____
Councilmember

B

RES: 2014

JUNE 9, 2014

RESOLUTION

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

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

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

UTILITY CUSTOMER

ACCOUNT NUMBER	REASON	AUTH	YEAR	AMOUNT
-----------------------	---------------	-------------	-------------	---------------

MELILLO, JOHN	Elec Credit	Refund	2013	\$225.00
20 Wojie Way Apt 319	Elec Credit	Refund	2012	\$77.57
South River, NJ 08882				
#65-999-997-789				

MUNICIPAL LIFELINE

DATED:

/s/ _____
Councilmember

/s/ _____
Councilmember



D

SOUTH RIVER POLICE DEPARTMENT

Chief Mark Tinitigan
61 Main Street
South River, NJ 08882-0548
Phone: (732) 238-1000
Fax: (732) 613-6103

RECEIVED

MAY 13 2014

BOROUGH ADMINISTRATOR

To: Mr. Frederick Carr
Business Administrator, Borough of South River

May 9, 2014

From: A/Lt. Michael T. Kucharski

Re: Handicap parking spot removal.

It has come to my attention that a previously assigned residential handicap parking spot is no longer needed and the ordinance in place for the spot (Loc. Ord. 2008-23) will need to be repealed. The spot is located on Hollander Ave. near Prospect St. The individual who utilized the spot no longer resides there. Once the ordinance has been repealed I can advise the borough workers to remove the sign and paint over the lines.

Thank you for your attention in this matter.

A/Lt. Michael T. Kucharski
Patrol Division Commander

Cc: Chief Tinitigan

Aguda
27 MAY
Bus -
15' reading
2nd reading
9 JUNE
2014
[Signature]

E

Debbie Jones

From: Arthur R. Thibault <athibault@ammm.com>
Sent: Wednesday, May 21, 2014 10:47 AM
To: Mark Tinitigan
Cc: Frederick Carr; Joe Zanga; Debbie Jones
Subject: RE: SRPD Promotional Process
Attachments: INDEMNIFICATION AGREEMENT - Geipel.docx; INDEMNIFICATION AGREEMENT - Hayducka.docx; Indemnification Resolution.docx

Chief,

Attached is a draft of Indemnification and Defense Agreements with Hayducka and Geipel, and a draft of the Resolution authorizing same. Please review and advise if they are acceptable to you and the Borough. If so, you should share with Hayducka and Geipel before the Council's consideration so that we know that they are willing to accept the terms. I am happy to discuss the language with them if they have questions.

After review, if anyone has questions, or would like some modifications, please call me.

Arthur R. Thibault Jr., Esq.
Apruzzese, McDermott, Mastro & Murphy
Somerset Hills Corporate Center
P. O. Box 112
Liberty Corner, New Jersey 07938
Telephone: (908) 580-1776
Facsimile: (908) 647-1492
athibault@ammm.com
www.ammm.com

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From: Mark Tinitigan [mailto:Mtinitigan@southriverpd.org]
Sent: Tuesday, May 20, 2014 11:29 AM
To: Arthur R. Thibault
Cc: Frederick C. Carr (fcarr@southrivernj.org); Joseph Zanga; Debbie Jones
Subject: SRPD Promotional Process

Art,

As you know, the South River Police Department is currently involved in a promotional process for the ranks of Lieutenant and Sergeant. The written examinations have been completed and the next phase of the process, the Oral Interviews are scheduled to be held on June 19th and June 20th. As noted in the Borough Ordinance (72-27C.(2)(a)), the Oral Interview panel will consist of myself and two (2) active and/or retired members of the law enforcement who possess a minimum of 20 years of L.E. experience and have obtained the rank of Captain or higher.

For this process, I have elicited the assistance of Chief Raymond Hayducka (South Brunswick) and Chief Raymond Geipel (Milltown), both of whom have over 25 years of experience and have sat on numerous oral interview

panels. Both Chiefs have committed to voluntarily assist me with this process but have ask for an Indemnification clause. As we spoke last week, can you kindly draft an agreement for both of these Chiefs that can be also provided to the governing body for the next Council meeting that is scheduled for next Tuesday, May 27th.

If you have any questions, please do not hesitate to contact me directly.

Mark E. Tinitigan

Mark E. Tinitigan
Chief of Police
South River Police Department
61 Main Street
South River, N.J. 08882
W: (732) 254-1150
F: (732) 238-2816
mtinitigan@southriverpd.org
FBI NA 247th Session



"In Valor there is Hope" - Tacitus

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RESOLUTION NO. 2014 -

RESOLUTION AUTHORIZING THE EXECUTION OF INDEMNIFICATION AND DEFENSE AGREEMENTS IN CONNECTION WITH THE 2014 POLICE LIEUTENANT AND POLICE SERGEANT PROMOTIONAL PROCESS

WHEREAS, in accordance with Borough Ordinance 72-24 C(2) the Borough of South River Chief of Police has requested that Chief Raymond Hayducka of the Township of South Brunswick and Chief Raymond Geipel of the Borough of Milltown serve, during their off-duty time, on the panel for oral interviews of candidates for promotion to the ranks of Police Lieutenant and Police Sergeant in the South River Police Department in connection with the 2014 Sergeant and Lieutenant Promotional Process; and

WHEREAS, Chief Hayducka and Chief Geipel both have over twenty-five (25) years of experience in law enforcement in New Jersey and each has attained the rank of Police Chief in their respective municipal police departments, thereby meeting the requirements of Borough Ordinance 72-24 C(2)(a); and

WHEREAS, to enable Chief Hayducka and Chief Geipel to serve on said panel, without compensation, they have requested that the Borough execute an Indemnification and Defense Agreement in order to agree to the Chief of Police's request; and

WHEREAS, the terms of indemnification and defense agreements are further detailed in the Indemnification and Defense Agreement between the Borough and Chief Hayducka and the Borough and Chief Geipel, which are attached hereto and made a part hereof; and

WHEREAS, the Council finds it is in the best interests of the Borough, its residents and its constituents to enter into the Indemnification and Defense Agreements.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey that the Mayor is hereby authorized to execute the Indemnification and Defense Agreements so that Chief Hayducka and Chief Geipel will serve on the panel for oral interviews of candidates for promotion to the ranks of Police Lieutenant and Police Sergeant in the South River Police Department in connection with the 2014 Sergeant and Lieutenant Promotional Process.

PRESENTED BY:

SECONDED BY:

ATTEST: _____
Patricia O'Connor, Clerk

ATTEST: _____
Thomas Roselli, Council President

INDEMNIFICATION AGREEMENT

THIS INDEMNIFICATION AGREEMENT (the "Agreement") is entered into as of the ____ day of _____, 2014, by and between the BOROUGH OF SOUTH RIVER, a body politic and a municipal corporation of the State of New Jersey (the "Borough"), and CHIEF RAYMOND GEIPEL ("Chief Geipel") (the Borough and Chief Geipel are sometimes collectively referred to herein as the "Parties").

