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**AGENDA
BUSINESS MEETING
APRIL 7, 2021**

**140 NORTH BROADWAY
SOUTH AMBOY, NJ 08879**

6:00 P.M.

1. MEETING CALLED TO ORDER BY COUNCIL PRESIDENT
2. OPENING PRAYER AND SALUTE TO THE FLAG
3. ROLL CALL: DATO____, McLAUGHLIN____, NOBLE ____, REILLY ____, GROSS____
4. CERTIFICATION OF MEETING BY COUNCIL PRESIDENT

DISCUSSION:

1. RESOLUTION APPROVING INDEPENDENCE FIRE COMPANY FOR HISTORIC PRESERVATION
2. RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION – LAWRENCE
3. RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION – DEAK
4. RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION - IDYK
5. RESOLUTION APPROVING VETERAN WIDOW PROPERTY TAX DEDUCTION – GASIEWSKI
6. RESOLUTION APPROVING FIREMEN MICHAEL KEATING AND BRUCE MILLER

BUDGET INTRODUCTION:

RESOLUTION NO. 21- 087

RESOLUTION TO WAIVE READING IN FULL OF THE BUDGET FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2021

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-087 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTION NO. 21- 088

RESOLUTION TO INTRODUCE THE BUDGET FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2021

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-088 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTIONS:

RESOLUTION NO. 21-089
APPROVAL AND RELEASE OF MINUTES

BE IT RESOLVED, that the City Council of the City of South Amboy does hereby approve and release the Council Minutes of the February 17, 2021 Business Meeting.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-089 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTION NO. 21-090
APPROVING PAYMENT OF BILLS

BE IT RESOLVED, that the City Council of the City of South Amboy does hereby receive and approve the payment of the bill list dated April 1, 2021, as presented by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the bills list be appended to the official minutes.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-090 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTION NO. 21-091

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE MIDDLESEX COUNTY 2021 RECYCLING ENHANCEMENT GRANT PROGRAM

Whereas, the City of South Amboy advocates for a clean community; and

Whereas, the City of South Amboy participates in and adheres to the recycling program as established by Middlesex County; and

Whereas, the Middlesex County 2021 Recycling Enhancement Grant program is focused this year on programs providing security cameras to provide illegal dumping; and

Whereas, the City of South Amboy has identified the Department of Public Works facility as a site in need of enhanced surveillance to deter illegal dumping; and

Whereas, the City would commit to utilization of the grant to acquire and maintain security cameras in this environmentally sensitive area; and

Whereas, the proposed project will be beneficial to the residents of the City of South Amboy and enhance efforts to deter and prosecute illegal dumpers;

Now, therefore be it resolved, by the Council of the City of South Amboy, that it hereby authorizes the Mayor or his designee to submit an application for this grant program.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-091 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTION NO. 21-092

A RESOLUTION AUTHORIZING THE SUBMISSION OF A PLAN FOR THE SOUTH AMBOY MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2022

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The City Council of the City of South Amboy, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED by the City of South Amboy, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the South Amboy Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$6,288
Cash Match	\$1,572
In-Kind	\$4,716
2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Mayor Fred Henry

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-092 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

RESOLUTION NO. 21-093

A resolution authorizing the execution of an Indemnification Agreement with the Township of East Brunswick regarding the use of their Firearms Training Facility

Whereas, the City of South Amboy is required to provide ongoing firearms training for the members of the South Amboy Police Department; and

Whereas, the City of South Amboy utilizes the municipal firearms training facility owned by the Township of East Brunswick; and

Whereas, the use of the Township of East Brunswick requires the execution of an annual indemnification agreement; and

Now, therefore be it resolved, by the Council of the City of South Amboy, that it hereby authorizes the Mayor or his designee to execute the required indemnification agreement.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-093 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

ORDINANCES:

FIRST READING/INTRODUCTION

ORDINANCE NO. 2021-05

AN ORDINANCE TO AMEND STORMWATER ORDINANCE 21-01

MOVED by: _____, that Ordinance #2021-05 be introduced on first reading and advertised for second reading which is scheduled for the May 5, 2021 meeting.

SECONDED by: _____, **ROLL CALL VOTE**

SECOND READING/ADOPTION

ORDINANCE NO. 2021-03

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

OPEN PUBLIC
CLOSE PUBLIC

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2021-03 is hereby adopted.

SECONDED by: _____, **ROLL CALL VOTE**

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFIC REGULATIONS FOR THE CITY OF SOUTH AMBOY" IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY - 122 SOUTH FELTUS - SLINGERLAND

OPEN PUBLIC
CLOSE PUBLIC

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2021-04 is hereby adopted.

SECONDED by: _____, **ROLL CALL VOTE**

COMMENTS:

PUBLIC COMMENTS:

CLOSED SESSION

RESOLUTION NO. 21-094

AUTHORIZATION TO MOVE INTO AN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances;

WHEREAS, the Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, County of Middlesex and State of New Jersey, as follows:

1. The general nature of the subject matters to be discussed is as follows:

Litigation: Senape v. City of South Amboy

2. It is anticipated at this time that the above stated subject matters will be made public when the matters are concluded or as soon thereafter as it is deemed to be in the public interest to do so.
3. This Resolution shall take effect immediately.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 21-094 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

**BORRUS, GOLDIN, FOLEY
VIGNUOLO, HYMAN & STAHL**

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
ROUTE 1 & FINNEGANS LANE
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E-mail: attys@borrus.com

MARTIN S. GOLDIN
(1962-2002)

C

James E. Stahl, Esq.
jstahl@borrus.com

March 2, 2021

O

Mayor Fred A. Henry
City of South Amboy
140 N. Broadway
South Amboy, NJ 08879

City Council of City of South Amboy
140 N. Broadway
South Amboy, NJ 08879

Re: Historic Preservation Commission

P

Dear Honorable Mayor Henry and Council Members:

I am very pleased to forward to you a Resolution of the City of South Amboy Historic Preservation Commission HPC-1-21 with respect to The Independence Fire Company Firehouse. The Historic Preservation Commission by unanimous vote memorialized on February 24, 2021 found and recommended that The Independence Fire Company Firehouse be added to the Historic Preservation Plan element of this City's Master Plan and be designated as an individual landmark.

Y

Planning Board unanimously on February 24, 2021 accepted this recommendation and has requested that I forward it to you for consideration and action.

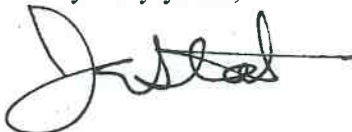
Mayor Fred A. Henry and City Council

March 2, 2021

Page 2 of 2

If you have any questions, please contact me.

Very truly yours,



JAMES E. STAHL

C

JES/lp

Enclosure

cc: Holly Hughes, President of the Historical Society of South Amboy
Francis Womack, Esq., City Attorney
Mary Szaro, Chairwoman

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P

Y

CITY OF SOUTH AMBOY HISTORIC PRESERVATION COMMISSION

RESOLUTION HPC 1-21

Application #1
THE INDEPENDENCE FIRE COMPANY FIREHOUSE
127 N. BROADWAY
Block 47, Lot 4

WHEREAS, pursuant to the applicable provisions of the City of South Amboy Historic Preservation Ordinance the within application has been submitted to the City of South Amboy Historic Preservation Commission (the "Commission") by Mary Szaro, President of the Historical Society of the City of South Amboy (the "Applicant") for the Independence Fire Company Firehouse located at 127 N. Broadway Block 47, Lot 4 on the Tax Map of the City of South Amboy to be given the designation as an Individual Landmark; and,

WHEREAS, the application reviewed by the Commission consisted of a comprehensive report prepared by the Applicant and presented by its President Mary Szaro; and

WHEREAS, a public hearing, on the Application with proper notice was held providing the public with the opportunity to be heard; and

WHEREAS, the Commission, after carefully considering the information presented to it by the Applicant makes the following findings of facts:

FINDINGS OF FACT

1. The Independence Fire Company Firehouse has a special character and a special historical and aesthetic interest and value as part of the development, heritage, and cultural characteristics of South Amboy.
2. That among its important qualities, the Independence Fire Company Firehouse has served as a continuously operated Firehouse since 1924;
- 3 That it is the city's earliest surviving Firehouse;
- 4 That it is an early and important reminder of the development along Broadway in the early 20th century;
5. That notable figures, including the Governor of New Jersey, Harold G Hoffman, volunteered for Independence Fire Company Firehouse;
6. That the building was altered to accommodate modern, larger firefighting equipment;

7. That Independence Fire Company Firehouse remains mostly intact since 1924 with small modifications.

NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Historic Preservation Commission recommends to the Planning Board of the City of South Amboy that;

- a. THE INDEPENDENCE FIRE COMPANY FIREHOUSE be added to the Historic Preservation plan element of the City's master plan.
- b. THE INDEPENDENCE FIRE COMPANY FIREHOUSE be designated as an Individual Landmark.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Historic Preservation Commission of the City of South Amboy held at its public meeting held on February 24, 2021.