WITNESSETH:

WHEREAS, the Borough of South River is currently holding promotional examinations for the positions of Police Sergeant and Police Lieutenant (the "2014 Sergeant and Lieutenant Promotional Process"); and

WHEREAS, written examinations for the positions of Lieutenant and Sergeant have been completed; and

WHEREAS, in accordance with Borough Ordinance 72-24 the next phase of the promotional process is oral interviews conducted by the South River Chief of Police and two (2) active or retired members of the New Jersey law enforcement community who possess at least twenty (20) years of law enforcement experience and have obtained the rank of Captain or higher; and

WHEREAS, Chief Geipel has over twenty-five (25) years of experience in law enforcement in New Jersey and has attained the rank of Police Chief in his municipal police department; and

WHEREAS, in consideration of the Borough's agreement to enter into this Indemnification and Defense Agreement, Chief Geipel has graciously volunteered to participate in the oral interview portion of the Borough's 2014 Sergeant and Lieutenant Promotional Process during his off-duty time from his position of employment, and serve on the oral interview panel without compensation from the Borough.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants and agreements herein contained and for other good and valuable consideration, the receipt of which is hereby acknowledged by the Parties, the Parties hereto agree as follows:

1. **INCORPORATION OF RECITALS.** The foregoing recitals are incorporated into the Agreement by reference as if set forth at length herein.

2. **ORAL INTERVIEWS.** Chief Geipel shall serve on the oral interview panel with South River Police Chief Mark Tinitigan, which panel shall discharge its duties in accordance with Borough Ordinance 72-24 C(2). Chief Tinitigan shall provide Chief Geipel with a copy of said ordinance and all materials on the

candidates as set forth in the ordinance, including a copy of the candidate's personnel file.

3. **INDEMNIFICATION.** Since Chief Geipel is not an employee of the Borough, but is serving as an agent of the Borough for the oral interview portion of the 2014 Sergeant and Lieutenant Promotional Process, the Borough agrees to indemnify and hold harmless Chief Geipel, and his respective successors, heirs and assigns from and against any and all claims, demands, losses, expenses, costs, obligations and damages, including punitive damages, which Chief Geipel may incur, suffer or sustain, which arises from a challenge, grievance, complaint or lawsuit that may be filed by a Borough police employee regarding the 2014 Sergeant and Lieutenant Promotional Process in which Chief Geipel is named as a defendant in any state or federal court, or any administrative agency, so long as Chief Geipel does not engage in actual fraud, actual malice, willful misconduct or an intentional wrong.

4. **DEFENSE.** The Borough agrees to provide to Chief Geipel with the cost of defense to the claims in any the litigation which may be filed in which he is a named defendant regarding the 2014 Sergeant and Lieutenant Promotional Process so long as Chief Geipel does not engage in actual fraud, actual malice, willful misconduct or an intentional wrong doing as defined in the New Jersey Tort Claims Act, N.J.S.A. 59:10-1 et seq. Chief Geipel agrees to being represented by the attorney assigned by the Borough and/or the Borough's insurance company; however, if Chief Geipel wishes to retain his own attorney in connection with any lawsuit that may be filed regarding the 2014 Sergeant and Lieutenant Promotional Process in which he is a named defendant the same may be done at his sole cost and expense without reimbursement or like contribution for attorney's fees and costs from the Borough or its insurance company. The foregoing cost of defense borne by the Borough or its insurance carrier is subject to Chief Geipel being bound by any determination by the Borough to settle or otherwise obtain a resolution or dismissal of the claims so long as he has no financial obligation for or any required contribution toward any settlement.

5. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey without reference to any conflicts of law principles.

6. **AMENDMENT.** This Agreement may be amended, supplemented or interpreted at any time, but only by a written instrument approved by the Borough Council and executed by all of the Parties hereto.

7. **SUCCESSORS AND ASSIGNS.** This Agreement is binding upon and shall inure to the benefit of the Parties hereto and their respective elected officials, employees, agents, successors and assigns, administrators, executors and heirs.

8. **COUNTERPARTS.** This Agreement may be executed in two or more counterparts, each which shall be deemed an original hereof, but all of which shall constitute one and the same instrument.

9. **SAVINGS CLAUSE**. If one or more of the terms and provisions hereof shall be adjudged to be unlawful, unenforceable, or have limited effect or no effect, this shall in no way affect the other terms and provisions hereof.

The Parties hereto have read all of the foregoing, understand the same and agree to all of the provisions contained herein.

IN WITNESS WHEREOF, the Parties have knowingly and voluntarily executed this Agreement as of the day and year first above written.

ATTEST:

BOROUGH OF SOUTH RIVER

By: _____
John Krenzel, Mayor

WITNESS:

_____ Raymond Geipel

INDEMNIFICATION AGREEMENT

THIS INDEMNIFICATION AGREEMENT (the "Agreement") is entered into as of the ____ day of _____, 2014, by and between the BOROUGH OF SOUTH RIVER, a body politic and a municipal corporation of the State of New Jersey (the "Borough"), and CHIEF RAYMOND HAYDUCKA ("Chief Hayducka") (the Borough and Chief Hayducka are sometimes collectively referred to herein as the "Parties").

WITNESSETH:

WHEREAS, the Borough of South River is currently holding promotional examinations for the positions of Police Sergeant and Police Lieutenant (the "2014 Sergeant and Lieutenant Promotional Process"); and

WHEREAS, written examinations for the positions of Lieutenant and Sergeant have been completed; and

WHEREAS, in accordance with Borough Ordinance 72-24 the next phase of the promotional process is oral interviews conducted by the South River Chief of Police and two (2) active or retired members of the New Jersey law enforcement community who possess at least twenty (20) years of law enforcement experience and have obtained the rank of Captain or higher; and

WHEREAS, Chief Hayducka has over twenty-five (25) years of experience in law enforcement in New Jersey and has attained the rank of Police Chief in his municipal police department; and

WHEREAS, in consideration of the Borough's agreement to enter into this Indemnification and Defense Agreement, Chief Hayducka has graciously volunteered to participate in the oral interview portion of the Borough's 2014 Sergeant and Lieutenant Promotional Process during his off-duty time from his position of employment, and serve on the oral interview panel without compensation from the Borough.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants and agreements herein contained and for other good and valuable consideration, the receipt of which is hereby acknowledged by the Parties, the Parties hereto agree as follows:

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shall provide Chief Hayducka with a copy of said ordinance and all materials on the candidates as set forth in the ordinance, including a copy of the candidate's personnel file.

3. **INDEMNIFICATION.** Since Chief Hayducka is not an employee of the Borough, but is serving as an agent of the Borough for the oral interview portion of the 2014 Sergeant and Lieutenant Promotional Process, the Borough agrees to indemnify and hold harmless Chief Hayducka, and his respective successors, heirs and assigns from and against any and all claims, demands, losses, expenses, costs, obligations and damages, including punitive damages, which Chief Hayducka may incur, suffer or sustain, which arises from a challenge, grievance, complaint or lawsuit that may be filed by a Borough police employee regarding the 2014 Sergeant and Lieutenant Promotional Process in which Chief Hayducka is named as a defendant in any state or federal court, or any administrative agency, so long as Chief Hayducka does not engage in actual fraud, actual malice, willful misconduct or an intentional wrong.

4. **DEFENSE.** The Borough agrees to provide to Chief Hayducka with the cost of defense to the claims in any the litigation which may be filed in which he is a named defendant regarding the 2014 Sergeant and Lieutenant Promotional Process so long as Chief Hayducka does not engage in actual fraud, actual malice, willful misconduct or an intentional wrong doing as defined in the New Jersey Tort Claims Act, N.J.S.A. 59:10-1 et seq. Chief Hayducka agrees to being represented by the attorney assigned by the Borough and/or the Borough's insurance company; however, if Chief Hayducka wishes to retain his own attorney in connection with any lawsuit that may be filed regarding the 2014 Sergeant and Lieutenant Promotional Process in which he is a named defendant the same may be done at his sole cost and expense without reimbursement or like contribution for attorney's fees and costs from the Borough or its insurance company. The foregoing cost of defense borne by the Borough or its insurance carrier is subject to Chief Hayducka being bound by any determination by the Borough to settle or otherwise obtain a resolution or dismissal of the claims so long as he has no financial obligation for or any required contribution toward any settlement.

5. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey without reference to any conflicts of law principles.

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7. **SUCCESSORS AND ASSIGNS.** This Agreement is binding upon and shall inure to the benefit of the Parties hereto and their respective elected officials, employees, agents, successors and assigns, administrators, executors and heirs.

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constitute one and the same instrument.

9. **SAVINGS CLAUSE.** If one or more of the terms and provisions hereof shall be adjudged to be unlawful, unenforceable, or have limited effect or no effect, this shall in no way affect the other terms and provisions hereof.

The Parties hereto have read all of the foregoing, understand the same and agree to all of the provisions contained herein.

IN WITNESS WHEREOF, the Parties have knowingly and voluntarily executed this Agreement as of the day and year first above written.

ATTEST:

BOROUGH OF SOUTH RIVER

By: _____
John Krenzel, Mayor

WITNESS:

Raymond Hayducka

F

SOUTH RIVER FIRE DEPARTMENT

Reliable Fire Company

www.southriverfiredepartment.org



Est. 1896

P.O. BOX 214

SOUTH RIVER, NEW JERSEY 08882

RELIABLE FIRE CO.

George St. - Fire Headquarters

Station Number 732-257-9217

Station Fax 732-613-6107

RECEIVED

MAY 21 2014

BOROUGH CLERK

April 18, 2014

Borough of South River

48 Washington Street

South River, N.J. 08882

ATTENTION Mr. F. Carr, Business Administrator

Dear Mr. Carr

Please be advised that Mr. Joseph Casey has been accepted as a probationary member of the Reliable Fire Company. Mr. Casey appointment was approved at the company meeting of April 4, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Swenticky". The signature is fluid and cursive.

Thomas Swenticky, Sec.

CC: Fire Chief, file

G

Request for Council Action

RECEIVED

MAY 27 2014

BOROUGH ADMINISTRATOR

Date: May 27, 2014

Resolution: Hire Two Summer Helpers

Ordinance: _____

Other Reason for Request (Attach Back-up)

See Attached

Funds Appropriated: yes no not applicable

Adriano Spina
Department Head

[Signature]
Approval/Disapproved Administrator

BOROUGH OF SOUTH RIVER

Department of Public Works
9 Ivan Way
South River, NJ 08882
Phone: (732) 257-9051 Fax: (732) 613-6113



<http://www.southrivernj.org>
Email: dpw@southrivernj.org

MEMORANDUM 14-0026

TO: Frederick Carr, Borough Administrator

FROM: Adriano Soares AS
Director of Public Works

DATE: May 12, 2014

RE: Summer Helpers-Laborer "A".

I would like to hire two Summer Helpers-Laborer "A" to help out in the Water Department, Road Department and Parks Department. I am recommending that we bring back the following two employees that worked last summer:

Michael Anthony Zyskowski, 59 Roosevelt Street, South River, NJ 08882

Christopher Joseph Ryan, 48 James Street, South River, NJ 08882

If approved, I would recommend \$10.00 per hour with a start date of 6/09/14 and end date of 8/8/14. Please place on the agenda for the May 27, 2014 meeting.

Thanking you in advance for your time and consideration.

AS:dms

H

Frederick Carr

From: Debbie Jones
Sent: Wednesday, May 07, 2014 3:57 PM
To: Frederick Carr
Subject: Dog Census - 2014

Fred,

Please accept this e-mail as a request to the Mayor and Council to consider the possibility of hiring four (4) high students to do the dog/cat census for the Borough this year. Last year, we did not do the census and I find that by not doing it, many residents do not license their animals which does not seem fair to the residents who comply, revenue is down to the Borough and animals are not always current with their rabies vaccines.

I have checked with Joe Zanga and he states that there is payment for the workers out of the dog trust fund. Workers will be getting \$10.00 per hour

I have been accepting applications and once approved by Mayor and Council, I will set up interviews and have my recommendations to you by the first meeting in June for hire, June 30 to August 29.

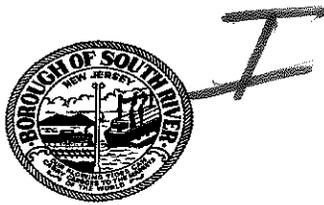
Thank you for your consideration.

Debbie

Debra A. Jones
Executive Assistant-Confidential
Registrar of Vital Statistics
Board of Health Secretary
Municipal Alliance Coordinator
Borough of South River
48 Washington Street
South River, NJ 08882
732-257-1999 ext. 118
732-613-3081 – fax

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**South River Parks & Recreation
55 Reid Street
South River NJ 08882
Phone: 732-254-4412
Fax: 732-238-2269**

May 19, 2014

Re: Request for summer help

To: Fred Carr

At this time I would like to request summer help for the recreation department starting 5/19/14. The recreation department previously had a staff of (4) four and currently has a staff of (2) two. I am requesting full time summer help in the office and part time help in the office for all other months of the year. If you have any questions please feel free to contact me at (732) 254-4412. Thank you.

Lakisha Thomas

South River Parks & Recreation Coordinator

J

Fred Carr
Borough Administrator

Discussed In Staff Meeting of 5-7-14 if we need summer help we needed to write letter stating as to why Code Enforcement is in need of the assistance.

March start our busy season, with increases to Certification of Occupancy for Rentals and Sales of homes from 44 In January And February to 68 inspections and re-inspections in March & April.

Property Maintenance need to be done on a daily basic, along with letters to be written and summons has to be issued, which involves going to court. There are messages to be returned, emails and letters that need to be addressed. In addition I assist Construction Department as this also is there busy season when requested

Sincerely,

Ronnie A. Zammit
Code Enforcement Officer

K

Patricia Oconnor

From: Eric Lange <elange@jpnlaw.us>
Sent: Monday, May 19, 2014 1:30 PM
To: Frederick Carr; John Krenzel; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Subject: RE: Snow Streets

Listed below are the streets that have been proposed by Lt. Kucharski as streets to be added to the snow street list.