Amy Russo 02/24/2021

Amy Russo- Secretary to the City of South
Amboy Historic Preservation Commission

Holly Hynes 2/27/21

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 21-0XX

RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION - LAWRENCE

WHEREAS, Ronald R Lawrence, 324 John St in the City of South Amboy County of Middlesex, Block 76 Lot 35 on the tax map applied for a Veteran property tax deduction for the year 2021:and

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office: and

WHEREAS, the tax collector recommends that \$250.00 adjustment be made for Ronald R Lawrence, Veteran deduction allowed for the 4th quarter in 2021, and;

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the Tax Collector is hereby authorized to adjust 4th quarter for 2021 and the Tax Assessor adjust the tax duplicate for 2022.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 21-0XX
RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION - IDYK**

WHEREAS, Brian Idyk, 154 Bertam Ave in the City of South Amboy County of Middlesex, Block 96 Lot 9 on the tax map applied for a Veteran property tax deduction for the year 2021; and

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 adjustment be made for Brian Idyk Veteran deduction allowed for the 4th quarter in 2021, and;

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the Tax Collector is hereby authorized to adjust 4th quarter for 2021 and the Tax Assessor adjust the tax duplicate for 2022.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 21-0xx
RESOLUTION APPROVING VETERAN PROPERTY TAX DEDUCTION - DEAK**

WHEREAS, Wayne L Deak, 363 George St in the City of South Amboy County of Middlesex, Block 76 Lot 52 on the tax map applied for a Veteran property tax deduction for the year 2021; and

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office; and

WHEREAS, the tax collector recommends that \$250.00 adjustment be made for Wayne L Deak, Veteran deduction allowed for the 4th quarter in 2021, and;

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the Tax Collector is hereby authorized to adjust 4th quarter for 2021 and the Tax Assessor adjust the tax duplicate for 2022.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 21-08xx
RESOLUTION APPROVING VETERAN WIDOW PROPERTY TAX DEDUCTION -
GASIEWSKI**

WHEREAS, Christine Gasiewski, 19 Barkalow St. in the City of South Amboy County of Middlesex, Block 158 Lot 14 on the tax map applied for a Widow of a Veteran property tax deduction for the year 2021; and

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office; and

WHEREAS, the tax collector recommends that \$250.00 adjustment be made for Christine Gasiewski for the Widow of a Veteran deduction allowed for the 4th quarter in 2021: and

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the Tax Collector is hereby authorized to adjust 4th quarter for 2021 and the Tax Assessor adjust the tax duplicate for 2022.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 21-0XX
RESOLUTION CERTIFYING ACTIVE MEMBERSHIP WITH SOUTH AMBOY
FIRE DEPARTMENT FOR NEW JERSEY STATE FIREMEN'S ASSOCIATION
ELIGIBILITY – KEATING AND MILLER**

BE IT RESOLVED, that the Council of the City of South Amboy does hereby certify that **Alexander Keating and Bruce Miller** are active members of the South Amboy Fire Department and are eligible to be members of the New Jersey State Firemen's Association upon completion of all requirements of the Fire Chief.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #21-087

**WAIVER OF READING IN FULL OF THE BUDGET FOR THE CALENDAR YEAR ENDING
DECEMBER 31, 2021**

WHEREAS, N.J.S.A 40A:4-8 permits that the Budget may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted on the City's website; and
- b) be made available to each person requesting the same during said week and during the public hearing; and

WHEREAS, the City of South Amboy has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, County of Middlesex and State of New Jersey, that the City is hereby permitted to waive the reading in full of the Municipal Budget for the fiscal year ending December 31, 2021.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION # 21-088
INTRODUCTION OF 2021 BUDGET**

BE IT RESOLVED, that the following statements of revenue and appropriations constitute the local budget of the City of South Amboy, Middlesex County, New Jersey, for Calendar Year 2021.

BE IT FURTHER RESOLVED that the said Budget be published in The Home News Tribune in the issue of April 10, 2021, and that a hearing on the Budget will be held at the South Amboy Municipal Building, 140 North Broadway, South Amboy, New Jersey, on May 5, 2021 at 6:00 P.M., or as soon thereafter as the matter may be reached.

**2021 Municipal Budget
of the City of South Amboy, County of Middlesex
for the Calendar Year 2021.**

Revenue and Appropriation Summaries

Summary of Revenues		Anticipated 2021	Final 2020
1	Surplus	1,130,000.00	1,130,000.00
2	Total Miscellaneous Revenues	7,042,483.49	13,000,711.70
3	Receipt from Delinquent Taxes	0.00	0.00
4 a)	Local Taxes for Municipal Purposes	10,975,730.00	10,848,860.00
b)	Addition to Local District School Taxes	0.00	0.00
c)	Minimum Library Tax	331,405.20	316,328.00
Total Amount to be Raised by Taxes for Support of Municipal Budget		11,307,135.20	11,165,188.00
Total General Revenues		19,479,618.69	25,295,899.70

Summary of Appropriations		2021	2020
1	Operating Expenses:		
	Salaries & Wages	7,612,151.00	7,281,839.00
	Other Expenses	7,635,218.69	14,053,089.70
2	Deferred Charges & Statutory Appropriations	1,682,591.00	1,526,517.00
3	Capital Improvements	135,000.00	171,600.00
4	Debt Service	2,209,475.00	2,060,211.00
5	Judgments	0.00	0.00
6	Reserve for Uncollected Taxes	205,183.00	202,643.00
Total General Appropriations		19,479,618.69	25,295,899.70
Total Number of Employees		112	111

Balance of Outstanding Debt			
	General		
Bond Interest	3,170,000.00		
Bond Principal	14,390,000.00		
Loan Repayments for Principal and Interest	1,400,146.00		
Outstanding Balance	18,960,146.00		

Adopted by City Council on April 7, 2021.

I, Deborah Brooks, Municipal Clerk of the City of South Amboy, County of Middlesex, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the City Council on April 7, 2021.

 Deborah Brooks, RMC
 Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
DATO						
McLAUGHLIN						
NOBLE						
REILLY						
GROSS						

MINUTES FOR BUSINESS MEETING MARCH 17, 2021

The Meeting held electronically at South Amboy City Hall, 140 North Broadway, South Amboy, New Jersey, was called to order by Council President Gross at 7:00 P.M. The City Clerk read the Opening Prayer and all recited the Pledge of Allegiance.

PRESENT: Councilwoman Dato, Councilman Reilly, Councilman McLaughlin, Councilwoman Noble, and Council President Gross.

ALSO PRESENT: Glenn Skarzynski, Business Administrator, Francis Womack, Director of Law, and Mark Rasimowicz, City Engineer

The City Clerk read the notice of publication statement.

CONSENT AGENDA:

The following items are considered to be routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items unless a Council member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

MOVED by: Ms. Noble of the Council of the City of South Amboy, that Resolution #21-075 through #21-084 are hereby approved. **SECONDED by:** Mr. McLaughlin. **ROLL CALL VOTE:** All in favor.

NO. 21-075 RESOLUTION CERTIFYING ACTIVE MEMBERSHIP WITH SOUTH AMBOY FIRE DEPARTMENT FOR NEW JERSEY STATE FIREMEN'S ASSOCIATION ELIGIBILITY – GUILLERMO CALDERON

NO. 21-076 RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE CITY OF SOUTH AMBOY VOLUNTEER FIRE FIGHTERS QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2020

NO. 21-077 RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE CITY OF SOUTH AMBOY VOLUNTEER FIRE FIGHTERS QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2020

NO. 21-078 RESOLUTION AUTHORIZING TAX REFUND TO CORELOGIC ON BEHALF OF JORDON PRESS & JOANNA AMATO

NO. 21-079 RESOLUTION APPROVING 2021 PBA/SOA AGREEMENTS

- NO. 21-080 RESOLUTION AUTHORIZING SEWER FEE REFUND – 64 SOUTH SHORE DR.
- NO. 21-081 RESOLUTION REQUESTING APPROVAL FOR AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-20
- NO. 21-082 A RESOLUTION OF THE CITY OF SOUTH AMBOY AUTHORIZING AWARD OF CONTRACT TO CUSTOM CARE SERVICES, INC FOR LANDSCAPE MAINTENANCE SERVICES
- NO. 21-083 A RESOLUTION IN SUPPORT OF THE STATE OF NEW JERSEY PLANS TO IMPROVE THE JUNCTION OF US HIGHWAY 9 AND US HIGHWAY 35 IN THE CITY OF SOUTH AMBOY, NJ.
- NO. 21-084 RESOLUTION AUTHORIZING THE RENEWAL AND EXTENSION OF AWARD OF A CONTRACT FOR PROFESSIONAL PLANNING SERVICES

RESOLUTIONS:

RESOLUTION NO. 21-085
APPROVAL AND RELEASE OF MINUTES

BE IT RESOLVED, that the City Council of the City of South Amboy does hereby approve and release the Council Minutes of the February 3, 2021 Business Meeting.

MOVED by: Ms. Noble of the Council of the City of South Amboy, that Resolution No. 21-085 is hereby approved. **SECONDED by:** Mr. McLaughlin. **ROLL CALL VOTE:** Ayes: Noble, McLaughlin, Reilly, Gross Abstain: Dato

RESOLUTION NO. 21-086
APPROVING PAYMENT OF BILLS

BE IT RESOLVED, that the City Council of the City of South Amboy does hereby receive and approve the payment of the bill list dated March 11, 2021, as presented by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the bills list be appended to the official minutes.