Eric Lange
James P. Nolan & Associates
61 Green Street
Woodbridge, NJ 07095
phone (732) 636-3344
fax (732) 636-1175

From: Michael Kucharski [mailto:Mkucharski@southriverpd.org]
Sent: Monday, May 19, 2014 1:13 PM
To: Eric Lange
Cc: Mark Tinitigan; asoares@southrivernj.org
Subject: Snow street updated list

Eric,

We would like to add the following streets to the snow street list:

- 1.) James St. (Between Hillside Ave. - Kamm Ave.);
- 2.) Fairview Ave. (Between David St. and James St.);
- 3.) Arlington Ave. (Between David St. and James St.);
- 4.) Lexington Ave. (Between David St. and James St.);
- 5.) Claremont Ave. (Between David St. and James St.).

a/Lt. Michael T. Kucharski
South River Police Dept.
61 Main St., South River, NJ 08882
(732)254-1150 x 105
mkucharski@southriverpd.org

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-----Original Message-----

From: Frederick Carr [mailto:fcarr@southrivernj.org]
Sent: Monday, May 19, 2014 10:10 AM
To: Eric Lange; John Krenzel; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Subject: Re: Snow Streets

Thanks. Fred Carr via Blackberry

----- Original Message -----

From: Eric Lange <elange@jpnlaw.us>
To: John Krenzel; Frederick Carr; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Sent: Mon May 19 09:53:05 2014
Subject: RE: Snow Streets

Mike:

Please provide me with a list of streets that you would like to see added to the snow street list. We can discuss the possibility of adding some or all of those streets at the next council meeting. Thanks.

Fred:

The following streets are already on the snow street list (as per Borough Ordinance 193-45):

Albourne Street
Brenning Place
[Repealed 8-17-1994 by Ord. No. 1994-25]

Burton Avenue
Charles Street
Chestnut Street between Nelson Street and Henry Street [Added 4-8-1998 by Ord. No. 1998-10]

Claremont Avenue (between Montgomery Street to David Street) [Added 12-28-1998 by Ord. No. 1998-32]

Colfax Street
[Repealed 8-17-1994 by Ord. No. 1994-25]

David Street
DeVoe Street
Division Street
Ferris Street (Old Bridge Turnpike to Cleveland Avenue) Ferry Street George Street Gordon Street Henry Street between William Street and Chestnut Street [Added 4-8-1998 by Ord. No. 1998-10]

Heritage Drive (Heritage Hills Development): entire length between Leonardine Avenue and Whitehead Avenue [Added 4-8-1998 by Ord. No. 1998-10]

Hillside Avenue
Jackson Street

Johnson Place (Old Bridge Turnpike to Willet Avenue) [Added 8-17-1994 by Ord. No. 1994-25]

Kamm Avenue

Leonardine Avenue

Lexington Avenue (between Montgomery Street to David Street) [Added 12-28-1998 by Ord. No. 1998-32]

Lisa Drive

[Added 3-1-1995 by Ord. No. 1995-6]

Main Street

Monush Street

[Repealed 8-17-1994 by Ord. No. 1994-25]

Morningside Avenue (between Willett Avenue and David Street) [Added 12-28-1998 by Ord. No. 1998-32]

Nelson Street

[Added 4-8-1998 by Ord. No. 1998-10]

New Street

Obert Street (Main Street to Jackson Street) [Added 8-17-1994 by Ord. No. 1994-25]

Prentice Avenue

Prospect Street

Reid Street

Samuel Drive (Kuberski Farms Development): entire length between Whitehead Avenue and Lark Drive [Added 4-8-1998 by Ord. No. 1998-10]

Southside Avenue

[Repealed 8-17-1994 by Ord. No. 1994-25]

Summit Road

[Added 3-1-1995 by Ord. No. 1995-6]

Thomas Street

Washington Street

Water Street

[Repealed 8-17-1994 by Ord. No. 1994-25]

Whitehead Avenue

Wilcox Avenue

[Repealed 8-17-1994 by Ord. No. 1994-25]

Willet Avenue

William Street

Yates Avenue

[Repealed 8-17-1994 by Ord. No. 1994-25]

If there are any other questions, please let me know. Thanks.

Eric Lange

James P. Nolan & Associates

61 Green Street

Woodbridge, NJ 07095
phone (732) 636-3344
fax (732) 636-1175

-----Original Message-----

From: John Krenzel [mailto:jkrenzel@southrivernj.org]
Sent: Sunday, May 18, 2014 8:41 AM
To: Frederick Carr; Eric Lange; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Subject: Re: Snow Streets

Agreed

----- Original Message -----

From: Frederick Carr
To: Eric Lange <elange@jpnlaw.us>; John Krenzel; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Sent: Sun May 18 08:39:21 2014
Subject: RE: Snow Streets

We can add this to the agenda for further discussion but will need a listing of what streets are currently on the list, and then the list of recommendations.

In noted there were none recommended below.

Thanks

Frederick C. Carr

Borough Administrator

Borough of South River

48 Washington Street

South River, NJ 08882

(732) 257 - 1999 ext. 120

(848) 992 - 6357 (Cell)

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From: Eric Lange [mailto:elange@jpnlaw.us]
Sent: Friday, May 16, 2014 3:42 PM
To: Frederick Carr; John Krenzel; Tom Roselli; Patricia Oconnor
Cc: Mark Tinitigan; Adriano Soares; Michael Kucharski
Subject: RE: Snow Streets

Fred:

Below is a proposal by the police department to add a number of streets to our list of snow streets. I am not sure which streets are problematic, but I suspect that the council may have some questions or comments about this issue. We may want to add this to the agenda of the next meeting for discussion. Thanks.

Eric Lange

James P. Nolan & Associates

61 Green Street

Woodbridge, NJ 07095

phone (732) 636-3344

fax (732) 636-1175

From: Michael Kucharski [mailto:Mkucharski@southriverpd.org]
Sent: Friday, May 16, 2014 2:28 PM
To: Eric Lange
Cc: Mark Tinitigan; asoares@southrivernj.org
Subject: Snow Streets

Eric,

This agency and the Department of Public Works are trying to resolve an issue with vehicles being legally parked on streets during and after a snow storm. The problem is that the snow plows are unable to properly plow the streets due to vehicles being present. Would it be feasible to implement an ordinance which would authorize the PD to tow any vehicle on the roadway within 24 hrs. after a snow storm? In addition, we intent to add to our current list of snow streets which I will provide to you a future communication so they can be added to our ordinance. Our ultimate goal is to have the streets clear for the DPW. The PD has no desire to exhaust all its resources towing vehicles but we are looking into all options.

Thanks,

a/Lt. Michael T. Kucharski

South River Police Dept.

61 Main St., South River, NJ 08882

(732)254-1150 x 105

mkucharski@southriverpd.org

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L

Patricia Oconnor

From: Frederick Carr
Sent: Sunday, May 18, 2014 8:36 AM
To: Eric Lange; Patricia Oconnor
Cc: Tom Roselli; James Nolan
Subject: RE: Jackson Street Parking Area

We can put it on the old business agenda then on consent.

Thanks

Frederick C. Carr
Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882
(732) 257 - 1999 ext. 120
(848) 992 - 6357 (Cell)

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From: Eric Lange [mailto:elange@jpnlaw.us]
Sent: Thursday, May 15, 2014 1:01 PM
To: Frederick Carr
Cc: Tom Roselli; James Nolan
Subject: Jackson Street Parking Area

Fred:

At the last council meeting, there was a discussion about utilizing the Jackson Street Parking Area as a replacement parking area once the Borough is no longer able to lease spaces on the Knights of Columbus property. I have spoken with Council President Roselli regarding this issue and will prepare a resolution that authorizes the parking as soon as the Borough decides that they will demolish the building and eliminate the existing parking area on the property. Once that is done, the Borough can sell permits for those spaces. Let me know if there are any questions. Thanks.

Eric Lange
James P. Nolan & Associates
61 Green Street
Woodbridge, NJ 07095
phone (732) 636-3344
fax (732) 636-1175

M

Patricia Oconnor

From: Frederick Carr
Sent: Monday, May 12, 2014 12:08 PM
To: elange@jpnlaw.us; James Nolan; Fredrick Rubenstein; Debbie Jones; James Jones; Jim Hutchison; John Krenzel; Michael Trenga; Patricia Oconnor; Peter Guindi; Shawn Haussermann; Tom Roselli
Subject: FW: revised ordinance
Attachments: South River Educational Institution Overlay District Cover Letter.pdf; South River Educational Institution Overlay District Text.pdf

FYI

Thanks

Frederick C. Carr
Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882
(732) 257 - 1999 ext. 120
(848) 992 - 6357 (Cell)

WARNING: Email received by or sent to Borough officials is subject to the Open Public Records Act [OPRA]. This means that absent some specific privilege, all such communications are considered a public record and are subject to publication and/or dissemination to the public upon request.

From: Todd Bletcher [mailto:mail@bignellplanning.com]
Sent: Monday, May 12, 2014 11:14 AM
To: Frederick Carr
Cc: Patricia Oconnor
Subject: revised ordinance

Fred,

Attached is the revised ordinance and cover letter clarifying that the proposed zone can overlay both the EI Zone or the R-75 Zone.

In the case of Lincoln School it is just the R-75 Zone.

Todd

Bignell Planning Consultants, Inc.

424 AMBOY AVENUE – SUITE 202
WOODBRIDGE, NJ 07095
PHONE: (732) 636 - 0200
FAX: (732) 218-5975
MAIL@BIGNELLPLANNING.COM

May 12, 2014

Frederick C. Carr, Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882

Re: R-75 Single Family Residential District &
E-1 Educational Institution District
Proposed Housing Overlay Zone

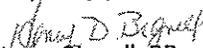
Dear Sir

This office has been directed to prepare a draft zoning ordinance to be considered to overlay certain properties in the existing R-75 Single Family Residential District and/or the Educational Institution District in the Borough of South River. This office offers the following comments and attached draft ordinance for your consideration.

The Borough of South River is considering a zone change for the former Lincoln School property (Block 30, Lots 10 & 18 on the Borough of South River Tax Map) to anticipate future development on this site. This office believes that an overlay zone should be considered to establish useful zoning controls on this site. Overlay zones do not replace existing zones. Overlay zones "overlay" or provide an additional set of development options for the zone. Developers can develop under the existing underlying zoning or opt to use the alternate requirements of an overlay zone. With this approach, the Borough, not the developer, can establish an alternative set of use and bulk standards at this site.

The Borough leadership should note that any zoning change should be introduced by the Borough Council on first reading and then referred to the Borough Planning Board for a public hearing on Master Plan consistency. The Planning Board has 45 days to make a recommendation on the ordinance to the Council. The Council takes the Planning Board's recommendation under consideration and acts to adopt, adopt with amendments, or not adopt the proposed ordinance. This ordinance must be adopted by a supermajority vote and be accompanied by a Council resolution addressing its consistency with the Borough's Master Plan. All public hearings require 10-day notice to the official newspaper of the Borough, to all surrounding municipalities and to the Middlesex County Planning Board.

Very truly yours,


Henry Bignell, PP
Borough Planner

HB/TB

cc: Fredrick C. Carr, CM, Borough Administrator
John Krenzel, Mayor
Michael Beck, Planning Board Chairman
James P. Nolan, Jr., Esq., Borough Attorney
T. Barlow, Planning Board Attorney
File #13-1141

DRAFT - Educational Institution Housing Overlay District - DRAFT

Land Use and Development Ordinance: §350-23.1. Educational Institution Overlay District

A. Intent.

The Educational Institution Housing Overlay District (EIHO) is intended as a means of revitalizing former educational facilities sites in the Borough. It provides the standards to transform vacant, underutilized and obsolete former educational properties into a viable land use, thus improving and stabilizing the fiscal health of the Borough. Ancillary intents shall also be to:

1. Promote the effective rehabilitation of selected properties in the existing Educational Institution (E-I) District and/or the R-75 Single Family Residential District;
2. Provide for regulation of bulk height, parking and setback elements of future site development;
3. Incorporate appropriate traffic flow volumes and patterns and access points to the site to minimize impacts to nearby existing residential neighborhoods;
4. Ensure that capacity of all utility and infrastructure systems serving the site is adequate to support any proposed development;
5. Encourage re-development through an enhanced but appropriate density as stipulated in this sub-chapter;

B. Overlay.

The Educational Institution Housing Overlay District (EIHO) shall overlay the existing requirements of the (E-I) District and/or R-75 Single Family Residential District and shall exist as an alternative set of requirements only for the properties located within the boundaries of the overlay district. When proposing development, a developer may utilize either the existing regulations of the underlying district or may opt to utilize the requirements of the Educational Institution Housing Overlay District (EIHO) set forth with in this sub-chapter. The adoption of this ordinance shall signify an amendment to the Zoning Map of the Borough of South River amending the following properties currently in the R-75 Single Family Residential District to also be included in the Educational Institution Housing Overlay District (EIHO):

Block 30 Lot 18
Block 30 Lot 10

C. Principal permitted uses.

Multi-family dwellings shall be a permitted use in the EIHO overlay district.

D. Permitted accessory uses.

Any accessory use on the same lot and which is customary and incidental to the principal use on the lot shall be a permitted accessory use.

E. Prohibited uses.

The following uses shall be prohibited;

1. All uses prohibited or not specifically permitted in the R-75 Single Family Residential District and/or E-I Educational Institution District.
2. All uses not specifically permitted by zone or by State or Federal law are prohibited, inclusive of, but by no means limited to, refineries, cement manufacturing, slaughterhouses, explosives manufacturing, adult bookstores/movies and the like.