MOVED by: Mr. McLaughlin of the Council of the City of South Amboy, that Resolution No. 21-086 is hereby approved. **SECONDED by:** Ms. Noble. **ROLL CALL VOTE:** All in favor.

SECOND READING/ADOPTION

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE CITY OF SOUTH AMBOY COUNCIL ACKNOWLEDGING SOUTH AMBOY’S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF MAIN STREET (CR 684) AND BROADWAY.

OPEN PUBLIC – no comment
CLOSE PUBLIC

MOVED by: Ms. Dato, of the Council of the City of South Amboy, that Ordinance #2021-02 is hereby adopted.

SECONDED by: Ms. Noble, **ROLL CALL VOTE:** All in favor.

COMMENTS:

Ms. Noble:

- Wished everyone a Happy St. Patrick's Day.

Mr. McLaughlin:

- Wished everyone a Happy St. Patrick's Day.
- Thanked emergency service responders and DPW for their continued good work.

Mr. Reilly:

- Wished everyone a Happy St. Patrick's Day.
- Thanked the food pantries and First responders who continue providing food for those in need.
- Received an update on the illegal pallet operation (no change), illegal rental units (still moving forward).
- Received an update on the Rosewell St. project. BA Skarzynski noted that the Developer had met with the Rotary Club to get feedback from local businesses. Ms. Dato confirmed there has been no presentation to SARA as of yet and noted the Developer had opened on-line communications to the residents of Harbor Village and Lighthouse Bay. Mr. Reilly thought it would be a good idea for the Developer to reach out to the residents of John St., George St. Henry St. and David St. for input as well. Mr. Reilly voiced his concern about offering PILOTS to the Developer.
- Received confirmation from Mr. Womack that there is a way to ease the overdue fees for sewer payments. Mr. Womack will follow up at the next meeting with specifics.

Ms. Dato:

- Spoke passionately about the horrible hate crimes against Asians that had resulted in several deaths. She is troubled by the increase in hate crimes and noted that we have two Asian restaurants on Broadway. One of them, Hibachi Express, was closed during the height of the pandemic possibly due to fear of reprisals. She noted the City of South Amboy was a city of inclusion and diversity and was proud the diversity extended to our police department. She is proud, as a daughter of a Puerto Rican mother and Ukrainian father, to be part of such a diverse city.

Mr. Gross:

- Wished everyone a Happy St. Patrick's Day.
- Reminded everyone to get vaccinated!

Mr. Skarzynski:

- Reported Assemblywoman Lopez was going to provide 300 meals to the food pantry tomorrow and next week, the Lucas family was going to provide 300 meals as well.
- Reported the COVID rental assistance program information is on the City web site.
- Wished everyone a Happy St. Patrick's Day
- Noted this Saturday is the first day of Spring, farewell to Winter!

Mr. Womack:

- Thanked Councilwoman Dato for her moving comments on hate crimes.
- Sent his thoughts and prayers to the family in Carteret who had lost a child to a dog attack.
- Thanked the Clerk and Animal Control Officer for their continued work.

Mr. Rasimowicz:

- Wished everyone a Happy St. Patrick's Day.

Mr. McLaughlin:

- Noted the Lucas donation was one of many contractors who had stepped up to help people and wondered if the developer of the Manhattan Beach project had offered to step up for the people in need in South Amboy.
- Noted Carteret had pumped 20 million dollars into their beach front and hoped South Amboy might rethink the Rosewell St. project.

PUBLIC COMMENTS:

ADJOURNMENT OF MEETING:

On motion of Mr. McLaughlin, seconded by Ms. Dato and carried unanimously, the meeting was adjourned at 7:20pm.

Respectfully submitted,

Deborah Brooks, RMC
City Clerk

April 1, 2021
10:48 AM

CITY OF SOUTH AMBOY
Bill List By Vendor Id

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P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
 Range: First to Last Rcvd: Y Held: Y Aprv: N
 Format: Detail without Line Item Notes Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
A0000011	Griffith-Allied Trucking, LLC														
		21-00580	03/17/21	DIESEL FUEL - 15503476 - DPW		21-00002 C									
		1		DIESEL FUEL - 15503476 - DPW	169.53	0-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	03/30/21		15503476	N
		21-00581	03/17/21	DIESEL FUEL - 15503477		21-00002 C									
		1		DIESEL FUEL - 15503477	226.67	0-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	03/30/21		15503477	N
		21-00582	03/17/21	DIESEL FUEL - 15737867		21-00002 C									
		1		DIESEL FUEL - 15737867	202.62	1-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	03/30/21		15737867	N
		21-00583	03/17/21	DIESEL FUEL - 15737868		21-00002 C									
		1		DIESEL FUEL - 15737868	711.20	1-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	03/30/21		15737868	N
		21-00584	03/17/21	DIESEL FUEL - 15533667-DPW		21-00002 C									
		1		DIESEL FUEL - 15533667-DPW	550.26	1-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	03/30/21		15533667	N
		21-00682	03/30/21	DIESEL FUEL - 15767457		21-00002 C									
		1		DIESEL FUEL - 15767457	189.54	1-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	04/01/21		15767457	N
		21-00683	03/30/21	DIESEL FUEL - 15767456		21-00002 C									
		1		DIESEL FUEL - 15767456	694.98	1-01-31-430-250		B	Utilities - Gasoline	R	01/06/21	04/01/21		15767456	N
		Vendor Total:			2,744.80										
A0000074	All Digital Imaging, LLC														
		21-00631	03/24/21	'21 Yrly Service Contract-Mail											
		1		'21 Yrly Service Contract-Mail	1,785.00	1-01-20-100-175		B	Admin: Photo & Fax Machine	R	03/24/21	03/30/21		8306	N
		2		Color Copies made in overage	43.95	1-01-20-100-175		B	Admin: Photo & Fax Machine	R	03/24/21	03/30/21		8306	N
		Vendor Total:			1,828.95										

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C0000108 Center State Engineering								
	21-00653 03/26/21 Feb'21 General Engineering	21-00017 C						
	1 Feb'21 General Engineering	1-01-20-165-195	3,000.00	B Engineer: Professional Consultant & Spec R		03/26/21 03/30/21	11285	N
	2 Feb'21 General Engineering	1-01-20-165-195	6,594.00	B Engineer: Professional Consultant & Spec R		03/26/21 03/30/21	11325	N
	3 Radford Ferry Project Mgmt	1-01-20-165-195	902.00	B Engineer: Professional Consultant & Spec R		03/26/21 03/30/21	11244	N
	5 YMCA Waterproofing-SARA	1-01-20-165-195	674.00	B Engineer: Professional Consultant & Spec R		03/26/21 03/30/21	11214	N
	6 Tax Map Maintenance	1-01-20-165-195	474.50	B Engineer: Professional Consultant & Spec R		03/26/21 03/30/21	11276	N
	8 Building Demo-John & Broadway	1-01-20-165-195	44.00	B Engineer: Professional Consultant & Spec R		01/14/21 03/30/21	11293	N
	9 Grant Applicationa	1-01-20-165-195	38.50	B Engineer: Professional Consultant & Spec R		01/14/21 03/30/21	11283	N
			11,727.00					
	Vendor Total: 48,362.29							
21-00654 03/26/21 Feb'21 Special Services								
	1 Feb'21 Special Services	22,564.50 C-04-20-001-007		B Ball Field Improvements R		03/26/21 03/30/21	11203	N
	2 O'Leary Blvd - 2018 NJDOT	470.89 C-04-19-001-004		B O'Leary Blvd Improvements R		03/26/21 03/30/21	11278	N
	3 Stevens Ave - 2016 NJDOT	426.89 C-04-18-001-003		B Imp to Streets, Roads, Curbs, Sewers,etc R		03/26/21 03/30/21	11318	N
	4 2020 Road Improvements	697.50 C-04-19-001-006		B 2019 Road Imprvmnt Program R		03/26/21 03/30/21	11235	N
	5 Main St - County Improvements	157.00 C-04-19-001-006		B 2019 Road Imprvmnt Program R		03/26/21 03/30/21	11291	N
	6 Feltus & 6th Road Improvements	291.50 C-04-19-001-006		B 2019 Road Imprvmnt Program R		03/26/21 03/30/21	11238	N
	7 Remediation-Radford Ferry Rd	5,701.56 C-04-17-003-004		B Ferry Terminal designs and permits etc. R		03/26/21 03/30/21	11298	N
	8 Raritan St Pump Station Prelim	115.50 C-04-18-001-002		B Improvements to Sewers & Pump Stations R		03/26/21 03/30/21	11200	N
	9 So.Broadway - 2019 NJDOT	5,258.45 C-04-19-001-006		B 2019 Road Imprvmnt Program R		03/26/21 03/30/21	11308	N
	11 DPW Emergency Generator	951.50 C-04-18-001-006		B Imp to Buildings and Grounds R		03/26/21 03/30/21	11279	N
			36,635.29					
	Vendor Total: 48,362.29							
CHRIS010 Christopher G. Mazauskas								
	21-00611 03/22/21 Dec'20 Resource Development	20-00018 C						
	1 Dec'20 Resource Development	2,200.00 0-01-20-100-195		B Admin: Professional Consultant & Spec R		03/20/20 03/30/21	DEC 2020	N
	Vendor Total: 2,200.00							
CONWA005 Joan Conway								
	21-00638 03/25/21 SA ARTS supply reimbursement							
	1 SA ARTS supply reimbursement	21.31 0-01-28-373-299		B SA Arts District: Misc Other Expenses R		03/25/21 03/30/21	2020 REIMBURSE	N
	2	24.97 0-01-28-373-299		B SA Arts District: Misc Other Expenses R		03/25/21 03/30/21	2020 REIMBURSE	N
	3	11.95 0-01-28-373-299		B SA Arts District: Misc Other Expenses R		03/25/21 03/30/21	2020 REIMBURSE	N
	4	72.18 0-01-28-373-299		B SA Arts District: Misc Other Expenses R		03/25/21 03/30/21	2020 REIMBURSE	N