DRAFT - Educational Institution Housing Overlay District - DRAFT

DRAFT - Educational Institution Housing Overlay District - DRAFT

F. Bulk requirements.

1. Minimum lot area shall be 1 acre (43,560 square feet).
 2. Minimum lot width shall be 150'.
 3. Minimum lot depth shall be 150'.
 4. Principal Building:
 - i. Minimum front yard shall be 50 feet on all sides of a lot fronting on a county road, collector road, or arterial street as shown on the Borough Master Plan, and shall be 30' on all other streets.
 - ii. Minimum one side yard shall be 30 feet.
 - iii. Minimum both side yards is 60 feet.
 - iv. Minimum rear yard shall be 65 feet.
- Accessory building:
- i. Minimum side yard shall be 5 feet.
 - ii. Minimum rear yard shall be 5 feet.
5. Maximum percent of lot coverage by all buildings shall be 40%.
 6. Maximum percent of impervious coverage by all buildings and pavement shall be 70%.
 7. Maximum building height shall be 2.5 stories and shall not be greater 35'. However, when an on-grade parking lot is proposed to be located on the ground level or first floor level of a building, and where two (2) or more levels of habitable space is proposed above said parking level, the permitted building height may be increased to 3.5 stories and no greater than 40'.
 8. The maximum density shall be 18 d.u. per acre.

G. Parking, loading & lighting requirements.

1. All parking requirements provided for in the Residential Site Improvement Standards (RSIS) and in §350-27: Off Street Parking requirements of the Borough of Borough of South River shall apply.
2. Off-street parking spaces, together with appropriate access thereto, shall be provided on the same lot as the building it is intended to serve in accordance with the standards of §350-27: Off Street Parking requirements of the Borough of Borough of South River.
3. Off-street parking spaces may be located in side and rear yards only.
4. No parking space be nearer than fifteen (15) feet to any street line nor nearer than five (5) feet to any lot line or principal building, and further provided that complete building perimeter parking is prohibited.
5. When a property shall have frontage on more than one street, parking access shall be arranged so as to be provided on the street(s) of lower traffic volume.
6. All proposed development shall be accompanied by a parking/traffic impact report.

H. Signs.

1. No freestanding or façade signs shall be permitted in the Educational Institution Housing Overlay (EIHO) District.
2. However, when proposed in a bulk variance situation, signs shall be as regulated in §350-26: Signs of this Ordinance.

I. Landscaping and buffering.

1. All landscaping, buffering, street tree, shade tree, screening, and tree replacement requirements of this Chapter shall apply.

DRAFT - Educational Institution Housing Overlay District - DRAFT

2. When abutting an E-I District property, E-I District boundary or when abutting a single-family or two-family residential zone or use, a 5' deep, 8' high landscape buffer of screening trees, plantings and fencing shall be provided on the perimeter of the site in the Educational Institution Housing Overlay (EIHO) District development area.
- J. Pedestrian accommodations and access.
1. Pedestrian connections shall be provided along the fronts of buildings, between buildings and to the public sidewalk and crosswalk areas.
 2. Where pedestrian routes that connect buildings and/or open plazas with vehicular drives or routes, the pedestrian crossings shall be adequately striped for safety.
- K. Storm water management.
Development shall conform to the Borough of South River's storm water regulations.
- L. Solid waste and recycling.
Each building shall be designed to provide for adequate storage of solid waste disposal, including provisions for recycled materials. All areas for solid waste and recycling collection shall be located within buildings or parking facilities in side or rear yards. All exterior trash and recycling locations shall be enclosed and located in a manner which is obscured from view of parking lots, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination the three. If located outside the building, the container shall be situated on the same horizontal plane as the driveway providing access to the container.
- M. Curbs, sidewalks, utilities, and all other public improvements.
The developer is expected to install necessary public improvements on the property they control as well as abutting rights of way. The developer is expected to construct any off-tract improvements necessitated by their development. All utility improvements necessary to support the redevelopment shall be the responsibility of the redeveloper. The redeveloper shall be responsible for providing the necessary reports to indicate that there is sufficient municipal water and sewer capacity available for the maximum build-out of the project. Utilitarian improvements such as utility transformers or meter banks shall be located in screened areas in side or rear yards only. Placement of these or similar utilities in front yards or on front facades is prohibited.
- N. Environmental requirements.
A preliminary environmental assessment shall be required when demolition, rehabilitation and/or remediation is proposed of any former educational or institutional building older than 25 years old at the time of Zoning application. Any on-site remediation shall be conducted to the approval of the New Jersey Department of Environmental Protection for the use proposed for this site. The work and cost of all such remediation shall be the sole cost of the developer.
- O. Fiscal impact requirements.
All applications for development in the EIHO District shall be accompanied by a fiscal impact report analyzing the economic impact of the proposed development to the Borough.
- P. Architectural appearance.

DRAFT - Educational Institution Housing Overlay District - DRAFT

Any application for development shall be accompanied by architectural exhibits showing an extremely attractive building of significantly high architectural quality. No specific building style is required, however, brick, natural stone, precast concrete and other materials shall be provided to reflect permanence and resilience. Dormers, parapets, mansard roofs, varied rooflines, dental moldings, quoins, should be proposed. Building should have a clear base, middle and top. Residential windows should contain grids and mullions along with shutters, French balconies, or other decorative brickwork window trims. Appropriate screening should be provide for ground level parking structures. Clock towers, cupolas, turrets, or other elements should be considered and should respect the alignment of surrounding streets, intersections and street views. Vinyl siding, stucco, and External Insulation Finishing Systems should not be proposed in visible areas.

Revised through: May 12, 2014

DRAFT - Educational Institution Housing Overlay District - DRAFT

First Reading
Final Reading

ORDINANCE 2014-

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 350 – ZONING

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

Borough Code Ch. 350 – ZONING be and is hereby amended as follows:

Land Use and Development Ordinance: §350-23.1. Educational Institution Overlay District

A. Intent.

The Educational Institution Housing Overlay District (EIHO) is intended as a means of revitalizing former educational facilities sites in the Borough. It provides the standards to transform vacant, underutilized and obsolete former educational properties into a viable land use, thus improving and stabilizing the fiscal health of the Borough. Ancillary intents shall also be to:

1. Promote the effective rehabilitation of selected properties in the existing Educational Institution (E-I) District and/or the R-75 Single Family Residential District;
2. Provide for regulation of bulk height, parking and setback elements of future site development;
3. Incorporate appropriate traffic flow volumes and patterns and access points to the site to minimize impacts to nearby existing residential neighborhoods;
4. Ensure that capacity of all utility and infrastructure systems serving the site is adequate to support any proposed development;
5. Encourage re-development through an enhanced but appropriate density as stipulated in this sub-chapter;

B. Overlay.

The Educational Institution Housing Overlay District (EIHO) shall overlay the existing requirements of the (E-I) District and/or R-75 Single Family Residential District and shall exist as an alternative set of requirements only for the properties located within the boundaries of the overlay district. When proposing development, a developer may utilize either the existing regulations of the underlying district or may opt to utilize the requirements of the Educational Institution Housing Overlay District (EIHO) set forthwith in this sub-chapter. The adoption of this ordinance shall signify an amendment to the Zoning Map of the Borough of South River amending the following properties currently in the R-75 Single Family Residential District to also be included in the Educational Institution Housing Overlay District (EIHO):

Block 30 Lot 18
Block 30 Lot 10

C. Principal permitted uses.

Multi-family dwellings shall be a permitted use in the EIHO overlay district.

D. Permitted accessory uses.

Any accessory use on the same lot and which is customary and incidental to the principal use on the

lot shall be a permitted accessory use.

E. Prohibited uses.

The following uses shall be prohibited;

1. All uses prohibited or not specifically permitted in the R-75 Single Family Residential District and/or E-I Educational Institution District.
2. All uses not specifically permitted by zone or by State or Federal law are prohibited, inclusive of, but by no means limited to, refineries, cement manufacturing, slaughterhouses, explosives manufacturing, adult bookstores/movies and the like.

F. Bulk requirements.

1. Minimum lot area shall be 1 acre (43,560 square feet).
2. Minimum lot width shall be 150'.
3. Minimum lot depth shall be 150'.
4. Principal Building:
 - i. Minimum front yard shall be 50 feet on all sides of a lot fronting on a county road, collector road, or arterial street as shown on the Borough Master Plan, and shall be 30' on all other streets.
 - ii. Minimum one side yard shall be 30 feet.
 - iii. Minimum both side yards is 60 feet.
 - iv. Minimum rear yard shall be 65 feet.

Accessory building:

- i. Minimum side yard shall be 5 feet.
 - ii. Minimum rear yard shall be 5 feet.
5. Maximum percent of lot coverage by all buildings shall be 40%.
6. Maximum percent of impervious coverage by all buildings and pavement shall be 70%.
7. Maximum building height shall be 2.5 stories and shall not be greater 35'. However, when an on-grade parking lot is proposed to be located on the ground level or first floor level of a building, and where two (2) or more levels of habitable space is proposed above said parking level, the permitted building height may be increased to 3.5 stories and no greater than 40'.
8. The maximum density shall be 18 d.u. per acre.

G. Parking, loading & lighting requirements.

1. All parking requirements provided for in the Residential Site Improvement Standards (RSIS) and in §350-27: Off Street Parking requirements of the Borough of Borough of South River shall apply.
2. Off-street parking spaces, together with appropriate access thereto, shall be provided on the same lot as the building it is intended to serve in accordance with the standards of §350-27: Off Street Parking requirements of the Borough of Borough of South River.
3. Off-street parking spaces may be located in side and rear yards only.
4. No parking space be nearer than fifteen (15) feet to any street line nor nearer than five (5) feet to any lot line or principal building, and further provided that complete building perimeter parking is prohibited.
5. When a property shall have frontage on more than one street, parking access shall be arranged so as to be provided on the street(s) of lower traffic volume.
6. All proposed development shall be accompanied by a parking/traffic impact report.

H. Signs.

1. No freestanding or façade signs shall be permitted in the Educational Institution Housing

Overlay (EIHO) District.

2. However, when proposed in a bulk variance situation, signs shall be as regulated in §350-26: Signs of this Ordinance.
- I. Landscaping and buffering.
 1. All landscaping, buffering, street tree, shade tree, screening, and tree replacement requirements of this Chapter shall apply.
 2. When abutting an E-I District property, E-I District boundary or when abutting a single-family or two-family residential zone or use, a 5' deep, 8' high landscape buffer of screening trees, plantings and fencing shall be provided on the perimeter of the site in the Educational Institution Housing Overlay (EIHO) District development area.
 - J. Pedestrian accommodations and access.
 1. Pedestrian connections shall be provided along the fronts of buildings, between buildings and to the public sidewalk and crosswalk areas.
 2. Where pedestrian routes that connect buildings and/or open plazas with vehicular drives or routes, the pedestrian crossings shall be adequately striped for safety.
 - K. Storm water management.

Development shall conform to the Borough of South River's storm water regulations.
 - L. Solid waste and recycling.

Each building shall be designed to provide for adequate storage of solid waste disposal, including provisions for recycled materials. All areas for solid waste and recycling collection shall be located within buildings or parking facilities in side or rear yards. All exterior trash and recycling locations shall be enclosed and located in a manner which is obscured from view of parking lots, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination the three. If located outside the building, the container shall be situated on the same horizontal plane as the driveway providing access to the container.
 - M. Curbs, sidewalks, utilities, and all other public improvements.

The developer is expected to install necessary public improvements on the property they control as well as abutting rights of way. The developer is expected to construct any off-tract improvements necessitated by their development. All utility improvements necessary to support the redevelopment shall be the responsibility of the redeveloper. The redeveloper shall be responsible for providing the necessary reports to indicate that there is sufficient municipal water and sewer capacity available for the maximum build-out of the project. Utilitarian improvements such as utility transformers or meter banks shall be located in screened areas in side or rear yards only. Placement of these or similar utilities in front yards or on front facades is prohibited.
 - N. Environmental requirements.

A preliminary environmental assessment shall be required when demolition, rehabilitation and/or remediation is proposed of any former educational or institutional building older than 25 years old at the time of Zoning application. Any on-site remediation shall be conducted to the approval of the New Jersey Department of Environmental Protection for the use proposed for this site. The work and cost of all such remediation shall be the sole cost of the developer.
 - O. Fiscal impact requirements.

All applications for development in the EHIO District shall be accompanied by a fiscal impact report analyzing the economic impact of the proposed development to the Borough.

P. Architectural appearance.

Any application for development shall be accompanied by architectural exhibits showing an extremely attractive building of significantly high architectural quality. No specific building style is required, however, brick, natural stone, precast concrete and other materials shall be provided to reflect permanence and resilience. Dormers, parapets, mansard roofs, varied rooflines, dental moldings, quoins, should be proposed. Building should have a clear base, middle and top. Residential windows should contain grids and mullions along with shutters, French balconies, or other decorative brickwork window trims. Appropriate screening should be provide for ground level parking structures. Clock towers, cupolas, turrets, or other elements should be considered and should respect the alignment of surrounding streets, intersections and street views. Vinyl siding, stucco, and External Insulation Finishing Systems should not be proposed in visible areas.

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

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

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Dated:

ATTEST:

JOHN M. KRENZEL MAYOR

PATRICIA O'CONNOR, Registered Municipal Clerk

First Reading

Final Reading

ORDINANCE 2014-

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 350 – ZONING

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

Borough Code Ch. 350 – ZONING be and is hereby amended as follows:

Land Use and Development Ordinance: §350-23.1. Educational Institution Overlay District

A. Intent.

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1. Promote the effective rehabilitation of selected properties in the existing Educational Institution (E-I) District and/or the R-75 Single Family Residential District;
2. Provide for regulation of bulk height, parking and setback elements of future site development;
3. Incorporate appropriate traffic flow volumes and patterns and access points to the site to minimize impacts to nearby existing residential neighborhoods;
4. Ensure that capacity of all utility and infrastructure systems serving the site is adequate to support any proposed development;
5. Encourage re-development through an enhanced but appropriate density as stipulated in this sub-chapter;

B. Overlay.

The Educational Institution Housing Overlay District (EIHO) shall overlay the existing requirements of the (E-I) District and/or R-75 Single Family Residential District and shall exist as an alternative set of requirements only for the properties located within the boundaries of the overlay district. When proposing development, a developer may utilize either the existing regulations of the underlying district or may opt to utilize the requirements of the Educational Institution Housing Overlay District (EIHO) set forth with in this sub-chapter. The adoption of this ordinance shall signify an amendment to the Zoning Map of the Borough of South River amending the following properties currently in the R-75 Single Family Residential District to also be included in the Educational Institution Housing Overlay District (EIHO):

Block 30 Lot 18

Block 30 Lot 10

C. Principal permitted uses.

Multi-family dwellings shall be a permitted use in the EIHO overlay district.

D. Permitted accessory uses.

Any accessory use on the same lot and which is customary and incidental to the principal use on the lot shall be a permitted accessory use.

E. Prohibited uses.

The following uses shall be prohibited;

1. All uses prohibited or not specifically permitted in the R-75 Single Family Residential District and/or E-I Educational Institution District.
2. All uses not specifically permitted by zone or by State or Federal law are prohibited, inclusive of, but by no means limited to, refineries, cement manufacturing, slaughterhouses, explosives manufacturing, adult bookstores/movies and the like.

F. Bulk requirements.

1. Minimum lot area shall be 1 acre (43,560 square feet).
 2. Minimum lot width shall be 150'.
 3. Minimum lot depth shall be 150'.
 4. Principal Building:
 - i. Minimum front yard shall be 50 feet on all sides of a lot fronting on a county road, collector road, or arterial street as shown on the Borough Master Plan, and shall be 30' on all other streets.
 - ii. Minimum one side yard shall be 30 feet.
 - iii. Minimum both side yards is 60 feet.
 - iv. Minimum rear yard shall be 65 feet.
- Accessory building:
- i. Minimum side yard shall be 5 feet.
 - ii. Minimum rear yard shall be 5 feet.
5. Maximum percent of lot coverage by all buildings shall be 40%.
 6. Maximum percent of impervious coverage by all buildings and pavement shall be 70%.
 7. Maximum building height shall be 2.5 stories and shall not be greater 35'. However, when an on-grade parking lot is proposed to be located on the ground level or first floor level of a building, and where two (2) or more levels of habitable space is proposed above said parking level, the permitted building height may be increased to 3.5 stories and no greater than 40'.
 8. The maximum density shall be 18 d.u. per acre.

G. Parking, loading & lighting requirements.

1. All parking requirements provided for in the Residential Site Improvement Standards (RSIS) and in §350-27: Off Street Parking requirements of the Borough of Borough of South River shall apply.
2. Off-street parking spaces, together with appropriate access thereto, shall be provided on the same lot as the building it is intended to serve in accordance with the standards of §350-27: Off Street Parking requirements of the Borough of Borough of South River.
3. Off-street parking spaces may be located in side and rear yards only.
4. No parking space be nearer than fifteen (15) feet to any street line nor nearer than five (5) feet to any lot line or principal building, and further provided that complete building perimeter parking is prohibited.
5. When a property shall have frontage on more than one street, parking access shall be arranged so as to be provided on the street(s) of lower traffic volume.
6. All proposed development shall be accompanied by a parking/traffic impact report.

H. Signs.

1. No freestanding or façade signs shall be permitted in the Educational Institution Housing Overlay (EIHO) District.
2. However, when proposed in a bulk variance situation, signs shall be as regulated in §350-26:

Signs of this Ordinance.

- I. Landscaping and buffering.
 - 1. All landscaping, buffering, street tree, shade tree, screening, and tree replacement requirements of this Chapter shall apply.
 - 2. When abutting an E-I District property, E-I District boundary or when abutting a single-family or two-family residential zone or use, a 5' deep, 8' high landscape buffer of screening trees, plantings and fencing shall be provided on the perimeter of the site in the Educational Institution Housing Overlay (EIHO) District development area.
- J. Pedestrian accommodations and access.
 - 1. Pedestrian connections shall be provided along the fronts of buildings, between buildings and to the public sidewalk and crosswalk areas.
 - 2. Where pedestrian routes that connect buildings and/or open plazas with vehicular drives or routes, the pedestrian crossings shall be adequately striped for safety.
- K. Storm water management.

Development shall conform to the Borough of South River's storm water regulations.
- L. Solid waste and recycling.

Each building shall be designed to provide for adequate storage of solid waste disposal, including provisions for recycled materials. All areas for solid waste and recycling collection shall be located within buildings or parking facilities in side or rear yards. All exterior trash and recycling locations shall be enclosed and located in a manner which is obscured from view of parking lots, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination the three. If located outside the building, the container shall be situated on the same horizontal plane as the driveway providing access to the container.
- M. Curbs, sidewalks, utilities, and all other public improvements.

The developer is expected to install necessary public improvements on the property they control as well as abutting rights of way. The developer is expected to construct any off-tract improvements necessitated by their development. All utility improvements necessary to support the redevelopment shall be the responsibility of the redeveloper. The redeveloper shall be responsible for providing the necessary reports to indicate that there is sufficient municipal water and sewer capacity available for the maximum build-out of the project. Utilitarian improvements such as utility transformers or meter banks shall be located in screened areas in side or rear yards only. Placement of these or similar utilities in front yards or on front facades is prohibited.
- N. Environmental requirements.

A preliminary environmental assessment shall be required when demolition, rehabilitation and/or remediation is proposed of any former educational or institutional building older than 25 years old at the time of Zoning application. Any on-site remediation shall be conducted to the approval of the New Jersey Department of Environmental Protection for the use proposed for this site. The work and cost of all such remediation shall be the sole cost of the developer.
- O. Fiscal impact requirements.

All applications for development in the EIHO District shall be accompanied by a fiscal impact report analyzing the economic impact of the proposed development to the Borough.

P. Architectural appearance.

Any application for development shall be accompanied by architectural exhibits showing an extremely attractive building of significantly high architectural quality. No specific building style is required, however, brick, natural stone, precast concrete and other materials shall be provided to reflect permanence and resilience. Dormers, parapets, mansard roofs, varied rooflines, dental moldings, quoins, should be proposed. Building should have a clear base, middle and top. Residential windows should contain grids and mullions along with shutters, French balconies, or other decorative brickwork window trims. Appropriate screening should be provide for ground level parking structures. Clock towers, cupolas, turrets, or other elements should be considered and should respect the alignment of surrounding streets, intersections and street views. Vinyl siding, stucco, and External Insulation Finishing Systems should not be proposed in visible areas.

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

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

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Dated:

ATTEST:

JOHN M. KRENZEL MAYOR

PATRICIA O'CONNOR, Registered Municipal Clerk