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CONWA005 Joan Conway Continued										
21-00638	03/25/21 SA ARTS supply reimbursement	Continued								
5			136.45	0-01-28-373-299	B SA Arts District: Misc Other Expenses	R	03/25/21	03/30/21	2020 REIMBURSE	N
6			1,053.72	0-01-28-373-299	B SA Arts District: Misc Other Expenses	R	03/25/21	03/30/21	2020 REIMBURSE	N
			1,320.58							
Vendor Total:			1,320.58							
D0000063 Direct Energy Business										
21-00662	03/29/21 March'21 Billing									
1	March'21 Billing		64.64	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126832	N
2	1066552-6th & Feltus		45.74	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126830	N
3	1066553-Pupek/Park/N Stevens		10.71	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126831	N
4	1066561-129 N Broadway		146.31	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210810045112741	N
5	1066558-140 N Broadway		1,768.17	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126833	N
6	1066582-33 Lighthouse Dr		0.00	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126844	N
7	1066581-John St walkway lights		0.00	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126843	N
8	1066579-Sandpiper Dr		53.87	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126842	N
9	1066573-Rosewell & George		83.11	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126839	N
10	1066568-Broadway meter#7639		335.66	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126837	N
11	1066567-Bordentown Ave		41.19	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126836	N
12	1066550-S Feltus		43.76	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126828	N
13	1066566-429 Bordentown		275.10	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126835	N
14	1066576-Broadway and Louisa		101.47	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126841	N
15	1066574-Henry St		201.48	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126840	N
16	1066572-Broadway & 1st St Pole		271.70	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126838	N
17	1066564-108 S Stevens		254.65	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210820045126834	N
18	1066557-102 N Feltus		134.02	1-01-31-430-200	B Utilities - Electric	R	03/29/21	03/31/21	210810045112740	N
			3,831.58							
Vendor Total:			3,831.58							
DRHAR005 Dr. Harold McKenna, M.D., P.A.										
21-00590	03/22/21 Pre-Employment Physicals (2)									
1	Pre-Employment Physicals (2)		424.06	1-01-26-290-299	B Streets/Roads: Misc Other Expenses	R	03/22/21	03/30/21	102020	N
Vendor Total:			424.06							

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E0000014 Enforsys Police Systems, Inc.								
	21-00595 03/22/21 ANNUAL MAINT FEE 2021							
	1 ANNUAL MAINT FEE 2021		9,000.00	1-01-25-240-150	B	03/22/21 03/30/21	10417	N
	Vendor Total:		9,000.00					
F0000002 Federal Express								
	21-00541 03/12/21 inv.7-297-97296 Police Dept							
	1 inv.7-297-97296 Police Dept		33.95	1-01-25-240-299	B	03/12/21 03/18/21	7-297-97296	N
	Vendor Total:		33.95					
F0000005 Fire & Safety Services, Ltd.								
	21-00074 01/08/21 engine#9 motor assy, wiper							
	1 engine#9 motor assy, wiper		186.77	1-01-26-315-100	B	01/08/21 03/30/21	IO21-02114	N
	2 s&h		14.66	1-01-26-315-100	B	03/30/21 03/30/21	IO21-02114	N
			201.43					
	21-00368 02/19/21 WATER PUMP- ENGINE#9							
	1 WATER PUMP- ENGINE#9		1,503.36	1-01-26-315-100	B	02/19/21 03/30/21	IO21-01806	N
	21-00578 03/17/21 emergency light - engine#7							
	1 emergency light - engine#7		95.47	1-01-26-315-100	B	03/17/21 03/30/21	IO21-02115	N
	Vendor Total:		1,800.26					
F0000038 FleetPride, Inc.								
	21-00158 01/21/21 CREDIT							
	1 CREDIT		57.20	1-01-26-315-100	B	01/21/21 03/18/21	66932178	N
	21-00447 03/02/21 REAR BRAKE FOR TRUCK#11							
	1 REAR BRAKE FOR TRUCK#11		90.72	1-01-26-315-100	B	03/02/21 03/18/21	80047668	N
	Vendor Total:		33.52					
G0000002 Gannett, NJ Partners LP								
	21-00556 03/15/21 Feb '21 Inv.0003746405							
	1 Feb '21 Inv.0003746405		50.91	1-01-20-100-299	B	03/15/21 03/18/21	0003746405	N

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Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
G0000002	Gannett, NJ Partners LP					Continued								
	21-00556	03/15/21	Feb '21	Inv.0003746405		Continued								
					108.70	1-01-20-120-025		B Clerk: Advertising						
					159.61									
	Vendor Total:				159.61									
G0000017	Grainger													
	20-02700	12/21/20		Storage Materials for OEM										
	3				0.00	0-01-25-252-299		B OEM: Miscellaneous Other Expenses	R	12/21/20	03/18/21			N
	4				209.46	0-01-25-252-299		B OEM: Miscellaneous Other Expenses	R	03/08/21	03/18/21	9828946138		N
					209.46									
	Vendor Total:				209.46									
GONZA005	Leda C. Gonzalez, Interpreter													
	21-00432	03/01/21		Court Interpreter										
	1			Court Interpreter	350.00	1-01-43-490-195		B Court: Professional Consultant & Spec	R	03/01/21	03/18/21		FEBRUARY 2021	N
	Vendor Total:				350.00									
H0000003	Henning Building Supply Co, Inc													
	21-00601	03/22/21		bollards - dpw										
	1			bollards - dpw	708.00	1-01-26-310-035		B B&G: Building & Facility Repair	R	03/22/21	03/30/21	6466		N
	Vendor Total:				708.00									
H0000005	Heyer, Gruel & Associates													
	21-00535	03/11/21	Feb '21	Inv.37045		21-00026 C								
	1			Feb '21 Inv.37045	2,700.00	1-01-20-165-195		B Engineer: Professional Consultant & Spec	R	02/17/21	03/18/21	37045		N
	Vendor Total:				2,700.00									
H0000048	Henderson Truck Equipment-NJ													
	21-00390	02/23/21		QUOTE#: 145873-28										
	1			QUOTE#: 145873-28	2,601.99	1-01-26-315-100		B Vehicle Mainten Maintenance of Motor Veh	R	02/23/21	03/31/21	145873-28		N

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J0000010 Johnny On The Spot, LLC								
21-00377 02/19/21 COVID Testing restroom rental								
1	COVID Testing restroom rental	196.04	1-01-20-100-299	B Admin: Miscellaneous Other Expenses	R	02/19/21 03/18/21	0006146528	N
		196.03	1-01-20-110-299	B Mayor/Council: Misc Other Expenses				
2	delivery/installation	50.00	1-01-20-110-299	B Mayor/Council: Misc Other Expenses	R	02/19/21 03/18/21	0006146528	N
3	hand sanitizer	55.00	1-01-20-110-299	B Mayor/Council: Misc Other Expenses	R	03/18/21 03/18/21	0006146528	N
		497.07						
21-00499 03/08/21 Vets Field wkly rental								
1	Vets Field wkly rental	132.11	1-01-28-370-095	B Recreation: Maintenance Agreement	R	03/08/21 03/18/21	0006146526	N
21-00552 03/15/21 Site: 1414250007								
1	Site: 1414250007	111.95	1-01-28-370-095	B Recreation: Maintenance Agreement	R	03/15/21 03/18/21	0006146527	N
Vendor Total:		741.13						
KOBRA005 Kobra Electric, LLC								
19-02226 11/01/19 Senior Ctr - fuse replacement								
1	Senior Ctr - fuse replacement	1,135.43	1-01-90-200-001	B Accounts Payable - Prior Years	R	11/01/19 03/18/21	3156	N
2	Labor	500.00	1-01-90-200-001	B Accounts Payable - Prior Years	R	11/06/19 03/18/21	3156	N
		1,635.43						
21-00587 03/18/21 CONVERT LIGHTS TO LED								
1	CONVERT LIGHTS TO LED	1,651.60	1-01-26-310-035	B B&G: Building & Facility Repair	R	03/18/21 03/30/21	3159	N
Vendor Total:		3,287.03						
L0000003 Language Line Services								
21-00666 03/29/21 On-site interpretation								
1	On-site interpretation	34.00	1-01-43-490-195	B Court: Professional Consultant & Spec	R	03/29/21 03/31/21	10181160	N
Vendor Total:		34.00						
L0000010 Lerch, Vinci & Higgins, LLP								
21-00557 03/15/21 Review of unaudited AFS 2020								
1	Review of unaudited AFS 2020	600.00	0-01-20-135-299	B Audit: Miscellaneous Other Expenses	R	03/15/21 03/18/21	36199	N
Vendor Total:		600.00						

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L0000051 Lincoln National Life Ins Co														
21-00637			03/25/21	2020 LOSAP Contributions										
		1		2020 LOSAP Contribution	44,436.44	0-01-25-267-299		B LOSAP: Misc Other Expenses	R	03/25/21	03/30/21		CR33114	N
	Vendor Total:				44,436.44									
M0000004 Malouf Ford, Inc.														
21-00642			03/25/21	truck#9 - gas pedal	77.33	21-00006	C	B Vehicle Mainten Maintenance of Motor Veh R		01/06/21	03/30/21		613173	N
		1		truck#9 - gas pedal		1-01-26-315-100								
21-00675			03/30/21	truck #10 parts	70.40	21-00006	C	B Vehicle Mainten Maintenance of Motor Veh R		01/06/21	04/01/21		613543	N
		1		truck #10 parts	59.56	1-01-26-315-100		B Vehicle Mainten Maintenance of Motor Veh R		01/06/21	04/01/21		613543	N
		2		truck #10 parts	61.25	1-01-26-315-100		B Vehicle Mainten Maintenance of Motor Veh R		01/06/21	04/01/21		613543	N
		3		truck #10 parts	191.21									
	Vendor Total:				268.54									
M0000015 Middlesex County Improvement														
21-00645			03/25/21	FEB 2021 - RECYCLING	18,893.76	1-01-26-305-130		B Solid Waste: MCIA Recycling	R	03/25/21	03/30/21		AR039025	N
		1		FEB 2021 - RECYCLING										
	Vendor Total:				18,893.76									
M0000022 Middlesex water Company														
21-00617			03/22/21	107 George St-Enterprise FH	98.43	1-01-31-430-220		B Utilities - Water	R	03/22/21	03/30/21			N
		1		107 George St-Enterprise FH										
	Vendor Total:				98.43									
M0000073 Middlesex County Association														
21-00635			03/24/21	ANNUAL MEMBERSHIP 2021	250.00	1-01-25-240-140		B Police: Memberships	R	03/24/21	03/30/21		21-012	N
		1		ANNUAL MEMBERSHIP 2021										
	Vendor Total:				250.00									

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M0000157 Modern Group Ltd.															
21-00283	02/09/21	Replace Failing Battery-Chall													
1		Replace Failing Battery-Chall	629.97	1-01-26-310-105	B B&G: Maintenance of Other Equipment	R		02/09/21	03/30/21				PSVI592088	N	
Vendor Total:			629.97												
N0000005 New Jersey Fire Equipment Co.															
21-00187	01/26/21	Mercedes/Highwater Hose													
1		Mercedes/Highwater Hose	728.00	1-01-25-265-070	B Fire Dept: Gen Equipment and Machinery	R		01/26/21	03/18/21				65433	N	
21-00572	03/16/21	Mercedes/Highwater Hose													
1		Mercedes/Highwater Hose	1,092.00	1-01-25-265-070	B Fire Dept: Gen Equipment and Machinery	R		03/16/21	03/30/21				65706	N	
			<u>1,092.00</u>	0-01-25-265-070	B Fire Dept: Gen Equipment and Machinery										
			2,184.00												
Vendor Total:			2,912.00												
N0000008 New Jersey Planning Officials															
20-01349	07/01/20	Planning & Zoning Book Bundles													
1		Planning & Zoning Book Bundles	128.00	0-01-21-180-299	B Planning Board: Misc Other Expenses	R		07/01/20	03/30/21				50690	N	
2		S&H	<u>15.00</u>	0-01-21-180-299	B Planning Board: Misc Other Expenses	R		07/06/20	03/30/21				50690	N	
			143.00												
Vendor Total:			143.00												
NJCRI005 NJ Criminal Interdiction, LLC															
21-00538	03/11/21	PATROL TRAINING (KALES, T)													
1		PATROL TRAINING (KALES, T)	299.00	1-01-25-240-215	B Police: School Training Prog	R		03/11/21	03/18/21				351023801CEA8	N	
Vendor Total:			299.00												
P0000009 Public Service Electric & Gas															
21-00554	03/15/21	February'21 Billing													
1		February'21 Billing	1,516.78	1-01-31-430-230	B Utilities - Natural Gas	R		03/15/21	03/18/21				503100084899	N	
Vendor Total:			1,516.78												

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Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
PARTS005 Parts Authority, LLC														
21-00547	03/12/21	TRUCK#26 - THROTTLE SENSOR	21-00004	C										
1	TRUCK#26 - THROTTLE SENSOR	23.24	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	03/18/21	022-587648	N					
21-00548	03/12/21	TRUCK#28 - TEMP SENDER	21-00004	C										
1	TRUCK#28 - TEMP SENDER	19.77	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	03/18/21	300-217764	N					
21-00641	03/25/21	truck#1 & #2 - wiper blades	21-00004	C										
1	truck#1 & #2 - wiper blades	66.76	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	03/30/21	127-159589	N					
21-00678	03/30/21	Truck#10 - shocks	21-00004	C										
1	Truck#10 - shocks	97.20	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	04/01/21	301-094583	N					
21-00679	03/30/21	fire engine#9 - battery	21-00004	C										
1	fire engine#9 - battery	128.00	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	04/01/21	300-221858	N					
21-00680	03/30/21	truck# 10 - shocks	21-00004	C										
1	truck# 10 - shocks	98.70	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	04/01/21	301-094580	N					
21-00681	03/30/21	CREDIT	21-00004	C										
1	CREDIT	40.00	1-01-26-315-100	B Vehicle Mainten	Maintenance of Motor Veh R	01/06/21	04/01/21	301-15114	N					
Vendor Total:		393.67												
PHOEN005 Phoenix Advisors, LLC														
21-00622	03/23/21	Disclosure Agent Services 2020												
1	Disclosure Agent Services 2020	1,950.00	0-01-20-130-195	B Finance: Professional Consultant & Spec	R	03/23/21	03/30/21	2020	N					
Vendor Total:		1,950.00												
PRIME005 PRIMEPOINT, LLC														
21-00345	02/16/21	2021 Payroll Services												
3	March '21	1,709.95	1-01-20-130-095	B Finance: Maintenance Agreement	R	02/16/21	03/23/21	459651	N					
Vendor Total:		1,709.95												

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Vendor # Name	PO # PO Date Description	Amount	Contract Charge Account	PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
QUENC005 Quench USA, Inc.	21-00550 03/12/21 DPW FLITERED WATER									
	1 DPW FLITERED WATER	123.60	1-01-26-310-150	B B&G: Other Contractual Services	R	03/12/21	03/18/21		INV02858573	N
	Vendor Total:	123.60								
R0000001 Kenneth R. Sumski-R&R Printing	21-00544 03/12/21 5,000 #10 window - Tax/Sewer									
	1 5,000 #10 window - Tax/Sewer	197.50	1-01-20-145-190	B Revenue: Printing & Binding	R	03/12/21	03/30/21		21058	N
		197.50	1-01-26-307-190	B Sewer: Printing & Binding						
		395.00								
	Vendor Total:	395.00								
R0000011 Registrars' Association of NJ	21-00002 01/04/21 MEMBERSHIP 2021									
	1 MEMBERSHIP 2021	25.00	1-01-27-331-140	B Vital: Memberships	R	01/04/21	04/01/21		7281	N
	2 MEMBERSHIP 2021	25.00	1-01-27-331-140	B Vital: Memberships	R	01/04/21	04/01/21		6876	N
		50.00								
	Vendor Total:	50.00								
R0000015 Reliable Fire Protection	21-00596 03/22/21 insepection - Independence Fire									
	1 insepection - Independence Fire	231.25	1-01-26-310-150	B B&G: Other Contractual Services	R	03/22/21	03/30/21		388464	N
	21-00597 03/22/21 Inspection - Enterprise Fire									
	1 Inspection - Enterprise Fire	253.50	1-01-26-310-150	B B&G: Other Contractual Services	R	03/22/21	03/30/21		388477	N
	21-00598 03/22/21 inspection-protection fire									
	1 inspection-protection fire	236.00	1-01-26-310-150	B B&G: Other Contractual Services	R	03/22/21	03/30/21		388475	N
	21-00599 03/22/21 inspection-Mechanicsville Fire									
	1 inspection-Mechanicsville Fire	236.00	1-01-26-310-150	B B&G: Other Contractual Services	R	03/22/21	03/30/21		388467	N

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Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/chk	First Enc	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
TELCO005 TELCO COMMUNICATIONS													
21-00589 03/18/21 Siren Repair-Progressive FH													
	1		Siren Repair-Progressive FH	370.00	1-01-25-265-105		B Fire Dept: Maint of Other Equipment	R	03/18/21	03/30/21		0225A21SA	N
	2		Siren Repair-Progressive FH	<u>215.00</u>	1-01-25-265-105		B Fire Dept: Maint of Other Equipment	R	03/18/21	03/30/21		0306A21SA	N
				585.00									
			Vendor Total:	585.00									
TSU10005 TSUJ													
20-02277 10/29/20 Public Works Emergency Gen.													
	1		Public Works Emergency Gen.	13,603.39	C-04-18-001-008		B Dept Public Works Generator	R	10/29/20	03/23/21		PAYMENT #1	N
				<u>777.27</u>	C-04-18-001-006		B Imp to Buildings and Grounds						
				14,380.66									
			Vendor Total:	14,380.66									
UNIFI005 UniFirst Corporation													
21-00579 03/17/21 UNIFORM RENTAL - 1260004354 21-00009 c													
	1		UNIFORM RENTAL - 1260004354	6.48	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	2		UNIFORM RENTAL - 1260004354	3.87	1-01-26-315-299		B Vehicle Maint: Misc Other Expenses	R	01/06/21	03/30/21		1260004354	N
	3		UNIFORM RENTAL - 1260004354	7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	4		UNIFORM RENTAL - 1260004354	6.48	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	5		UNIFORM RENTAL - 1260004354	7.06	1-01-26-307-045		B Sewer: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	6		UNIFORM RENTAL - 1260004354	7.06	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	7		UNIFORM RENTAL - 1260004354	7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	8		UNIFORM RENTAL - 1260004354	6.48	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	9		UNIFORM RENTAL - 1260004354	6.48	1-01-26-310-045		B B&G: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	10		UNIFORM RENTAL - 1260004354	7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	11		UNIFORM RENTAL - 1260004354	6.48	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	12		UNIFORM RENTAL - 1260004354	6.48	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	13		UNIFORM RENTAL - 1260004354	6.48	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	14		UNIFORM RENTAL - 1260004354	6.48	1-01-26-307-045		B Sewer: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	15		UNIFORM RENTAL - 1260004354	7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	16		UNIFORM RENTAL - 1260004354	6.48	1-01-26-305-045		B Solid Waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	17		UNIFORM RENTAL - 1260004354	3.87	1-01-26-315-299		B Vehicle Maint: Misc Other Expenses	R	01/06/21	03/30/21		1260004354	N
	18		UNIFORM RENTAL - 1260004354	3.60	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
	19		UNIFORM RENTAL - 1260004354	2.93	1-01-26-306-299		B Recycling: Miscellaneous Other Expenses	R	01/06/21	03/30/21		1260004354	N
	20		UNIFORM RENTAL - 1260004354	7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N

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Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
UNIFI005	UniFirst Corporation			Continued										
21-00579	03/17/21 UNIFORM RENTAL - 1260004354			Continued										
21	UNIFORM RENTAL - 1260004354				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
22	UNIFORM RENTAL - 1260004354				2.15	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
23	UNIFORM RENTAL - 1260004354				7.06	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260004354	N
					137.70									
21-00646	03/25/21 UNIFORM RENTAL - 1260007423			21-00009 C										
1	UNIFORM RENTAL - 1260007423				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
2	UNIFORM RENTAL - 1260007423				3.87	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
3	UNIFORM RENTAL - 1260007423				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
4	UNIFORM RENTAL - 1260007423				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
5	UNIFORM RENTAL - 1260007423				7.06	1-01-26-307-045		B Sewer: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
6	UNIFORM RENTAL - 1260007423				7.06	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
7	UNIFORM RENTAL - 1260007423				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
8	UNIFORM RENTAL - 1260007423				6.48	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
9	UNIFORM RENTAL - 1260007423				6.48	1-01-26-310-045		B B&G: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
10	UNIFORM RENTAL - 1260007423				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
11	UNIFORM RENTAL - 1260007423				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
12	UNIFORM RENTAL - 1260007423				6.48	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
13	UNIFORM RENTAL - 1260007423				6.48	1-01-26-310-045		B B&G: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
14	UNIFORM RENTAL - 1260007423				6.48	1-01-26-307-045		B Sewer: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
15	UNIFORM RENTAL - 1260007423				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
16	UNIFORM RENTAL - 1260007423				7.06	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
17	UNIFORM RENTAL - 1260007423				3.87	1-01-26-315-299		B Vehicle Maint: Misc Other Expenses	R	01/06/21	03/30/21		1260007423	N
18	UNIFORM RENTAL - 1260007423				3.60	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
19	UNIFORM RENTAL - 1260007423				2.93	1-01-26-306-299		B Recycling: Miscellaneous Other Expenses	R	01/06/21	03/30/21		1260007423	N
20	UNIFORM RENTAL - 1260007423				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
21	UNIFORM RENTAL - 1260007423				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
22	UNIFORM RENTAL - 1260007423				2.15	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
23	UNIFORM RENTAL - 1260007423				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	03/30/21		1260007423	N
					137.70									
21-00684	03/30/21 UNIFORM RENTAL - 1260010451			21-00009 C										
1	UNIFORM RENTAL - 1260010451				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	04/01/21		1260010451	N
2	UNIFORM RENTAL - 1260010451				3.87	1-01-26-315-299		B Vehicle Maint: Misc Other Expenses	R	01/06/21	04/01/21		1260010451	N
3	UNIFORM RENTAL - 1260010451				7.06	1-01-26-290-045		B Streets/Roads: Clothing & Uniforms	R	01/06/21	04/01/21		1260010451	N
4	UNIFORM RENTAL - 1260010451				6.48	1-01-26-305-045		B Solid waste: Clothing & Uniforms	R	01/06/21	04/01/21		1260010451	N

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Vendor # Name	PO # PO Date Description	Contract PO Type	Amount Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Chk/Void	1099
Item Description						Enc Date Date	Date Invoice	Excl
UNIFI005 UniFirst Corporation			Continued					
21-00684 03/30/21 UNIFORM RENTAL - 1260010451			Continued					
5			7.06 1-01-26-307-045	B Sewer: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
6			7.06 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
7			7.06 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
8			6.48 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
9			6.48 1-01-26-310-045	B B&G: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
10			7.06 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
11			6.48 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
12			6.48 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
13			6.48 1-01-26-310-045	B B&G: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
14			6.48 1-01-26-307-045	B Sewer: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
15			6.48 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
16			7.06 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
17			7.06 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
18			3.87 1-01-26-315-299	B Vehicle Maint: Misc Other Expenses	R	01/06/21 04/01/21	1260010451	N
19			3.60 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
20			2.93 1-01-26-306-299	B Recycling: Miscellaneous Other Expenses	R	01/06/21 04/01/21	1260010451	N
21			7.06 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
22			6.48 1-01-26-305-045	B Solid Waste: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
23			2.15 1-01-26-290-045	B Streets/Roads: Clothing & Uniforms	R	01/06/21 04/01/21	1260010451	N
			137.70					
Vendor Total:			413.10					
V0000001 Verizon								
21-00615 03/22/21 3/15/21 450-717-047-0001-08								
1 3/15/21 450-717-047-0001-08			6.55 1-01-31-430-240	B Utilities - Telephone	R	03/22/21 03/30/21		N
21-00616 03/22/21 3/15/21 250-717-101-0001-94								
1 3/15/21 250-717-101-0001-94			1,341.62 1-01-31-430-240	B Utilities - Telephone	R	03/22/21 03/30/21		N
Vendor Total:			1,348.17					
V0000002 Verizon wireless								
21-00612 03/22/21 Feb'21 inv.9875508442			21-00015 C					
1 Feb'21 inv.9875508442			1,858.50 1-01-31-430-240	B Utilities - Telephone	R	01/14/21 03/30/21	9875508442	N

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Vendor # Name	PO # PO Date Description	Contract PO Type	Amount Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
V0000002 Verizon Wireless Continued										
	21-00673 03/30/21 Feb22-March21,21 Message Board									
	1 Feb22-March21,21 Message Board		77.06	1-01-31-430-245	B Utilities - Internet	R	03/30/21	03/31/21	9876029171	N
Vendor Total:			1,935.56							
W0000017 W.B. Mason										
	21-00518 03/09/21 PD MV EQUIP/OFFICE SUPPLY									
	1 PD MV EQUIP/OFFICE SUPPLY		58.47	1-01-25-240-145	B Police: Office Supplies	R	03/09/21	03/30/21	218742982	N
	2 PD MV EQUIP/OFFICE SUPPLY		18.72	1-01-25-240-145	B Police: Office Supplies	R	03/09/21	03/30/21	218600486	N
			77.19							
	21-00528 03/10/21 Finance/Purchasing calculators									
	1 Finance/Purchasing calculators		97.28	1-01-20-100-145	B Admin: Office Supplies	R	03/10/21	03/30/21	218573149	N
	21-00534 03/10/21 Supplies									
	1 Supplies		82.17	1-01-43-490-145	B Court: Office Supplies	R	03/10/21	03/30/21	218598232	N
	21-00539 03/11/21 CLOCK FOR DB									
	1 CLOCK FOR DB		16.98	1-01-25-240-075	B Police: General Hardware and Minor Too	R	03/11/21	03/30/21	5112330557	N
	21-00574 03/16/21 Office Supplies									
	1 Printing Calc-CSOHR170RC		41.69	1-01-20-100-145	B Admin: Office Supplies	R	03/16/21	03/30/21	218716418	N
	2 Binder Clips-UNV10210VP		2.98	1-01-20-100-145	B Admin: Office Supplies	R	03/16/21	03/30/21	218716418	N
			44.67							
Vendor Total:			318.29							

Total Purchase Orders: 108 Total P.O. Line Items: 232 Total List Amount: 192,204.80 Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	53,151.83	0.00	53,151.83	0.00	0.00	53,151.83
CURRENT FUND	1-01	86,837.02	0.00	86,837.02	0.00	0.00	86,837.02
CAPITAL FUND	C-04	51,015.95	0.00	51,015.95	0.00	0.00	51,015.95
GRANT FUND	G-02	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
Total Of All Funds:		<u>192,204.80</u>	<u>0.00</u>	<u>192,204.80</u>	<u>0.00</u>	<u>0.00</u>	<u>192,204.80</u>

ORDINANCE 21-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53, ARTICLE XXIII “DEVELOPMENT REGULATIONS – STORMWATER CONTROL” OF THE CODE OF THE CITY OF SOUTH AMBOY BY ADDING SECTION 53-139B(7)(iv) REQUIRING PARTIES RESPONSIBLE FOR MAINTENANCE TO POST A TWO YEAR GUARANTEE IN ACCORD WITH N.J.S.A. 40:55d-53” AND BY AMENDING REFERENCES WITHIN THE ARTICLE TO CONFORM.

WHEREAS, at a public meeting on February 17, 2021, the City Council of the City of South Amboy, Middlesex County, New Jersey, adopted Ordinance 2021-01, entitled “An Ordinance Amending and Supplementing Chapter 53 ‘Development Regulations’ of the Code of the City of South Amboy by adding a new Article XXIII Entitled ‘Stormwater Control’”, and

WHEREAS, is it now necessary to amend that article to require that certain parties responsible for Stormwater Maintenance post a two year guarantee in accord with N.J.S.A. 40:55d-53; and

WHEREAS, amend certain internal references within ordinance to confirm internal consistency;

BE AND IT IS HEREBY ORDAINED by the Council of the City of South Amboy, Middlesex County, New Jersey, that the Code of the City of South Amboy be amended as follows:

Chapter 53

DEVELOPMENT REGULATIONS

Add: Article XXIII

Stormwater Control

ARTICLE XXIII

Chapter 53-131. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Chapter 53-132.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the City of South Amboy.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Chapter 53-132. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;

2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Chapter 53-134.F of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or

quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically

adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Chapter 53-133. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.

Chapter 53-134. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with the provisions contained in the stormwater management regulations and herein.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Chapter 53-134 P, Q and R:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Chapter 53-134.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Chapter 53-134.O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Chapter 53-134.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Chapter 53-134.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Chapter 53-134.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1				
<u>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</u>				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Cistern</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>=</u>
<u>Dry Well^(a)</u>	<u>0</u>	<u>No</u>	<u>Yes</u>	<u>2</u>
<u>Grass Swale</u>	<u>50 or less</u>	<u>No</u>	<u>No</u>	<u>2^(e)</u> <u>1^(f)</u>
<u>Green Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>=</u>
<u>Manufactured Treatment Device^{(a) (g)}</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Pervious Paving System^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Bioretention Basin^(a)</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Infiltration Basin^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Small-Scale Sand Filter</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Vegetative Filter Strip</u>	<u>60-80</u>	<u>No</u>	<u>No</u>	<u>=</u>

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
with a Waiver or Variance from N.J.A.C. 7:8-5.3)

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Bioretention System</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Infiltration Basin</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Sand Filter^(b)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Standard Constructed Wetland</u>	<u>90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Wet Pond^(d)</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or
Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device^(h)</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter^(c)</u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Chapter 53-134.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Chapter 53-132;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Chapter 53-132.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Chapter 53-135.B. Alternative stormwater management measures may be used to satisfy the requirements at Chapter 53-134.O only if the measures meet the definition of green infrastructure at Chapter 53-132. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Chapter 53-134.D is granted from Chapter 53-134.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper

operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Chapter 53-138.C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Chapter 53-138; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Chapter 53-132 may be used only under the circumstances described at Chapter 53-134.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Chapter 53-132 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Chapter 53-132.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the

development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Middlesex County Clerk, as appropriate. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Chapter 53-140.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Chapter 53-134 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk, as applicable, and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Chapter 53-134.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Chapter 53-134.F. and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<u>Best Management Practice</u>	<u>Maximum Contributory Drainage Area</u>
<u>Dry Well</u>	<u>1 acre</u>
<u>Manufactured Treatment Device</u>	<u>2.5 acres</u>
<u>Pervious Pavement Systems</u>	<u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u>
<u>Small-scale Bioretention Systems</u>	<u>2.5 acres</u>
<u>Small-scale Infiltration Basin</u>	<u>2.5 acres</u>
<u>Small-scale Sand Filter</u>	<u>2.5 acres</u>

3. To satisfy the stormwater runoff quantity standards at Chapter 53-134.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Chapter 53-134.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this

subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Chapter 53-134.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge.
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Chapter 53-135, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
 A = the TSS Percent Removal Rate applicable to the first BMP
 B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Chapter 53-134.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Chapter 53-135, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Chapter 53-135. Calculation of Stormwater Runoff and Groundwater Recharge:

- A. Stormwater runoff shall be calculated in accordance with the following:
 1. The design engineer shall calculate runoff using one of the following methods:

- i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Chapter 53-135.A.1.i and the Rational and Modified Rational Methods at Chapter 53-135.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type

is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420
Mail Code 29-01, Trenton, New Jersey 08625-0420.

Chapter 53-136. Sources for Technical Guidance:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Chapter 53-137. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Chapter 53-134.F above, or alternative designs in accordance with Chapter 53-134.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Chapter 53-135II.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Chapter 53-138. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Chapter 53-135III.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other

features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;

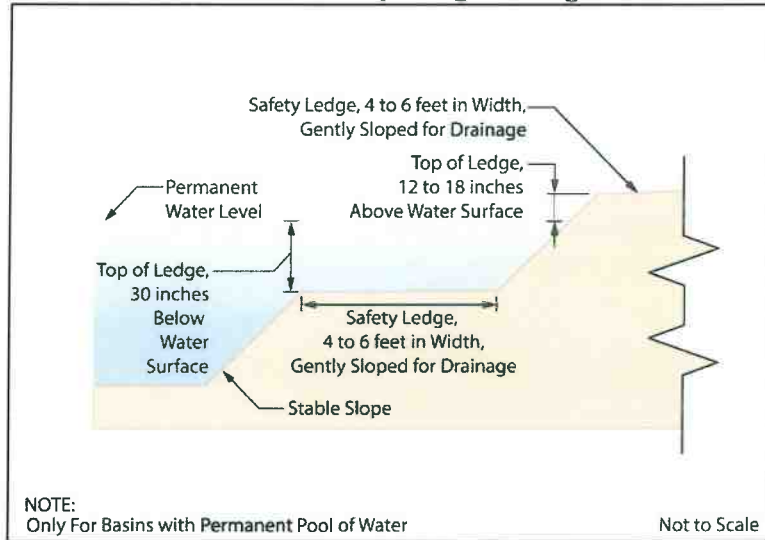
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Chapter 53-139. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Chapter 53-139.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit a minimum of three copies of the materials listed in the checklist for site development stormwater plans in accordance with Chapter 53-139.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map, as appropriate, may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Chapters 53-133 through 53-135 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater

quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Chapter 53-134 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Chapter 53-140.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Chapter 53-139.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Chapter 53-139. Maintenance and Repair:

A. Applicability

Projects subject to review as in Chapter 53-131.C of this ordinance shall comply with the requirements of Chapters 53-140.B and 53-140.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Chapter 53-140.B.3 above is not a public agency, the maintenance plan and any future revisions based on Chapter 53-140.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment,

debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under Chapter 53-140.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Chapter 53-140.B.6 and B.7 above.

iv. post a two year **guarantee** in accordance with N.J.S.A. 40:55D-53.

8. The requirements of Chapter 53-140.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
 10. Maintenance and inspection guidance can be found on the Departments' website at:
https://www.njstormwater.org/maintenance_guidance.htm.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

Chapter 53-140. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance may be subject to penalties as permitted by the Code of the City of South Amboy.

Chapter 53-141 Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Chapter 53-142. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Introduced on First Reading: April 7, 2021

Date of Publication: April 12, 2021

Adopted on Second Reading:

Date of Final Publication:

ORDINANCE 21-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53, ARTICLE XXIII “DEVELOPMENT REGULATIONS – STORMWATER CONTROL” OF THE CODE OF THE CITY OF SOUTH AMBOY BY ADDING SECTION 53-139B(7)(iv) REQUIRING PARTIES RESPONSIBLE FOR MAINTENANCE TO POST A TWO YEAR GUARANTEE IN ACCORD WITH N.J.S.A. 40:55d-53” AND BY AMENDING REFERENCES WITHIN THE ARTICLE TO CONFORM.

WHEREAS, at a public meeting on February 17, 2021, the City Council of the City of South Amboy, Middlesex County, New Jersey, adopted Ordinance 2021-01, entitled “An Ordinance Amending and Supplementing Chapter 53 ‘Development Regulations’ of the Code of the City of South Amboy by adding a new Article XXIII Entitled ‘Stormwater Control’”, and

WHEREAS, is it now necessary to amend that article to require that certain parties responsible for Stormwater Maintenance post a two year guarantee in accord with N.J.S.A. 40:55d-53; and

WHEREAS, amend certain internal references within ordinance to confirm internal consistency;

BE AND IT IS HEREBY ORDAINED by the Council of the City of South Amboy, Middlesex County, New Jersey, that the Code of the City of South Amboy be amended as follows:

Chapter 53

DEVELOPMENT REGULATIONS

Add: Article XXIII

Stormwater Control

ARTICLE XXIII

Chapter 53-131. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Chapter 53-132.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the City of South Amboy.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Chapter 53-132. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;

2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Chapter 53-134.F of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or

quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically

adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Chapter 53-133. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.

Chapter 53-134. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with the provisions contained in the stormwater management regulations and herein.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Chapter 53-134 P, Q and R:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Chapter 53-134.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Chapter 53-134.O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Chapter 53-134.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Chapter 53-134.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Chapter 53-134.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1				
<u>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</u>				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Cistern</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>--</u>
<u>Dry Well^(a)</u>	<u>0</u>	<u>No</u>	<u>Yes</u>	<u>2</u>
<u>Grass Swale</u>	<u>50 or less</u>	<u>No</u>	<u>No</u>	<u>2^(e)</u> <u>1^(f)</u>
<u>Green Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>--</u>
<u>Manufactured Treatment Device^{(a) (g)}</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Pervious Paving System^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Bioretention Basin^(a)</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Infiltration Basin^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Small-Scale Sand Filter</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Vegetative Filter Strip</u>	<u>60-80</u>	<u>No</u>	<u>No</u>	<u>--</u>

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
with a Waiver or Variance from N.J.A.C. 7:8-5.3)

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Bioretention System</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Infiltration Basin</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Sand Filter^(b)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Standard Constructed Wetland</u>	<u>90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Wet Pond^(d)</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or
Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device^(h)</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter^(c)</u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Chapter 53-134.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Chapter 53-132;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Chapter 53-132.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Chapter 53-135.B. Alternative stormwater management measures may be used to satisfy the requirements at Chapter 53-134.O only if the measures meet the definition of green infrastructure at Chapter 53-132. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Chapter 53-134.D is granted from Chapter 53-134.O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper

operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Chapter 53-138.C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Chapter 53-138; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Chapter 53-132 may be used only under the circumstances described at Chapter 53-134.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Chapter 53-132 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Chapter 53-132.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the

development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Middlesex County Clerk, as appropriate. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Chapter 53-140.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Chapter 53-134 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk, as applicable, and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Chapter 53-134.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Chapter 53-134.F. and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<u>Best Management Practice</u>	<u>Maximum Contributory Drainage Area</u>
<u>Dry Well</u>	<u>1 acre</u>
<u>Manufactured Treatment Device</u>	<u>2.5 acres</u>
<u>Pervious Pavement Systems</u>	<u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u>
<u>Small-scale Bioretention Systems</u>	<u>2.5 acres</u>
<u>Small-scale Infiltration Basin</u>	<u>2.5 acres</u>
<u>Small-scale Sand Filter</u>	<u>2.5 acres</u>

3. To satisfy the stormwater runoff quantity standards at Chapter 53-134.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Chapter 53-134.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Chapter 53-134.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this

subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Chapter 53-134.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Chapter 53-134.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge.
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Chapter 53-135, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
A = the TSS Percent Removal Rate applicable to the first BMP
B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Chapter 53-134.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Chapter 53-135, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Chapter 53-135. Calculation of Stormwater Runoff and Groundwater Recharge:

- A. Stormwater runoff shall be calculated in accordance with the following:
 1. The design engineer shall calculate runoff using one of the following methods:

- i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Chapter 53-135.A.1.i and the Rational and Modified Rational Methods at Chapter 53-135.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type

is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

Chapter 53-136. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Chapter 53-137. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Chapter 53-134.F above, or alternative designs in accordance with Chapter 53-134.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Chapter 53-135II.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Chapter 53-138. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Chapter 53-135III.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other

features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;

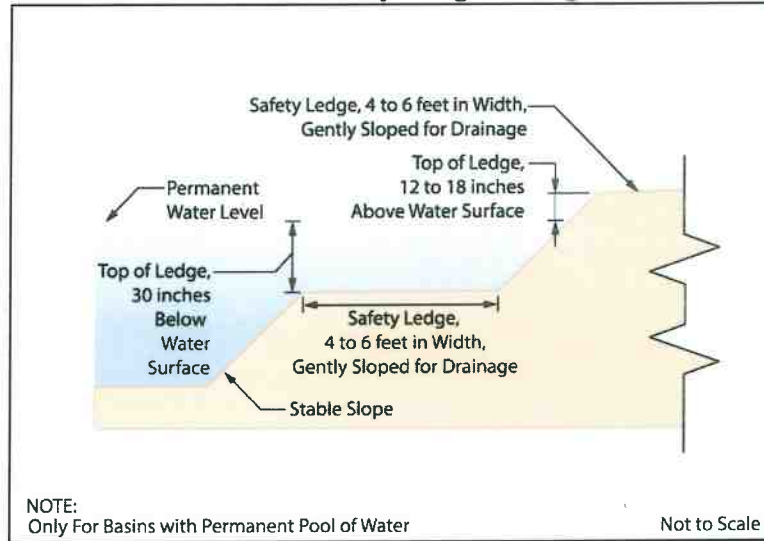
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be **granted** only upon a **written** finding by the municipality that the variance or exemption will not constitute a threat to public safety

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Chapter 53-139. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Chapter 53-139.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit a minimum of three copies of the materials listed in the checklist for site development stormwater plans in accordance with Chapter 53-139.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map, as appropriate, may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Chapters 53-133 through 53-135 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater

quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Chapter 53-134 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Chapter 53-140.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Chapter 53-139.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Chapter 53-139. Maintenance and Repair:

A. Applicability

Projects subject to review as in Chapter 53-131.C of this ordinance shall comply with the requirements of Chapters 53-140.B and 53-140.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Chapter 53-140.B.3 above is not a public agency, the maintenance plan and any future revisions based on Chapter 53-140.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment,

debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under Chapter 53-140.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Chapter 53-140.B.6 and B.7 above.

iv. post a two year guarantee in accordance with N.J.S.A. 40:55D-53.

8. The requirements of Chapter 53-140.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
 10. Maintenance and inspection guidance can be found on the Departments' website at:
https://www.njstormwater.org/maintenance_guidance.htm.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

Chapter 53-140. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance may be subject to penalties as permitted by the Code of the City of South Amboy.

Chapter 53-141 Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Chapter 53-142. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Introduced on First Reading: April 7, 2021

Date of Publication: April 12, 2021

Adopted on Second Reading:

Date of Final Publication:

ORDINANCE 2021-03

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS the Governing Body of the City of South Amboy in the County of Middlesex finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS the Governing Body hereby determines that a 2.5% increase in the budget for said year, amounting to \$381,166.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of South Amboy, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2021 budget year, the final appropriations of the City of South Amboy shall, in \$533,632.75 and that the CY 2021 municipal budget for the City of South Amboy be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall take effect after final passage on March 17, 2021 and publication as provided by law.

Deborah Brooks
Municipal Clerk

Introduced on First Reading: March 3, 2021
Date of Publication: March 8, 2021
Adopted on Second Reading: April 7, 2021
Date of Final Publication:

CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING AND SUPPLEMENTING
ORDINANCE NO. 1036 ENTITLED "PARKING AND
TRAFFIC REGULATIONS FOR THE CITY OF SOUTH
AMBOY" IN THE COUNTY OF MIDDLESEX AND
STATE OF NEW JERSEY – 122 SOUTH FELTUS -
SLINGERLAND

BE AND IT IS HEREBY ORDAINED by the Council for the City of South Amboy, Middlesex County, New Jersey, on the Ordinance No. 1036, entitled "Parking and Traffic Regulations for the City of South Amboy" is hereby amended and supplemented as follows:

Add the Following:

ARTICLE V Handicapped Parking

Section 5-1 Special Parking for Handicapped

Section X Handicapped Parking

Add the Following:

NAME OF STREET	LOCATION
122 South Feltus St.	Sign to be placed 111 feet from the curb line of South Feltus Street/Henry Street in front of the residence at 122 South Feltus Street.

The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision thereof.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

This ordinance shall take effect after final passage and publication as provided by law.

The Municipal Clerk shall serve a certified true copy of this Ordinance upon the South Amboy Police Department.

Deborah Brooks
Municipal Clerk

Introduced on First Reading: March 3, 2021
First Publication: March 8, 2021
Approved on Final Reading: April 7, 2021
Final Publication: