

**AGENDA
COUNCIL MEETING
JUNE 15, 2022**

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

7:00 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

ACKNOWLEDGEMENT 200 CLUB

Dennis Kelly, Chief LaVigne presenting to Mike Kelly, James "Doc" Ryan, and Brian Tierney

ACKNOWLEDGEMENT OF SA BOYS BASEBALL GOLD DIVISION CHAMPIONSHIP

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: _____ of the Council of the City of South Amboy, that Resolution NO. 22-137 through NO. 22-145 are hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

- | | |
|------------|--|
| NO. 22-137 | RESOLUTION AUTHORIZING THE TAX COLLECTOR TO EXTEND THE THIRD QUARTER 2022 DUE DATE |
| NO. 22-138 | ESTIMATED TAXES |
| NO. 22-139 | RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) – PUBLIC AND PRIVATE REVENUES OFFSET BY APPROPRIATIONS |
| NO.22-140 | RESOLUTION FROM GCADA FISCAL GRANT CYCLE 2020-JUNE 2025 – AUTHORIZING ACCEPTANCE OF FUNDS – MUNICIPAL ALLIANCE |
| NO. 22-141 | LIQUOR LICENSE RENEWAL 2022-2023 |
| NO. 22-142 | RESOLUTION APPROVING REDUCTION IN PERFORMANCE BOND GUARANTEES UNDER BUILDING AGREEMENT WITH SAMBOY PARTNERS URBAN RENEWAL LLC FOR PROJECT SA-400-19 |
| NO. 22-143 | RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,500,000 TAX ANTICIPATION NOTES OF 2022 OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY |

NO. 22-144 RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJDOT FOR THE BROADWAY, PHASE 1 -ROADWAY AND PEDESTRIAN IMPROVEMENTS PROJECT

NO.22-145 RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJDOT FOR THE BROADWAY, PHASE 2 -ROADWAY AND PEDESTRIAN IMPROVEMENTS PROJECT

RESOLUTIONS:

RESOLUTION NO. 22-146
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 June 1, 2022 Council Meeting.

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 22-146 is hereby approved. **SECONDED by:** _____ **ROLL CALL VOTE:**

RESOLUTION NO. 22-147
APPROVAL OF BILL LIST

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 June 9, 2022, as presented by the Chief Financial Officer.

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

MOVED by: _____ of the Council of the City of South Amboy, that Resolution No. 22-147 is hereby approved. **SECONDED by:** _____. **ROLL CALL VOTE:**

ORDINANCES

SECOND READING/ADOPTION

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFIC REGULATIONS" FOR THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY- REMOVE RESIDENTIAL HANDICAP SPOTS, JOB-422 JOHN ST., LAMBERTSON-226 FIRST ST., CABANSKI-323 FOURTH ST., MOTYLEWSKI-135 HENRY ST., 325 JOHN ST., -ADD RESIDENTIAL HANDICAP SPOT, 313 HENRY ST. – JUGAN

OPEN PUBLIC
CLOSE PUBLIC

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2022-06 is hereby adopted.
SECONDED by: _____, **ROLL CALL VOTE:**

ORDINANCE NO. 2022-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$3,247,600 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,460,706 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

**OPEN PUBLIC
CLOSE PUBLIC**

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2022-07 is hereby adopted.

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

ORDINANCE NO. 2022-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE SANITATION DEPARTMENT IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$640,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$608,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

**OPEN PUBLIC
CLOSE PUBLIC**

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2022-08 is hereby adopted.

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

ORDINANCE NO. 2022-09

ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE CITY OF SOUTH AMBOY

**OPEN PUBLIC
CLOSE PUBLIC**

MOVED by: _____, of the Council of the City of South Amboy, that Ordinance #2022-09 is hereby adopted.

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

COMMENTS:

PUBLIC COMMENTS:

ADJOURNMENT

RESOLUTION NO. 22-137

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO
EXTEND THE THIRD QUARTER 2022 DUE DATE**

WHEREAS, the certified tax rate was not received in time to meet the statutory mailing and due dates, the third quarter 2022 which is usually due August 1st, will be extended twenty-five days from the date of mailing to meet the statutory requirements as per N.J.S.A. 54:4-66.3d; and

WHEREAS, the governing body hereby establishes an extension of the due date for taxes due third quarter 2022; and

WHEREAS, upon passage of this resolution the due date for the third quarter taxes will be extended to twenty five days from the date of the mailing after which time interest will accrue from August 1, 2022; and

NOW THEREFORE BE IT RESOLVED, the Mayor and City Council of the City of South Amboy authorize the Tax Collector to extend the third quarter due date and charge interest in accordance with normal delinquencies for payments received after the due date.

RESOLUTION NO. 22-138

ESTIMATED TAXES

WHEREAS, the governing body of the City of South Amboy, County of Middlesex, State of New Jersey has determined that there will be insufficient cash flow to support operations in late July 2022 unless third quarter revenue is received on time, and

WHEREAS, the Tax Collector and Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3,

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the City of South Amboy, County of Middlesex, State of New Jersey, hereby authorizes that:

1. The Tax Collector is directed to prepare, and issue estimated tax bills for the Municipality of the City of South Amboy for the third quarter 2022, in accordance with the provisions of N.J.S.A. 54: 4-66.2 et seq.
2. The entire tax levy for 2022 is hereby set at \$26,434,034.42
3. The tax collector take additional steps necessary to immediately implement this Resolution.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 22-139

**RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE BUDGET
PURSUANT TO N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) –
PUBLIC AND PRIVATE REVENUES OFFSET BY
APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue to the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the City has received a Clean Communities Grant award from the Environmental Protection Agency Department of Solid Waste in the amount of \$16,983.27.

NOW, THEREFORE, BE IT RESOLVED, that the City of South Amboy in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$16,983.27, which is now available from a Clean Communities Grant in the amount of \$16,983.27.

BE IT FURTHER RESOLVED that a like sum of \$16,983.27 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations – Excluded from CAPS

County, State and Federal Programs Off-set by Revenues:
Clean Communities Grant

RESOLUTION NO. 22-140

Governor's Council on Alcoholism and Drug Abuse

Fiscal Grant Cycle October 2020-June 2025

FORM 1B

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 acceptance of funding for the strategic plan for the South Amboy Municipal Alliance grant for fiscal year 2023 in the amount of:

| | |
|------------|--------|
| DEDR | \$6288 |
| Cash Match | \$1572 |
| In-Kind | \$4716 |
2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____

Fred Henry, Mayor

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION #22-141
LIQUOR LICENSE RENEWAL 2022-2023**

WHEREAS, the applications for the license holders set forth on Schedule A, attached, have been received for renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the period July 1, 2022 to June 30, 2023; and

WHEREAS, no written objections have been received by the City of South Amboy for the renewal of these licenses; and

WHEREAS, the submitted renewal application forms are complete in all respects, renewal fees have been paid and tax clearance has been received pursuant to P.L. 1995, Chapter 161;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the City Council of the City of South Amboy, New Jersey, that the Class C. Licenses referred to in the attached Schedule A, which is hereby incorporated into this Resolution, be renewed and the City Clerk is hereby directed to issue license certifications to these Licenses for the period July 1, 2022 to June 30, 2023, provided the renewal is in accordance with the Alcoholic Beverage Law, N.J.S.A. 33:1-3.1, et seq., and the rules and regulations issued pursuant to the Act.

**SCHEDULE "A"
2022-2023**

PLENARY RETAIL CONSUMPTION LICENSES:

License Number

Issued To:

- | | |
|---------------------|---|
| 1. 1220-33-011-006* | Daniel L. Lynch 32 Gentry Dr. Fair Haven, NJ 07704 |
| 2. 1220-33-004-006* | 147 S. Pine, LLC t/a Murphy's Shamrock Inn 147 South Pine Avenue |
| 3. 1220-33-006-007 | Martini's Liquor License LLC Maras Continental Cuisine 3602-04 Highway 35 |
| 4. 1220-33-032-003* | B 536 Symposium LLC. PO Box 662 Freehold, NJ 07728 |
| 5. 1220-33-005-006* | William Tarallo 625 Spotswood Englishtown Rd. Apt. 2315 Monroe, NJ 08831 |

License Number

Issued To:

1. 1220-44-039-004

A & D Convenience Store, Inc.
t/a Krauszers
200 North Broad

2. 1220-44-034-005

Amboy Food Liquor & News, Inc.
t/a Krauszers
101 North Broadway

3. 1220-44-003-010

South Amboy Liquor & Food LLC

CLUB LICENSES:

License Number

Issued To:

1. 1220-31-047-002

American Legion Post 62
111 David Street

* **POCKET LICENSE**

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 22-142

**RESOLUTION APPROVING REDUCTION IN PERFORMANCE BOND GUARANTEES
UNDER BUILDING AGREEMENT WITH SAMBOY PARTNERS URBAN RENEWAL LLC
FOR PROJECT SA-400-19**

WHEREAS Samboy Partners Urban Renewal issued a Bonded Improvements Guarantee (Municipal Bond) in the amount of \$1,421,738.40 consisting of Performance Bond #800038783 in the amount of \$1,279,536.56(90%) and a cash portion of \$142,173.88 (10%); and

WHEREAS, Samboy Partners Urban Renewal additionally issued a Berm and Landscaping Performance Guarantee in the amount of \$65,580 consisting of Performance Bond #800038784 in the amount of \$59,022(90%) and a cash portion of \$6558 (10%) for the Manhattan Beach Club Project; and

WHEREAS, the City Engineer, Mark Rasimowicz, has recommended that the Improvements Guarantee (Municipal Bond) be reduced to \$426,521.52 consisting of a Performance Bond reduced to \$383,869.37 and a reduced cash portion of \$42,652.15; and

WHEREAS, the City Engineer, Mark Rasimowicz, has additionally recommended that the Berm and Landscaping guarantee be reduced to \$19,674.00 consisting of a Performance Bond reduced to \$17,706.60 and a reduced cash portion of \$1,967.40;

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

1. The Improvement Guarantee (Municipal Bonds) Bonds shall be reduced to \$426,521.52 (Bond - \$383,869.37, Cash - \$42,652.15)
2. The Berm and Landscaping Bond shall be reduced to \$19,674 (Bond - \$17,706.60, Cash - \$1,967.40)
3. The reduction in the performance guarantee is conditioned upon an approved replacement Performance Bond and Cash Bond and the satisfaction of all administrative, inspections and fees as required by the Builder's agreement.
4. A certified copy of this Resolution shall be forwarded by the City Clerk to the Engineer, the Construction Official, Charles Thomas P.E., Dan Balka, Chief Financial Officer and to Glenn Skarzynski, Business Administrator.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 22-143

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT
EXCEEDING \$1,500,000 TAX ANTICIPATION NOTES OF
2022 OF THE CITY OF SOUTH AMBOY, IN THE COUNTY
OF MIDDLESEX, NEW JERSEY**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY,
IN THE COUNTY OF MIDDLESEX, NEW JERSEY** (not less than the majority of the full
membership of the governing body) **AS FOLLOWS:**

Section 1. In anticipation of the collection of taxes during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the City of South Amboy, in the County of Middlesex, New Jersey (the "City"), each to be known as "Tax Anticipation Note of 2022," in amounts not exceeding \$1,500,000. The proceeds of such tax anticipation notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the City and is filed in the office of the City Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Daniel Balka, Chief Financial Officer of the City of South Amboy, in the County of Middlesex, New Jersey (the "City") HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the fiscal year of 2022, being 30 percent of the tax levy for all purposes of the fiscal year of 2021, plus 30 percent of the amount of miscellaneous revenues realized in cash during the fiscal year of 2021, is \$10,279,979.59.

2. The amount of tax anticipation notes outstanding in anticipation of the collection of taxes of the fiscal year of 2022, except such tax anticipation notes as will be renewed by or paid from the proceeds of the tax anticipation notes to be issued, is \$0.

3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$10,279,979.59.

4. This certificate is made with respect to \$1,500,000 Tax Anticipation Notes of 2022 about to be authorized by the "finance officer" of the City of South Amboy.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of June 2022.

Daniel Balka, Chief Financial Officer

Section 3. The following matters in connection with the tax anticipation notes are hereby determined:

(a) All tax anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no tax anticipation note shall mature later than 120 days following the end of the fiscal year.

(b) All tax anticipation notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer.

(c) All tax anticipation notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the chief financial officer and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination;

(d) Tax anticipation notes issued hereunder may be renewed from time to time, provided, however, that no renewal tax anticipation note shall be issued later than the last day of the fiscal year.

(e) All tax anticipation notes shall be executed by the Mayor and the Chief Financial Officer and attested by the City Clerk.

Section 4. The chief financial officer is authorized and directed to determine all matters in connection with the tax anticipation notes not determined by this or by a subsequent resolution and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination.

Section 5. The chief financial officer is hereby authorized to sell the tax anticipation notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of

payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the City, and the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

Section 7. The chief financial officer is authorized and is directed to report in writing to the City Council at the meeting next succeeding the date when any sale or delivery of the tax anticipation notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the tax anticipation notes sold, the price obtained and the name of the purchaser.

Section 8. The chief financial officer, in connection with other professionals of the City acting under his direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the City, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the City. The chief financial officer is hereby authorized to execute such disclosure document on behalf of the City.

Section 9. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of tax anticipation notes authorized by this resolution is not exempt from the Rule, for so long as an issue of tax anticipation notes of the City remains outstanding (other than an issue of tax anticipation notes which has been wholly defeased), the City shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board, notice of any of the following events with respect to the tax anticipation notes (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental

authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(b) The covenants and undertakings contained in this Section 9 are made for the benefit of the holders or beneficial owners of the tax anticipation notes issued under this resolution.

(c) The chief financial officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of tax anticipation notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event that the City fails to comply with this resolution or the written contract or undertaking, the City shall not be liable for monetary damages, remedy of the holders or beneficial owners of the tax anticipation notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. This resolution shall take effect immediately.

CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX

RESOLUTION NO. 22-144

Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Broadway, Phase 1 - Roadway and Pedestrian Improvements Project

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Amboy formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Broadway, Phase 1 - Roadway and Pedestrian Improvements-00294 to the New Jersey Department of Transportation on behalf of the City of South Amboy; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of South Amboy and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX

RESOLUTION NO. 22-145

Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Broadway, Phase 2 - Roadway and Pedestrian Improvements Project

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Amboy formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Broadway, Phase 2 - Roadway and Pedestrian Improvements-00295 to the New Jersey Department of Transportation on behalf of the City of South Amboy; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of South Amboy and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

MINUTES FOR COUNCIL MEETING JUNE 1, 2022

The Meeting held at South Amboy City Hall, 140 North Broadway, South Amboy, New Jersey, was called to order by Council President Gross at 6:00 P.M. The Clerk read the Opening Prayer and all recited the Pledge of Allegiance.

PRESENT: Councilwoman Dato, Councilman McLaughlin, Councilwoman Noble, Councilman Reilly and Councilman Gross

ALSO PRESENT: Mayor Fred Henry, Kathryn Kudelka, Management Specialist, Deborah Brooks, City Clerk, Dan Balka, CFO and Francis Womack, City Attorney.

Clerk Brooks read the Notice of Publication Certification.

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. Dato of the Council of the City of South Amboy, that Resolution NO. 22-127 through NO. 22-133 are hereby approved. **SECONDED by:** Ms. Noble. **ROLL CALL VOTE:** All in favor.

- NO. 22-127 RESOLUTION AUTHORIZING SEWER REFUND PAYMENT – VURCHIO
- NO. 22-128 RESOLUTION AUTHORIZING SENIOR CITIZEN CLUB REFUND – MCCULLUM
- NO. 22-129 RESOLUTION CERTIFYING ACTIVE MEMBERSHIP WITH SOUTH AMBOY FIRE DEPARTMENT FOR NEW JERSEY STATE FIREMEN’S ASSOCIATION ELIGIBILITY - COMAN
- NO. 22-130 LIQUOR LICENSE 2022-2023 RENEWAL PERIOD
- NO. 22-131 RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE CITY OF SOUTH AMBOY FIRST AID ORGANIZATION QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2021
- NO. 22-132 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 2021
- NO. 22-133 RESOLUTION AWARDING STATE CONTRACT #19-FOOD-01102 Dyed Diesel Fuel (T1845) and # 19-FLEET-00975 for Automotive Gasoline (T00083)
- NO. 22-134 RESOLUTION AUTHORIZING AUDITING AND NON-AUDIT ADVISORY SERVICES - PKF

RESOLUTIONS:

**RESOLUTION NO. 22-135
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 May 18, 2022 Council Meeting.

MOVED by: Mr. McLaughlin of the Council of the City of South Amboy, that Resolution No. 22-135 is hereby approved. **SECONDED by:** Ms. Dato **ROLL CALL VOTE: Ayes:** Dato, Noble, Reilly, Gross **Abstain:** McLaughlin

**RESOLUTION NO. 22-136
APPROVAL OF BILL LIST**

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 May 26, 2022, as presented by the Chief Financial Officer.

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

MOVED by: Ms. Noble of the Council of the City of South Amboy, that Resolution No. 22-136 is hereby approved. **SECONDED by:** Mr. McLaughlin. **ROLL CALL VOTE:** All in favor.

ORDINANCES

FIRST READING/INTRODUCTION

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFIC REGULATIONS" FOR THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY- REMOVE RESIDENTIAL HANDICAP SPOTS, JOB-422 JOHN ST., LAMBERTSON-226 FIRST ST., CABANSKI-323 FOURTH ST., MOTYLEWSKI-135 HENRY ST., 325 JOHN ST., -ADD RESIDENTIAL HANDICAP SPOT, 313 HENRY ST. – JUGAN

MOVED by: Ms. Dato, that Ordinance #2022-06 be introduced on first reading and advertised for second reading which is scheduled for the June 15th, 2022 meeting. **SECONDED by:** Mr. Reilly, **ROLL CALL VOTE:** All in favor.

ORDINANCE NO. 2022-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$3,247,600 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,460,706 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

MOVED by: Ms. Noble, that Ordinance #2022-07 be introduced on first reading and advertised for second reading which is scheduled for the June 15th, 2022 meeting. **SECONDED by:** Mr. McLaughlin, **ROLL CALL VOTE:** All in favor.

ORDINANCE NO. 2022-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE SANITATION DEPARTMENT IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$640,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$608,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

MOVED by: Mr. McLaughlin, that Ordinance #2022-08 be introduced on first reading and advertised for second reading which is scheduled for the June 15th, 2022 meeting.

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

ORDINANCE NO. 2022-09

ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE CITY OF SOUTH AMBOY

MOVED by: Mr. McLaughlin, that Ordinance #2022-09 be introduced on first reading and advertised for second reading which is scheduled for the June 15th, 2022 meeting.

SECONDED by: Mr. Reilly, **ROLL CALL VOTE:** All in favor.

PUBLIC COMMENTS:

Mr. Reilly:

- Thanked the first responders and volunteers working for the food pantry and asked that a long overdue recognition be given to them at an upcoming meeting.
- Asked that everyone support the American Legion Buy a Brick fundraiser.
- Reported there will be a Flag Day celebration on June 14th.
- Reminded everyone the Food Truck Festival in on June 18th.
- Asked the public to support local businesses.
- Congratulated The Boys SABB team for being Gold Division Champs.

Mr. McLaughlin:

- Thanked the City's volunteers.
- Reported the Ferry Groundbreaking event went well.
- Was happy to see the Veteran's Park project underway.
- Requested the residents to participate in the Buy a Brick fundraiser.
- Cautioned everyone to slow down and drive carefully as kids are playing outside in the warm weather.
- Received confirmation that the employees' contract had not yet been settled.
- Addressed the fictitious article that had been released and emphasized that his wife's business has donated thousands of dollars to COVID relief and the written defamation could hurt her business.
- Reminded everyone to vote on June 7th!

Ms. Noble – no comments

Ms. Dato:

- Congratulated the second graders for completing the water safety class sponsored by the YMCA and Elementary School.
- Noted the Flag Ceremony at Fisherman's Pier on June 14th at 6pm.

- Reminded everyone that Election day was June 7th – Polls open at 6am and close at 8pm. Early voting starts on Friday – the closest location is the Sayreville Senior Center. You can also drop your Mail-In Ballot in the drop box or US Mail. There have been some changes in Wards and districts – check your sample ballot for your Ward and District.

Mr. Gross:

- Hats off to the success of the water safety program, let's increase participation next year!
- July 2nd are the fireworks, two local bands and food vendors.
- Chris Siebert is leaving St. Mary's to take a position at the Metuchen Diocese.
- Thanked the Mayor and all who attended the Ferry groundbreaking ceremony. Hats off to all who have put so much work into this project over many years – Mr. Skarzynski, Camille Tooker, Mark Rasimowicz, Mayor Henry and Mr. Womack.

Mayor Henry:

- Reminded everyone to get out and vote on June 7th. Noted the Memorial Day ceremony recognized those who had died to protect our right to vote.
- Thanked the Applegate family for donating the land that is becoming the Veteran's Memorial Park.
- Noted the Star Ledger had run an article about the Ferry groundbreaking event and reminded everyone that this project has been in the works for many years going back to Jack O'Leary. He thanked local and state representatives that had worked with the City to move the project forward. Thanked DPW for doing a great job prepping the area where the event was held. Mr. McLaughlin added that he had spoken to a rep from NYWaterway and they would be happy to hold a job fair for the upcoming project.

PUBLIC COMMENT:

Mary Szaro, 370 Fifth St., reminded the Council that she had raised concerns with the parking situation in the City, especially on Broadway and wondered if any progress has been made. Mayor Henry noted this is a difficult issue due to a lack of parking availability, and lack of positive response by NJ Transit in working with the City. As the Ferry project took several years, so too will the parking issue.

ADJOURNMENT

On motion of Mr. McLaughlin, seconded by Mr. Reilly and carried unanimously, the meeting was adjourned at 6:32pm.

Respectfully submitted,

Deborah Brooks
Municipal Clerk

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CITY OF SOUTH AMBOY
Bill List By Vendor Id

| Vendor # | Name | PO # | PO Date | Description | Amount | Contract | PO Type | Charge Account | Acct Type Description | Stat/Chk | First Enc | Rcvd Date |
|--|-------------------------------|-------------------------------|---------|-----------------|----------|------------------------------------|---------|----------------|-----------------------|----------|-----------|-----------|
| AMBIE011 Ambient Conditioning Inc. | | | | | | | | | | | | |
| 22-01325 | 06/02/22 | '22 HVAC Agreement payment#3 | | | | 22-00028 | C | | | | | |
| 1 | '22 HVAC Agreement payment#3 | 2,037.27 | | 2-01-26-310-170 | | B B&G: Parts & Supplies-Plumbing | HVA | R | | 06/02/22 | 06/09 | |
| Vendor Total: | | | | | 2,037.27 | | | | | | | |
| B0000007 Burkard, Thomas R. | | | | | | | | | | | | |
| 22-01334 | 06/03/22 | 1/2pg yardsale 1/2pg memorial | | | | | | | | | | |
| 1 | 1/2pg yardsale 1/2pg memorial | 300.00 | | 2-01-20-110-025 | | B Mayor/Council: Advertising | | R | | 06/03/22 | 06/09 | |
| | | 300.00 | | 2-01-28-370-025 | | B Recreation: Advertising | | | | | | |
| | | | | | 600.00 | | | | | | | |
| Vendor Total: | | | | | 600.00 | | | | | | | |
| B0000076 Emerson Jones-Basement Audio | | | | | | | | | | | | |
| 22-01409 | 06/07/22 | 2022 4th of July Event | | | | | | | | | | |
| 1 | 2022 4th of July Event | 1,500.00 | | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | | R | | 06/07/22 | 06/09 | |
| Vendor Total: | | | | | 1,500.00 | | | | | | | |
| C0000002 Cablevision of Raritan Valley | | | | | | | | | | | | |
| 22-01289 | 05/27/22 | 5/22/22-6/21/22 102 Feltus St | | 22-00025 | C | | | | | | | |
| 1 | 5/22/22-6/21/22 102 Feltus St | 140.94 | | 2-01-31-430-245 | | B Utilities - Internet | | R | | 01/11/22 | 06/09 | |
| 22-01362 | 06/07/22 | 6/1-6/30/22-141Broadway SARA | | 22-00025 | C | | | | | | | |
| 2 | | 74.94 | | 2-01-90-100-022 | | B Due from SARA | | R | | 01/24/22 | 06/09 | |
| 22-01363 | 06/07/22 | 6/1-6/30/22-400 Raritan St | | 22-00025 | C | | | | | | | |
| 2 | 6/1-6/30/22-400 Raritan St | 109.94 | | 2-01-31-430-245 | | B Utilities - Internet | | R | | 01/11/22 | 06/09 | |
| 22-01364 | 06/07/22 | 6/1-6/30/22-109 George St | | 22-00025 | C | | | | | | | |
| 2 | 6/1-6/30/22-109 George St | 124.94 | | 2-01-31-430-245 | | B Utilities - Internet | | R | | 01/11/22 | 06/09 | |
| 22-01365 | 06/07/22 | 6/1-6/30/22-129 N Broadway | | 22-00025 | C | | | | | | | |
| 2 | 6/1-6/30/22-129 N Broadway | 109.94 | | 2-01-31-430-245 | | B Utilities - Internet | | R | | 01/11/22 | 06/09 | |
| 22-01366 | 06/07/22 | 6/1-6/30/22-427 Bordentown | | 22-00025 | C | | | | | | | |
| 2 | 6/1-6/30/22-427 Bordentown | 109.94 | | 2-01-31-430-245 | | B Utilities - Internet | | R | | 01/11/22 | 06/09 | |

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| C0000002 Cablevision of Raritan Valley Continued | | | | | | | | | | | | |
| 22-01367 | 06/07/22 | 6/1-6/30/22-401 | Main St | OEM | 22-00025 | C | | | | | | |
| | | 2 | 6/1-6/30/22-401 | Main St OEM | 67.96 | 2-01-31-430-245 | | | B Utilities - Internet | R | 01/11/22 | 06/09 |
| | | Vendor Total: | | | 738.60 | | | | | | | |
| C0000007 Central Jersey Tax Collector & | | | | | | | | | | | | |
| 22-01320 | 06/02/22 | 2022 MEMBERSHIP | | | | | | | | | | |
| | | 1 | 2022 | MEMBERSHIP | 100.00 | 2-01-20-145-140 | | | B Revenue: Memberships | R | 06/02/22 | 06/09 |
| | | Vendor Total: | | | 100.00 | | | | | | | |
| C0000018 Custom Bandag, Inc. | | | | | | | | | | | | |
| 22-01316 | 06/02/22 | CAT BACKHOE REPAIR- NAIL HOLE | | | 22-00006 | C | | | | | | |
| | | 1 | CAT BACKHOE REPAIR- NAIL HOLE | | 327.13 | 2-01-26-315-235 | | | B Vehicle Maint: Tires & Tubes | R | 01/06/22 | 06/09 |
| 22-01326 | 06/03/22 | TRUCK# 12 - TIRE | | | 22-00006 | C | | | | | | |
| | | 1 | TRUCK# 12 - TIRE | | 429.40 | 2-01-26-315-235 | | | B Vehicle Maint: Tires & Tubes | R | 01/06/22 | 06/09 |
| 22-01327 | 06/03/22 | SHOP SUPPLY - TIRE | | | 22-00006 | C | | | | | | |
| | | 1 | SHOP SUPPLY - TIRE | | 647.60 | 2-01-26-315-235 | | | B Vehicle Maint: Tires & Tubes | R | 01/06/22 | 06/09 |
| 22-01338 | 06/03/22 | TIRE FOR TURCK# | | | 22-00006 | C | | | | | | |
| | | 1 | TIRE FOR TURCK# | | 2,237.04 | 2-01-26-315-235 | | | B Vehicle Maint: Tires & Tubes | R | 01/06/22 | 06/09 |
| 22-01415 | 06/08/22 | SHOP SUPPLY-short paid inv. | | | 22-00006 | C | | | | | | |
| | | 1 | SHOP SUPPLY - short pay inv | | 30.00 | 2-01-26-315-235 | | | B Vehicle Maint: Tires & Tubes | R | 06/08/22 | 06/09 |
| | | Vendor Total: | | | 3,671.17 | | | | | | | |
| CLEMS005 Clemens skarzynski | | | | | | | | | | | | |
| 22-01293 | 05/31/22 | 4th of July Celebration | | | | | | | | | | |
| | | 1 | 4th of July Celebration | | 500.00 | 2-01-30-420-299 | | | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09 |
| | | Vendor Total: | | | 500.00 | | | | | | | |

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|---|------|----------|----------|----------------------------------|----------|-----------------|-----------------|------------------------------------|----------|----------------|-----------|
| CRAIG005 Craig Hoek | | | | | | | | | | | |
| | | 22-01297 | 05/31/22 | 4th of July Celebration | | | | | | | |
| | | | | 1 4th of July Celebration | 300.00 | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 |
| | | | | Vendor Total: | 300.00 | | | | | | |
| CUST0005 Custom Care Services, Inc. | | | | | | | | | | | |
| | | 22-01337 | 06/03/22 | LAWN MAINT. PROGRAM-MAY 2022 | | 22-00036 C | | | | | |
| | | | | 1 LAWN MAINT. PROGRAM-MAY 2022 | 5,300.00 | 2-01-26-310-080 | | B B&G: Horticultural Service | R | 04/07/22 | 06/09/22 |
| | | | | Vendor Total: | 5,300.00 | | | | | | |
| D0000001 DARE Catalog.Com | | | | | | | | | | | |
| | | 22-01199 | 05/17/22 | DARE-Municipal Alliance | | | | | | | |
| | | | | 1 DARE-Municipal Alliance | 280.72 | G-02-41-756-321 | | B MUNICIPAL ALLIANCE 21/22-Match | R | 05/17/22 | 06/09/22 |
| | | | | Vendor Total: | 280.72 | | | | | | |
| D0000045 Direct Energy Marketing, Inc. | | | | | | | | | | | |
| | | 22-01426 | 06/09/22 | May '22 Billing | | | | | | | |
| | | | | 1 May '22 Billing | 27.58 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 2 S Broadway | 2.28 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 3 427 Bordentown Ave | 0.56 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 4 400 Raritan St | 18.94 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 5 101 George St | 18.38 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 6 108 S Stevens Ave | 37.30 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 7 127 N Broadway | 16.75 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | 8 140 N Broadway | 28.71 | 2-01-31-430-230 | | B Utilities - Natural Gas | R | 06/09/22 | 06/09/22 |
| | | | | | 150.50 | | | | | | |
| | | | | Vendor Total: | 150.50 | | | | | | |
| D0000063 Direct Energy Business | | | | | | | | | | | |
| | | 22-01345 | 06/03/22 | April'22 Billing | | | | | | | |
| | | | | 1 April'22 Billing | 1,862.26 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/03/22 | 06/09/22 |
| | | | | 2 1066561-129 N Broadway | 33.11 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/03/22 | 06/09/22 |
| | | | | 3 1066554-400 Raritan St | 64.75 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/03/22 | 06/09/22 |
| | | | | 4 1066553-Pupek Rd park/NStevens | 8.66 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/03/22 | 06/09/22 |

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|--|------|--------------------------------|---------|-------------|-----------------|-----------------|-----------------|--|----------|-----------|-----------|
| D0000063 Direct Energy Business | | | | | | | | | | | |
| Continued | | | | | | | | | | | |
| 22-01345 06/03/22 April'22 Billing | | | | | | | | | | | |
| Continued | | | | | | | | | | | |
| | 5 | 1066552-6th St & Feltus St | | | 20.82 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 6 | 1066557 - 102 N Feltus St | | | 66.54 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 7 | 1066572-Broadway & 1st St Pole | | | 68.76 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 8 | 1066568-Broadway Key mtr#7639 | | | 305.12 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 9 | 1066579-Sandpiper Dr | | | 0.00 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 10 | 1066581-John St Walkway | | | 0.00 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 11 | 1066582-33 Lighthouse Dr | | | 0.00 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 12 | 1066567-Bordentown Ave Key | | | 9.71 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 13 | 1066566-429 Bordentown Ave | | | 122.32 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 14 | 1066564-108 S Stevens | | | 341.81 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 15 | 1066550-S Feltus | | | 35.81 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 16 | 1066573-Rosewell & George | | | 82.81 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 17 | 1066576-Broadway & Louisa | | | 80.37 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | 18 | 1066574-Henry St | | | 121.40 | | 2-01-31-430-200 | B Utilities - Electric | R | 06/03/22 | 06/09 |
| | | | | | <u>3,224.25</u> | | | | | | |
| | | Vendor Total: | | | 3,224.25 | | | | | | |
| E0000042 Evident, Inc. | | | | | | | | | | | |
| 22-00256 01/25/22 DB SUPPLIES | | | | | | | | | | | |
| | 1 | DB SUPPLIES | | | 757.21 | | 2-01-25-240-070 | B Police: General Equipment and Machiner | R | 01/25/22 | 06/09 |
| | 2 | DB SUPPLIES | | | <u>145.00</u> | | 2-01-25-240-070 | B Police: General Equipment and Machiner | R | 01/25/22 | 06/09 |
| | | | | | 902.21 | | | | | | |
| | | Vendor Total: | | | 902.21 | | | | | | |
| F0000012 Falcon Maintenance, Inc. | | | | | | | | | | | |
| 22-01344 06/03/22 TRFC LIGHT REPAIRS | | | | | | | | | | | |
| | 1 | TRFC LIGHT REPAIRS | | | 1,123.29 | | 2-01-25-240-150 | B Police: Other Contractual Services | R | 06/03/22 | 06/09 |
| | | Vendor Total: | | | 1,123.29 | | | | | | |

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Bill List By Vendor Id

| Vendor # | Name | PO # | PO Date | Description | Contract Charge | PO Type Account | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date |
|----------|-------------------------------|----------|----------|-----------------------------|-----------------|-----------------|--|----------|----------------|-----------|
| FRANF005 | Francis Fee | 22-01296 | 05/31/22 | 4th of July Celebration | | | | | | |
| | | | | 1 4th of July Celebration | 300.00 | 2-01-30-420-299 | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 |
| | | | | Vendor Total: | 300.00 | | | | | |
| G0000031 | Grotto Engineering Associates | 22-01425 | 06/09/22 | May'22 - Ferry Design | | 22-00017 C | | | | |
| | | | | 1 May'22 - Ferry Design | 1,385.00 | 2-01-20-165-195 | B Engineer: Professional Consultant & Spec | R | 06/09/22 | 06/09/22 |
| | | | | Vendor Total: | 1,385.00 | | | | | |
| GABRI005 | Gabrielli Kenworth of New | 22-01231 | 05/23/22 | TRUCK#12 PARTS | | | | | | |
| | | | | 1 TRUCK#12 PARTS | 74.14 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 05/23/22 | 06/09/22 |
| | | 22-01239 | 05/23/22 | TRUCK#12 - CABLE & FILTER | | | | | | |
| | | | | 1 TRUCK#12 - CABLE & FILTER | 75.27 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 05/23/22 | 06/09/22 |
| | | | | Vendor Total: | 149.41 | | | | | |
| GLOBA010 | Global Interactive Solutions, | 22-01285 | 05/27/22 | Annual Zoom Service | | | | | | |
| | | | | 1 Annual Zoom Service | 278.88 | 2-01-43-490-195 | B Court: Professional Consultant & Spec | R | 05/27/22 | 06/09/22 |
| | | | | Vendor Total: | 278.88 | | | | | |
| GOVCO006 | GovConnection, Inc. | 22-01253 | 05/24/22 | EPSON BLK RIBBON CASSETTE | | | | | | |
| | | | | 1 EPSON BLK RIBBON CASSETTE | 16.80 | 2-01-20-145-145 | B Revenue: Office Supplies | R | 05/24/22 | 06/09/22 |
| | | | | Vendor Total: | 16.80 | | | | | |
| H0000011 | Home Depot U.S.A., Inc. | 22-01172 | 05/12/22 | DPW SUPPLIES | | 22-00010 C | | | | |
| | | | | 1 DPW SUPPLIES | 165.06 | 2-01-26-310-075 | B B&G: General Hardware and Minor Too | R | 01/06/22 | 06/09/22 |

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| H0000011 Home Depot U.S.A., Inc. Continued | | | | | | | | | | | |
| 22-01283 | 05/27/22 | CONCRETE & DPW SUPPLIES | | | | 22-00010 | C | | | | |
| 1 | | CONCRETE & DPW SUPPLIES | | | 1,177.95 | 2-01-26-310-075 | | B B&G: General Hardware and Minor Too | R | 01/06/22 | 06/09/22 |
| 22-01284 | 05/27/22 | SHOVELS,HATS, GROUND BREAKING | | | | 22-00010 | C | | | | |
| 1 | | SHOVELS,HATS, GROUND BREAKING | | | 169.52 | 2-01-26-310-115 | | B B&G: Material & Supplies | R | 01/06/22 | 06/09/22 |
| 22-01336 | 06/03/22 | TRUCK#11 - PARTS | | | | 22-00010 | C | | | | |
| 1 | | TRUCK#11 - PARTS | | | 34.02 | 2-01-26-310-115 | | B B&G: Material & Supplies | R | 01/06/22 | 06/09/22 |
| Vendor Total: | | | | | 1,546.55 | | | | | | |
| I0000002 Industrial welding Supply, Inc | | | | | | | | | | | |
| 22-01377 | 06/07/22 | CYLINDER RENTAL MAY '22 | | | | 22-00011 | C | | | | |
| 1 | | CYLINDER RENTAL MAY'22 | | | 35.60 | 2-01-26-315-100 | | B Vehicle Mainten Maintenance of Motor Veh | R | 01/11/22 | 06/09/22 |
| Vendor Total: | | | | | 35.60 | | | | | | |
| INFLA005 Inflatable Marine Services,LLC | | | | | | | | | | | |
| 22-01414 | 06/08/22 | SAFD boat repairs 5/26/22 | | | | | | | | | |
| 1 | | SAFD boat repairs 5/26/22 | | | 420.00 | 2-01-25-265-105 | | B Fire Dept: Maint of Other Equipment | R | 06/08/22 | 06/09/22 |
| 2 | | materials | | | 108.69 | 2-01-25-265-105 | | B Fire Dept: Maint of Other Equipment | R | 06/08/22 | 06/09/22 |
| | | | | | 528.69 | | | | | | |
| Vendor Total: | | | | | 528.69 | | | | | | |
| J0000004 Jersey Central Power & Light Co | | | | | | | | | | | |
| 22-01427 | 06/09/22 | May'22 Billing | | | | | | | | | |
| 1 | | May'22 Billing | | | 388.26 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| 2 | | 200 001 069 018 | | | 1,312.61 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| 3 | | 200 000 010 948 | | | 648.73 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| 4 | | 200 001 069 000 | | | 399.98 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| 5 | | 200 000 010 930 | | | 380.25 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| 6 | | 200 001 069 026 | | | 2,546.84 | 2-01-31-430-200 | | B Utilities - Electric | R | 06/09/22 | 06/09/22 |

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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 |
|---|--------------------------|------------------|-----------------------|------------------------------------|----------|----------------|-----------|
| J0000004 Jersey Central Power & Light Co | Continued | | | | | | |
| 22-01427 06/09/22 May'22 Billing | Continued | | | | | | |
| 7 200 001 069 034 | | 2-01-31-430-200 | 9,581.65 | B Utilities - Electric | R | 06/09/22 | 06/09/22 |
| | | | 15,258.32 | | | | |
| Vendor Total: | | | 15,258.32 | | | | |
| J0000010 Johnny On The Spot, LLC | | | | | | | |
| 22-01263 05/25/22 5/31/22 Ground Breaking Event | | | | | | | |
| 1 5/31/22 Ground Breaking Event | | 2-01-30-420-299 | 75.00 | B Celebration: Misc Other Expenses | R | 05/25/22 | 06/09/22 |
| Vendor Total: | | | 75.00 | | | | |
| JIMHE005 James Heuer | | | | | | | |
| 22-01300 05/31/22 4th of July Celebration | | | | | | | |
| 1 4th of July Celebration | | 2-01-30-420-299 | 300.00 | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 |
| Vendor Total: | | | 300.00 | | | | |
| JSWAN005 J.Swanton Fuel Oil Co., Inc | | | | | | | |
| 22-01339 06/03/22 DIESEL FUEL - 10877 | | 22-00037 C | | | | | |
| 1 DIESEL FUEL - 10877 | | 2-01-31-430-250 | 3,725.60 | B Utilities - Gasoline | R | 06/01/22 | 06/09/22 |
| 22-01340 06/03/22 DIESEL FUEL - 10876 | | 22-00037 C | | | | | |
| 1 DIESEL FUEL - 10876 | | 2-01-31-430-250 | 4,410.20 | B Utilities - Gasoline | R | 06/01/22 | 06/09/22 |
| Vendor Total: | | | 8,135.80 | | | | |
| KATHL015 Kathleen Skarzynski | | | | | | | |
| 22-01294 05/31/22 4th of July Celebration | | | | | | | |
| 1 4th of July Celebration | | 2-01-30-420-299 | 200.00 | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 |
| Vendor Total: | | | 200.00 | | | | |

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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 |
|--|--|------------------|-------------------------|--|----------|----------------|-----------|
| LEESC005 Lee Scott Bishop | | | | | | | |
| | 22-01299 05/31/22 4th of July Celebration | | | | | | |
| | 1 4th of July Celebration | 300.00 | 2-01-30-420-299 | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 |
| | Vendor Total: | 300.00 | | | | | |
| LIMAC005 Lima Charlie Construction | | | | | | | |
| | 21-00947 05/10/21 So.Broadway Roadway&Pedestrian | | | | | | |
| | 9 Contract Increase-Change Order | 6,606.89 | C-04-20-001-003 | B South Broadway Rdwy & Pedestrian Imp | R | 04/13/22 | 06/09/22 |
| | | 2,096.98 | C-04-16-001-003 | B Imp to Bordentown Ave So Pine to Brd Way | | | |
| | | 30,261.45 | C-04-18-001-003 | B Imp to Streets, Roads, Curbs, Sewers,etc | | | |
| | | 2,338.06 | C-04-19-001-006 | B 2019 Road Imprvmnt Program | | | |
| | | <u>41,303.38</u> | | | | | |
| | Vendor Total: | 41,303.38 | | | | | |
| M0000004 Malouf Ford, Inc. | | | | | | | |
| | 22-01276 05/27/22 Truck#8 - seals | | 22-00004 C | | | | |
| | 1 Truck#8 - seals | 151.86 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 |
| | 22-01372 06/07/22 police#404 - Door Latch | | 22-00004 C | | | | |
| | 1 police#404 - Door Latch | 265.57 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 |
| | 22-01373 06/07/22 2018 Senior Bus - wheel seals | | 22-00004 C | | | | |
| | 1 2018 Senior Bus - wheel seals | 33.82 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 |
| | Vendor Total: | 451.25 | | | | | |
| M0000015 Middlesex County Improvement | | | | | | | |
| | 22-01350 06/06/22 MCIA - APRIL 2022 | | | | | | |
| | 1 MCIA - APRIL 2022 | 20,254.32 | 2-01-26-305-130 | B Solid Waste: MCIA Recycling | R | 06/06/22 | 06/09/22 |
| | Vendor Total: | 20,254.32 | | | | | |
| M0000022 Middlesex Water Company | | | | | | | |
| | 22-01416 06/08/22 water Bills - various location | | | | | | |
| | 1 water bills - various location | 81.89 | 2-01-31-430-220 | B Utilities - Water | R | 06/08/22 | 06/09/22 |
| | 2 400 Bordentown Ave | 104.44 | 2-01-31-430-220 | B Utilities - Water | R | 06/08/22 | 06/09/22 |

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|--|----------|--------------------------------|--------------------------------|-------------|-----------------|-----------------|---|-----------------------|----------|----------------|-----------|
| MARKW005 Mark w Lesniak | | | | | | | | | | | |
| 22-01306 | 06/01/22 | Band Performance-4th of July | | | | | | | | | |
| | | 1 | Band Performance-4th of July | 1,500.00 | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | | R | 06/01/22 | 06/09 |
| | | Vendor Total: | | 1,500.00 | | | | | | | |
| MATTH010 Matthew D'Esposito | | | | | | | | | | | |
| 22-01298 | 05/31/22 | 4th of July Celebration | | | | | | | | | |
| | | 1 | 4th of July Celebration | 300.00 | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | | R | 05/31/22 | 06/09 |
| | | Vendor Total: | | 300.00 | | | | | | | |
| MOSON005 MOS on Site, Inc. | | | | | | | | | | | |
| 22-01268 | 05/25/22 | Golf Cart Rental 4th of July | | | | | | | | | |
| | | 1 | Golf Cart Rental 4th of July | 580.00 | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | | R | 05/25/22 | 06/09 |
| | | Vendor Total: | | 580.00 | | | | | | | |
| N0000010 Norwood Auto Parts, Inc., | | | | | | | | | | | |
| 22-01398 | 06/07/22 | SAFA vehicle parts/repairs | | | | | | | | | |
| | | 1 | SAFA vehicle parts/repairs | 94.71 | 2-01-25-261-100 | | B E.M.S.- Maintenance of Motor Vehicles | | R | 06/07/22 | 06/09 |
| | | 2 | credit on account | 57.32 | 2-01-25-261-100 | | B E.M.S.- Maintenance of Motor Vehicles | | R | 06/07/22 | 06/09 |
| | | | | 37.39 | | | | | | | |
| | | Vendor Total: | | 37.39 | | | | | | | |
| N0000022 NJ State Assn. of Chiefs Polic | | | | | | | | | | | |
| 22-01265 | 05/25/22 | 2022 PROGRAM FEE ACCREDITATION | | | | | | | | | |
| | | 1 | 2022 PROGRAM FEE ACCREDITATION | 1,666.00 | 2-01-25-240-150 | | B Police: Other Contractual Services | | R | 05/25/22 | 06/09 |
| | | Vendor Total: | | 1,666.00 | | | | | | | |
| NEWH0005 New Horizon Communications | | | | | | | | | | | |
| 22-01349 | 06/06/22 | 6/1/22-6/30/22 Internet Serv. | | | 22-00027 | c | | | | | |
| | | 1 | 6/1/22-6/30/22 Internet Serv. | 310.50 | 2-01-31-430-245 | | B Utilities - Internet | | R | 06/06/22 | 06/09 |

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|--|------|----------|----------|----------------------------------|---------------|-----------------|-----------------|--|----------|----------------|-----------|
| NEWHO005 New Horizon Communications | | | | | | | | | | | |
| | | | | Continued | | | | | | | |
| | | 22-01349 | 06/06/22 | 6/1/22-6/30/22 Internet Serv. | 297.51 | Continued | 2-01-31-430-245 | B Utilities - Internet | R | 06/06/22 | 06/09 |
| | | | | 2 Police Dept 778781-037078 | <u>297.51</u> | | | | | | |
| | | | | | 608.01 | | | | | | |
| | | | | Vendor Total: | 608.01 | | | | | | |
| 00000029 One Call Concepts, Inc. | | | | | | | | | | | |
| | | 22-01379 | 06/07/22 | MAY'22 SEWER MARK-OUTS | 2055558 | | | | | | |
| | | | | 1 MAY'22 SEWER MARK-OUTS | 84.01 | | 2-01-26-307-150 | B Sewer: Other Contractual Services | R | 06/07/22 | 06/09 |
| | | | | Vendor Total: | 84.01 | | | | | | |
| OVERT005 Over The Top Tent Rentals, LLC | | | | | | | | | | | |
| | | 22-01274 | 05/27/22 | 20x30 tent - 5/31/22 event | | | | | | | |
| | | | | 1 20x30 tent - 5/31/22 event | 450.00 | | 2-01-30-420-299 | B Celebration: Misc Other Expenses | R | 05/27/22 | 06/09 |
| | | | | 2 delivery & pick-up | <u>75.00</u> | | 2-01-30-420-299 | B Celebration: Misc Other Expenses | R | 05/27/22 | 06/09 |
| | | | | | 525.00 | | | | | | |
| | | | | Vendor Total: | 525.00 | | | | | | |
| P0000003 Pitney Bowes | | | | | | | | | | | |
| | | 22-01302 | 05/31/22 | PSX April '22-program/sort fee | | | | | | | |
| | | | | 1 PSX April '22-program/sort fee | 100.77 | | 2-01-26-307-150 | B Sewer: Other Contractual Services | R | 05/31/22 | 06/09 |
| | | | | 2 | <u>5.00</u> | | 2-01-26-307-150 | B Sewer: Other Contractual Services | R | 05/31/22 | 06/09 |
| | | | | | 105.77 | | | | | | |
| | | | | Vendor Total: | 105.77 | | | | | | |
| P0000007 Pride Landscape Supply | | | | | | | | | | | |
| | | 22-01329 | 06/03/22 | CONCRETE BRUSH - SHOP SUPPLY | | | | | | | |
| | | | | 1 CONCRETE BRUSH - SHOP SUPPLY | 46.95 | | 2-01-26-290-075 | B Streets/Roads: Gen Hardware & Minor Tool | R | 06/03/22 | 06/09 |
| | | 22-01330 | 06/03/22 | DPW MOWER | | | | | | | |
| | | | | 1 DPW MOWER | 85.20 | | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 06/03/22 | 06/09 |
| | | | | Vendor Total: | 132.15 | | | | | | |

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| Vendor # | Name | PO # | PO Date | Description | Contract Charge | PO Type Account | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date |
|---|--------------------------------|--------------------------------|------------|-----------------|--|-----------------|-----------------------|----------|----------------|-----------|
| P0000009 Public Service Electric & Gas | | | | | | | | | | |
| 22-01368 | 06/07/22 | SAFA 67 033 433 06 | 4/2-5/3/22 | | | | | | | |
| 1 | SAFA 67 033 433 06 | 4/2-5/3/22 | 77.13 | 2-01-31-430-230 | B Utilities - Natural Gas | R | 06/07/22 | 06/09 | | |
| 22-01417 | 06/08/22 | SAFA 65 659 565 02 | 5/4-6/2/22 | | | | | | | |
| 1 | SAFA 65 659 565 02 | 5/4-6/2/22 | 148.41 | 2-01-31-430-230 | B Utilities - Natural Gas | R | 06/08/22 | 06/09 | | |
| 22-01418 | 06/08/22 | SAFA 67 033 433 06 | 5/4-6/2/22 | | | | | | | |
| 1 | SAFA 67 033 433 06 | 5/4-6/2/22 | 30.21 | 2-01-31-430-230 | B Utilities - Natural Gas | R | 06/08/22 | 06/09 | | |
| 22-01419 | 06/08/22 | Feltus St Generator - May'22 | | | | | | | | |
| 1 | Feltus St Generator - May'22 | | 23.36 | 2-01-31-430-230 | B Utilities - Natural Gas | R | 06/08/22 | 06/09 | | |
| 22-01420 | 06/08/22 | Raritan St Pump - May'22 | | | | | | | | |
| 1 | Raritan St Pump - May'22 | | 23.29 | 2-01-31-430-230 | B Utilities - Natural Gas | R | 06/08/22 | 06/09 | | |
| Vendor Total: | | | | | 302.40 | | | | | |
| P0000010 Pumping Services, Inc. | | | | | | | | | | |
| 22-01280 | 05/27/22 | RARITAN ST PUMP STATION-REPAIR | | | | | | | | |
| 1 | RARITAN ST PUMP STATION-REPAIR | | 446.00 | 2-01-26-307-150 | B Sewer: Other Contractual Services | R | 05/27/22 | 06/09 | | |
| 22-01281 | 05/27/22 | VETERANS -PUMP STATION REPAIR | | | | | | | | |
| 1 | VETERANS -PUMP STATION REPAIR | | 401.40 | 2-01-26-307-150 | B Sewer: Other Contractual Services | R | 05/27/22 | 06/09 | | |
| Vendor Total: | | | | | 847.40 | | | | | |
| PARTS005 Parts Authority, LLC | | | | | | | | | | |
| 22-01277 | 05/27/22 | shp supply - 301-156548 | | 22-00003 C | | | | | | |
| 1 | shp supply - 301-156548 | | 177.68 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09 | | |
| 22-01310 | 06/02/22 | CREDIT | | 22-00003 C | | | | | | |
| 1 | CREDIT | | 5.50 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09 | | |
| 22-01311 | 06/02/22 | OEM GENERATOR - BATTERY | | 22-00003 C | | | | | | |
| 1 | OEM GENERATOR - BATTERY | | 75.54 | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09 | | |

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| Vendor # | Name | PO # | PO Date | Description | Contract | PO Type | Amount | Charge Account | Acct Type | Description | Stat/Chk | First Enc | Rcvd Date |
|---------------|----------------------|------------------------------|----------|-----------------|-----------|---------|--------|----------------------------------|--------------------------|-------------|----------|-----------|-----------|
| PARTS005 | Parts Authority, LLC | | | | Continued | | | | | | | | |
| 22-01312 | 06/02/22 | TRANS FLUID - TRUCK#13 | | | 22-00003 | C | | | | | | | |
| 1 | | TRANS FLUID - TRUCK#13 | 111.08 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01313 | 06/02/22 | SHOP SUPPLY - DPW | | | 22-00003 | C | | | | | | | |
| 1 | | SHOP SUPPLY - DPW | 111.08 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01314 | 06/02/22 | CREDIT | | | 22-00003 | C | | | | | | | |
| 1 | | CREDIT | 110.40- | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01315 | 06/02/22 | POLICE#404 & SHOP SUPPLY | | | 22-00003 | C | | | | | | | |
| 1 | | POLICE#404 & SHOP SUPPLY | 237.78 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01374 | 06/07/22 | hose clamp -shop supply | | | 22-00003 | C | | | | | | | |
| 2 | | hose clamp -shop supply | 9.70 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01383 | 06/07/22 | 2018 Senior Bus -shop Supply | | | 22-00003 | C | | | | | | | |
| 1 | | 2018 Senior Bus -Shop Supply | 379.34 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01384 | 06/07/22 | CREDIT | | | 22-00003 | C | | | | | | | |
| 1 | | CREDIT | 52.00- | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01385 | 06/07/22 | HARDWARE FOR MECHANICS | | | 22-00003 | C | | | | | | | |
| 1 | | HARDWARE FOR MECHANICS | 3.80 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| 22-01386 | 06/07/22 | 2018 SENIOR BUS - BRAKE PADS | | | 22-00003 | C | | | | | | | |
| 1 | | 2018 SENIOR BUS - BRAKE PADS | 88.56 | 2-01-26-315-100 | | | | B Vehicle Mainten | Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 | |
| Vendor Total: | | | 1,026.66 | | | | | | | | | | |
| PRIME005 | PRIMEPOINT, LLC | | | | | | | | | | | | |
| 22-01361 | 06/07/22 | May'22 Payroll & HR Services | | | 22-00031 | C | | | | | | | |
| 1 | | May'22 Payroll Services | 638.50 | 2-01-20-130-095 | | | | B Finance: Maintenance Agreement | | R | 06/07/22 | 06/09/22 | |
| 2 | | May'22 HR Services | 956.50 | 2-01-20-100-095 | | | | B Admin: Maintenance Agreement | | R | 02/01/22 | 06/09/22 | |
| | | | 1,595.00 | | | | | | | | | | |
| Vendor Total: | | | 1,595.00 | | | | | | | | | | |

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|--|------|----------|----------|----------------------------------|------------|-------------------------|---------|---|----------|----------------|-----------|
| R0000001 Kenneth R. Sumski-R&R Printing | | | | | | | | | | | |
| | | 22-01261 | 05/24/22 | Business Cards for BA qty.500 | | | | | | | |
| | | | | 1 Business Cards for BA qty.500 | 55.00 | 2-01-20-100-190 | | B Admin: Printing & Binding | R | 05/24/22 | 06/09/22 |
| | | | | Vendor Total: | 55.00 | | | | | | |
| REISI005 Reisinger Oxygen Service, Inc. | | | | | | | | | | | |
| | | 22-01423 | 06/09/22 | SAFA - May'22 invoice | | | | | | | |
| | | | | 1 SAFA - May'22 invoice | 36.75 | 2-01-25-261-065 | | B E.M.S.- Food and First Aid Supplies | R | 06/09/22 | 06/09/22 |
| | | | | Vendor Total: | 36.75 | | | | | | |
| RELIA005 Reliance Insurance Group, LLC | | | | | | | | | | | |
| | | 22-01286 | 05/27/22 | Counseling Services 3rd & 4th | | 22-00020 C | | | | | |
| | | | | 1 Counseling Services 3rd & 4th | 10,900.00 | 2-01-23-220-299 | | B Employee Group Ins: Misc Other Expenses | R | 05/27/22 | 06/09/22 |
| | | | | Vendor Total: | 10,900.00 | | | | | | |
| RJWAL005 R.J. Walsh Associates, Inc. | | | | | | | | | | | |
| | | 21-02133 | 09/30/21 | Install of Fuel Tank -DPW yard | | | | | | | |
| | | | | 1 Install of Fuel Tank -DPW yard | 150,000.00 | C-04-21-001-013 | | B Acquisition of Fueling System | R | 09/30/21 | 06/09/22 |
| | | | | | 57,466.00 | T-12-00-000-001 | | B RECYCLING | | | |
| | | | | | 207,466.00 | | | | | | |
| | | | | Vendor Total: | 207,466.00 | | | | | | |
| S0000044 State Toxicology Laboratory | | | | | | | | | | | |
| | | 22-01266 | 05/25/22 | STATE TOXICOLOGY | | | | | | | |
| | | | | 1 STATE TOXICOLOGY | 135.00 | 1-01-25-240-299 | | B Police: Miscellaneous Other Expenses | R | 05/25/22 | 06/09/22 |
| | | | | Vendor Total: | 135.00 | | | | | | |
| S0000152 Saker Shop Rite Inc. | | | | | | | | | | | |
| | | 22-01275 | 05/27/22 | | | | | | | | |
| | | | | 1 lunch & learn birthday celeb | 155.88 | 2-01-28-371-065 | | B Senior Citizes: Food & First Aid Supply | R | 05/27/22 | 06/09/22 |
| | | | | 2 birthday celebration | 29.96 | 2-01-28-371-065 | | B Senior Citizes: Food & First Aid Supply | R | 05/27/22 | 06/09/22 |

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|---|------|----------|----------|----------------------------------|---------------|-----------------|-----------------|--|----------|----------------|-----------|
| S0000152 Saker Shop Rite Inc. | | | | | | | | | | | |
| | | | | | | Continued | | | | | |
| | | 22-01275 | 05/27/22 | | | Continued | | | | | |
| | | | | 3 coffee talk | 138.21 | | 2-01-28-371-065 | B Senior Citizes: Food & First Aid Supply | R | 05/27/22 | 06/09 |
| | | | | | <u>324.05</u> | | | | | | |
| | | | | Vendor Total: | 324.05 | | | | | | |
| SANIT010 Sanitation Equipment Corp. | | | | | | | | | | | |
| | | 22-01278 | 05/27/22 | Strobe Lights - Truck# 12 | | | | | | | |
| | | | | 1 Strobe Lights - Truck# 12 | 246.74 | | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 05/27/22 | 06/09 |
| | | 22-01378 | 06/07/22 | TRUCK#12 -TIPPER FLOW VALVE | | | | | | | |
| | | | | 1 TRUCK#12 -TIPPER FLOW VALVE | 110.60 | | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 06/07/22 | 06/09 |
| | | | | Vendor Total: | 357.34 | | | | | | |
| SIGNS006 Signs & Safety Devices, LLC | | | | | | | | | | | |
| | | 21-02845 | 12/15/21 | No parking - SNOW covered sign | | | | | | | |
| | | | | 1 No parking - SNOW covered sign | 680.00 | | 1-01-26-290-220 | B Streets/Roads: Signs | R | 12/15/21 | 06/09 |
| | | | | 2 Delivery | <u>25.00</u> | | 1-01-26-290-220 | B Streets/Roads: Signs | R | 12/15/21 | 06/09 |
| | | | | | 705.00 | | | | | | |
| | | 22-01184 | 05/13/22 | signs for streets & roads | | | | | | | |
| | | | | 1 signs for streets & roads | 6,099.25 | | 2-01-26-290-220 | B Streets/Roads: Signs | R | 05/13/22 | 06/09 |
| | | | | Vendor Total: | 6,804.25 | | | | | | |
| SWEET005 Sweet Tee's Catering, LLC | | | | | | | | | | | |
| | | 22-01272 | 05/26/22 | Refreshments-5/31/22 event | | | | | | | |
| | | | | 1 Refreshments-5/31/22 event | 250.00 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09 |
| | | | | 2 | 220.00 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09 |
| | | | | 3 | 62.50 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09 |
| | | | | 4 | 60.00 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09 |
| | | | | 5 | 32.00 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09 |

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CITY OF SOUTH AMBOY
Bill List By Vendor Id

| Vendor # | Name | PO # | PO Date | Description | Amount | Contract Charge | PO Type Account | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date |
|---|------|----------|----------|----------------------------------|--------|-----------------|-----------------|--|----------|----------------|-----------|
| SWEET005 Sweet Tee's Catering, LLC | | | | | | | | | | | |
| | | | | Continued | | | | | | | |
| | | 22-01272 | 05/26/22 | Refreshments-5/31/22 event | | Continued | | | | | |
| | | | | 6 Delivery | 15.45 | | G-02-41-715-301 | B Clean Communities | R | 05/26/22 | 06/09/22 |
| | | | | | 639.95 | | | | | | |
| | | | | Vendor Total: | 639.95 | | | | | | |
| T0000003 The Hose Shop, Inc. | | | | | | | | | | | |
| | | 22-01331 | 06/03/22 | HYDRAULIC HOSE ASSEMBLY | | 22-00009 c | | | | | |
| | | | | 1 HYDRAULIC HOSE ASSEMBLY | 166.05 | | 2-01-26-315-100 | B Vehicle Mainten Maintenance of Motor Veh | R | 01/06/22 | 06/09/22 |
| | | | | Vendor Total: | 166.05 | | | | | | |
| T0000017 Tax Collectors & Treasurers | | | | | | | | | | | |
| | | 22-01407 | 06/07/22 | 6-21-2022 WEBINAR | | | | | | | |
| | | | | 1 6-21-2022 WEBINAR | 50.00 | | 2-01-20-145-135 | B Revenue: Meeting Convention Conference | R | 06/07/22 | 06/09/22 |
| | | | | Vendor Total: | 50.00 | | | | | | |
| T0000025 Treasurer-State of New Jersey | | | | | | | | | | | |
| | | 22-01282 | 05/27/22 | NEW REGISTRATION CARD-ROLL-OFF | | | | | | | |
| | | | | 1 NEW REGISTRATION CARD-ROLL-OFF | 10.00 | | 2-01-26-305-060 | B Solid Waste: Fees | R | 05/27/22 | 06/09/22 |
| | | | | Vendor Total: | 10.00 | | | | | | |
| TACTI005 Tactical Public Safety, LLC. | | | | | | | | | | | |
| | | 22-01301 | 05/31/22 | Fire Dept radio transfer | | | | | | | |
| | | | | 1 Fire Dept radio transfer | 211.00 | | 2-01-25-265-105 | B Fire Dept: Maint of Other Equipment | R | 05/31/22 | 06/09/22 |
| | | | | Vendor Total: | 211.00 | | | | | | |
| TAYL0010 Taylor Team Relocation, LLC | | | | | | | | | | | |
| | | 22-01343 | 06/03/22 | S&H - FP postage machine | | | | | | | |
| | | | | 1 S&H - FP postage machine | 489.90 | | 2-01-20-100-299 | B Admin: Miscellaneous Other Expenses | R | 06/03/22 | 06/09/22 |
| | | | | Vendor Total: | 489.90 | | | | | | |

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CITY OF SOUTH AMBOY
Bill List By Vendor Id

| Vendor # | Name | PO # | PO Date | Description | Amount | Contract Charge | PO Type Account | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date |
|---|---------------|--------------------------------|----------|-----------------|--------|---|-----------------|-----------------------|----------|----------------|-----------|
| TIMFE005 Tim Fee | | | | | | | | | | | |
| 22-01295 | 05/31/22 | 4th of July Celebration | | | | | | | | | |
| | 1 | 4th of July Celebration | 300.00 | 2-01-30-420-299 | | B Celebration: Misc Other Expenses | R | 05/31/22 | 06/09/22 | | |
| | Vendor Total: | | 300.00 | | | | | | | | |
| UNIFI005 UniFirst Corporation | | | | | | | | | | | |
| 22-01333 | 06/03/22 | UNIFORM RENTAL-1260206557-DPW | 22-00008 | C | | | | | | | |
| | 1 | UNIFORM RENTAL-1260206557-DPW | 129.23 | 2-01-26-290-045 | | B Streets/Roads: Clothing & Uniforms | R | 01/06/22 | 06/09/22 | | |
| 22-01375 | 06/07/22 | Uniform Rental- 1260209835-dpw | 22-00008 | C | | | | | | | |
| | 1 | Uniform Rental- 1260209835-dpw | 196.26 | 2-01-26-290-045 | | B Streets/Roads: Clothing & Uniforms | R | 01/06/22 | 06/09/22 | | |
| | Vendor Total: | | 325.49 | | | | | | | | |
| UPS00005 UPS | | | | | | | | | | | |
| 22-01421 | 06/08/22 | Inv.0000127A70232 June'22 | | | | | | | | | |
| | 1 | Inv.0000127A70232 June'22 | 11.93 | 2-01-20-145-299 | | B Revenue: Miscellaneous Other Expenses | R | 06/08/22 | 06/09/22 | | |
| | Vendor Total: | | 11.93 | | | | | | | | |
| V0000001 Verizon | | | | | | | | | | | |
| 22-01395 | 06/07/22 | Security Camera accounts | | | | | | | | | |
| | 1 | Security Camera accounts | 2,315.92 | 2-01-31-430-245 | | B Utilities - Internet | R | 06/07/22 | 06/09/22 | | |
| | Vendor Total: | | 2,315.92 | | | | | | | | |
| V0000027 VCI Emergency Vehicle Spec. | | | | | | | | | | | |
| 22-01369 | 06/07/22 | SAFA vehicle maintenance | | | | | | | | | |
| | 1 | SAFA vehicle maintenance | 447.98 | 2-01-25-261-100 | | B E.M.S.- Maintenance of Motor Vehicles | R | 06/07/22 | 06/09/22 | | |
| | 2 | s&h | 15.00 | 2-01-25-261-100 | | B E.M.S.- Maintenance of Motor Vehicles | R | 06/07/22 | 06/09/22 | | |
| | | | 462.98 | | | | | | | | |
| | Vendor Total: | | 462.98 | | | | | | | | |
| VERIZ020 Verizon - broadband | | | | | | | | | | | |
| 22-01287 | 05/27/22 | 5/21/22 156-769-141-0001-19 | | | | | | | | | |
| | 1 | 5/21/22 156-769-141-0001-19 | 8.85 | 2-01-31-430-245 | | B Utilities - Internet | R | 05/27/22 | 06/09/22 | | |

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CITY OF SOUTH AMBOY
Bill List By Vendor Id

| Vendor # | Name | PO # | PO Date | Description | Contract Amount | PO Type Charge Account | Acct Type Description | Stat/Chk | First Enc | Rcvd Date |
|---------------|---------------------|--------------------|-------------------------------|-------------|-----------------|------------------------|------------------------------------|----------|-----------|-----------|
| VERIZ020 | Verizon - broadband | | | | Continued | | | | | |
| 22-01288 | 05/27/22 | 5/22/22 | 656-808-423-001-50 | | | | | | | |
| 1 | 5/22/22 | 656-808-423-001-50 | | 89.00 | 2-01-31-430-245 | | B Utilities - Internet | R | 05/27/22 | 06/09 |
| Vendor Total: | | | | 97.85 | | | | | | |
| w0000017 | W.B. Mason | | | | | | | | | |
| 22-01262 | 05/25/22 | | Black Toner- HEWCF410A | | | | | | | |
| 1 | | | Black Toner- HEWCF410X | 130.30 | 2-01-20-130-145 | | B Finance: Office Supplies | R | 05/25/22 | 06/09 |
| 2 | | | Cyan Toner- HEWCF411A | 79.10 | 2-01-20-130-145 | | B Finance: Office Supplies | R | 05/25/22 | 06/09 |
| 3 | | | Yellow Toner- HEWCF412A | 79.10 | 2-01-20-130-145 | | B Finance: Office Supplies | R | 05/25/22 | 06/09 |
| 4 | | | Magenta Toner- HEWCF413A | 79.10 | 2-01-20-130-145 | | B Finance: Office Supplies | R | 05/25/22 | 06/09 |
| | | | | 367.60 | | | | | | |
| 22-01267 | 05/25/22 | | Office Supplies | | | | | | | |
| 1 | | | Scotch Taoe | 3.22 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 2 | | | Binder Clips (Med) | 1.79 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 3 | | | Sticky Tavs 1" | 4.01 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 4 | | | Sticky Notes 3x3 | 5.96 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 5 | | | Hanging File Folders-Multi | 20.77 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 6 | | | Kleenex Tissue Boxes | 13.64 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 7 | | | Banker Boxes | 43.71 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 8 | | | P-Touch Tape | 9.92 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 9 | | | Standard Staples | 4.28 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 10 | | | Duracell batt AA | 18.05 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 11 | | | Duracell AAA | 15.36 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 12 | | | Toner Cartridge Blk | 60.43 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 13 | | | Toner Cartridge Cyan | 79.10 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 14 | | | Pop-Up Notes | 7.35 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| 15 | | | Parchment Certif | 6.44 | 2-01-20-120-145 | | B Clerk: Office Supplies | R | 05/25/22 | 06/09 |
| | | | | 294.03 | | | | | | |
| 22-01269 | 05/26/22 | | TAPE DIPENSER & STAPLES - DPW | | | | | | | |
| 1 | | | TAPE DISPENSER & STAPLES | 5.63 | 2-01-26-305-299 | | B Solid waste: Misc Other Expenses | R | 05/26/22 | 06/09 |

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| Vendor # | Name | PO # | PO Date | Description | Amount | Contract Charge | PO Type Account | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date |
|--------------------------------------|------|------------------------|----------|----------------------------------|-----------------|--------------------|-----------------|--|----------|----------------|-----------|
| w0000017 w.B. Mason | | | | | | | | | | | |
| | | | | | | Continued | | | | | |
| | | 22-01290 | 05/31/22 | 11x17 laminating pouches - tax | | | | | | | |
| | | | | 1 11x17 laminating pouches - tax | 38.94 | | 2-01-20-145-145 | B Revenue: Office Supplies | R | 05/31/22 | 06/09 |
| | | | | Vendor Total: | 706.20 | | | | | | |
| XAVUS005 Xavus Solutions, LLC | | | | | | | | | | | |
| | | 22-01348 | 06/06/22 | '22 annual upgrade/maintenance | | | | | | | |
| | | | | 1 '22 annual upgrade/maintenance | 1,800.00 | | 2-01-28-371-095 | B Senior Citizens: Maintenance Agreement | R | 06/06/22 | 06/09 |
| | | | | 2 MySeniorCenter | 400.00 | | 2-01-28-371-095 | B Senior Citizens: Maintenance Agreement | R | 06/06/22 | 06/09 |
| | | | | 3 discount | 600.00 | | 2-01-28-371-095 | B Senior Citizens: Maintenance Agreement | R | 06/06/22 | 06/09 |
| | | | | | <u>1,600.00</u> | | | | | | |
| | | | | Vendor Total: | 1,600.00 | | | | | | |
| XTEL0005 Xtel, Inc. | | | | | | | | | | | |
| | | 22-01304 | 06/01/22 | June'22 inv.221511507 | | | | | | | |
| | | | | 1 June'22 inv.221511507 | 3,228.51 | | 2-01-31-430-240 | B Utilities - Telephone | R | 06/01/22 | 06/09 |
| | | | | Vendor Total: | 3,228.51 | | | | | | |
| <hr/> | | | | | | | | | | | |
| Total Purchase Orders: | 122 | Total P.O. Line Items: | 196 | Total List Amount: | 408,464.63 | Total Void Amount: | 0.00 | | | | |

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CITY OF SOUTH AMBOY
Bill List By Vendor Id

| Totals by Year-Fund Fund Description | Fund | Budget Rcvd | Budget Held | Budget Total | Revenue Total | G/L Total | |
|---|------|-------------------|-------------|-------------------|---------------|-------------|--------------|
| CURRENT FUND | 1-01 | 840.00 | 0.00 | 840.00 | 0.00 | 0.00 | 8 |
| CURRENT FUND | 2-01 | 157,934.58 | 0.00 | 157,934.58 | 0.00 | 0.00 | 157,9 |
| CAPITAL FUND | C-04 | 191,303.38 | 0.00 | 191,303.38 | 0.00 | 0.00 | 191,3 |
| GRANT FUND | G-02 | 920.67 | 0.00 | 920.67 | 0.00 | 0.00 | 9 |
| OTHER TRUST | T-12 | 57,466.00 | 0.00 | 57,466.00 | 0.00 | 0.00 | 57,4 |
| Total of All Funds: | | <u>408,464.63</u> | <u>0.00</u> | <u>408,464.63</u> | <u>0.00</u> | <u>0.00</u> | <u>408,4</u> |

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

ORDINANCE #22-06

**AN ORDINANCE AMENDING ORDINANCE NO. 1036
ENTITLED "PARKING AND TRAFFIC REGULATIONS"
FOR THE CITY OF SOUTH AMBOY, IN THE COUNTY
OF MIDDLESEX AND STATE OF NEW JERSEY- REMOVE RESIDENTIAL HANDICAP
SPOTS, JOB-422 JOHN ST., LAMBERTSON-226 FIRST ST., CABANSKI-323 FOURTH
ST., MOTYLEWSKI-135 HENRY ST., 325 JOHN ST., -ADD RESIDENTIAL HANDICAP
SPOT, 313 HENRY ST. - JUGAN**

BE AND IT IS HEREBY ORDAINED that Ordinance No. 1036, entitled "Parking and Traffic Regulations" is hereby amended as follows:

ARTICLE V Handicapped Parking

Section 5-1 Special Parking for Handicapped

Section X Handicapped Parking

Remove the Following:

NAME OF STREET

422 JOHN ST.
226 FIRST ST.
323 FOURTH ST.
135 HENRY ST.
325 JOHN ST.

Add the Following:

NAME OF STREET

LOCATION

313 HENRY ST.

SIGN TO BE PLACED 151 FEET FROM THE CURB
LINE OF SOUTH STEVENS AVENUE IN FRONT OF
THE RESIDENCE AT 313 HENRY ST.

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.

The foregoing ordinance having been introduced and passed on first reading

by the Council of the City of South Amboy, in the County of Middlesex on Wednesday, June 1, 2022, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:00 p.m. on Wednesday, June 15, 2022 at City Hall, 140 North Broadway, South Amboy, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Deborah Brooks, Municipal Clerk

First Reading and Introduction: June 1, 2022

1st Publication:

Second Reading and Adoption: June 15, 2022

2nd Publication:

ORDINANCE 22-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$3,247,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,460,706 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the City of South Amboy, in the County of Middlesex, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,247,600, including a \$667,014 grant from the New Jersey Department of Transportation (the "State Grant") for the purposes set forth in Section 3(k) hereof, and further including the aggregate sum of \$119,880 as the several down payments for the improvements or purposes required by the Local Bond Law. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the improvement or purpose referred to in Section 3(k) since the improvement or purpose is being partially funded by the State Grant. The down payments

have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,460,706 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| <u>Purpose</u> | <u>Appropriation & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds & Notes</u> | <u>Period of Usefulness</u> |
|--|---|--|-----------------------------|
| a) Improvements to buildings and grounds and acquisition of equipment, including but not limited to, a forklift cage and Christmas tree, including all work and materials necessary therefor and incidental thereto. | \$57,300 | \$54,435 | 15 years |
| b) The construction of a second-floor storage area in the Department of Public Works building, including all work and materials necessary | \$10,000 | \$9,500 | 20 years |

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| therefore and incidental thereto. | | | |
| c) Various improvements to the Department of Public Works facility, including all related costs and expenditures incidental thereto. | \$200,000 | \$190,000 | 10 years |
| d) The acquisition of equipment for the Police Department, including, but not limited to, body cameras, AED units and vehicle Toughbooks, including all related costs and expenditures incidental thereto. | \$175,000 | \$166,250 | 5 years |
| e) Technology improvements at City Hall, including all related costs and expenditures incidental thereto. | \$10,000 | \$9,500 | 5 years |
| f) Improvements to audio equipment in Council Chambers/Court, including all related costs and expenditures incidental thereto. | \$28,000 | \$26,600 | 10 years |
| g) Ferry terminal designs and permits, including all related costs and expenditures incidental thereto. | \$500,000 | \$475,000 | 30 years |
| h) The acquisition of equipment for the Fire Department, First Aid Squad and the Office of Emergency Management, including but not limited to, vehicles, hose replacement, high rise kits, and iPads and mounts, including all related costs and | \$120,000 | \$114,000 | 5 years |

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| expenditures incidental thereto. | | | |
| i) The acquisition of radios for the Office of Emergency Management, including all related costs and expenditures incidental thereto. | \$7,300 | \$6,935 | 10 years |
| j) 2022 Road Improvement Program, all as set forth on a list on file in the office of the Clerk, including all work and materials necessary therefor and incidental thereto | \$500,000 | \$475,000 | 10 years |
| k) Phase II of the Feltus Street improvement project, including all work and materials necessary therefor and incidental thereto | \$850,000 (including \$667,014 New Jersey Department of Transportation grant) | \$182,986 | 10 years |
| l) The acquisition of trucks for the Road Department, including all related costs and expenditures incidental thereto. | \$120,000 | \$114,000 | 5 years |
| m) The acquisition of a brine tank including all related costs and expenditures incidental thereto. | \$15,000 | \$14,250 | 15 years |
| n) The acquisition of automated refuse containers, including all related costs and expenditures incidental thereto. | \$50,000 | \$47,500 | 15 years |
| o) Improvements to ball fields throughout the City, including all work and materials necessary | \$500,000 | \$475,000 | 15 years |

| | | | |
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| therefor and incidental thereto. | | | |
| p) Improvements to pump stations and sewers, including improvements to the sewerage grinder pump at the South Broadway Pump Station and sewer line upgrades, including all work and materials necessary therefor and incidental thereto. | \$105,000 | \$99,750 | 40 years |
| Total | <u>\$3,247,600</u> | <u>\$2,460,706</u> | |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the

purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate

thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,460,706, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$649,520 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized

to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Deborah Brooks
Municipal Clerk

Introduced on First Reading: June 1, 2022
First Publication:
Approved on Final Reading: June 15, 2022
Final Publication:

ORDINANCE 22-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE SANITATION DEPARTMENT IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$640,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$608,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of South Amboy, in the County of Middlesex, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$640,000, including the sum of \$32,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$608,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of vehicles and equipment for the Sanitation Department, including but not limited to, automated trucks and a hook lift truck with accessories, including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this

bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes

provided in this bond ordinance by \$608,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$96,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the

requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Deborah Brooks
Municipal Clerk

Introduced on First Reading: June 1, 2022
First Publication:
Approved on Final Reading: June 15, 2022
Final Publication:

ORDINANCE NO. 22-09
ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS
OF THE CITY OF SOUTH AMBOY

AN ORDINANCE BY THE CITY COUNCIL AMENDING THE CITY OF SOUTH AMBOY CODE OF ORDINANCES TO REPEAL CHAPTER 71; TO ADOPT A NEW CHAPTER 71; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of South Amboy and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of South Amboy was accepted for participation in the National Flood Insurance Program on December 4, 1979 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65, and 70 necessary for such participation; and

WHEREAS, the City of South Amboy is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the City of South Amboy is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the City of South Amboy is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of South Amboy that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. These regulations specifically repeal and replace the following ordinance(s) and regulation(s): Chapter 71.

SECTION 101 SCOPE AND ADMINISTRATION

101.1 Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the City of South Amboy (hereinafter "these regulations").

101.2 Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 102 of these regulations.

101.3 Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

101.4 Coordination with Building Codes. Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the City of South Amboy administer and enforce the State building codes, the City Council of the City of South Amboy does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the

design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

101.5 Ordinary Building Maintenance and Minor Work. Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 103.14 of this ordinance.

101.6 Warning. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

101.7 Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

101.8 Violations and Penalties for Noncompliance. No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance but shall be calculated separately from the fine imposed for the violation of the ordinance.

101.8.1 Solid Waste Disposal in a Flood Hazard Area. Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

101.9 Abrogation and greater restrictions. These regulations supersede any ordinance in
Final Draft Model Code Coordinated Ordinance. 11.05.2021

effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

SECTION 102 APPLICABILITY

102.1 General. These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

102.2 Establishment of Flood Hazard Areas. The **City of South Amboy** was accepted for participation in the National Flood Insurance Program on December 4, 1979.

102.3

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Office of the Floodplain Administrator, 140N Broadway, South Amboy, NJ 08879.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Flood Insurance Study, Middlesex County, New Jersey (All Jurisdictions) dated July 6, 2010 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 102.2(1) whose effective date is Revised July 6, 2010 are hereby adopted by reference.

Table 102.2(1)

| Map Panel # | Effective Date | Suffix | Map Panel # | Effective Date | Suffix |
|-------------|----------------------|--------|-------------|----------------|--------|
| 34023C0156 | Revised July 6, 2010 | F | | | |
| 34023C0157 | Revised July 6, 2010 | F | | | |

- 2) **Federal Best Available Information.** The City of South Amboy shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA’s Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 102.2(2)

| Map Panel # | Preliminary Date | Map Panel # | Preliminary Date |
|-------------|--------------------------|-------------|------------------|
| 34023C0156G | Revised January 31, 2014 | | |
| 34023C0157G | Revised January 30, 2015 | | |

- 3) **Other Best Available Data.** The City of South Amboy shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the City of South Amboy. Other “best available information” may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 102.2 (1) and (2), above. This information shall be used for floodplain regulation purposes only.

| Map Description | Ordinance Number | Date Effective | Date Withdrawn and Ordinance Number |
|-----------------|------------------|----------------|-------------------------------------|
| | | | |
| | | | |

- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the “Flood Hazard Area Control Act Design Flood Elevation”, as defined in Section 201, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 102.2 (3) List of State Studied Waters

| Name of Studied Water | File Name | Map Number |
|--------------------------------|-----------|------------|
| Raritan River | D0000023 | R-1 |
| Crossway Creek | D0000044 | CR-1 |
| Cheesequake Creek Coastal Area | D0000045 | COS-1 |

102.3 Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 102.2, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 102.2, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any undelineated watercourse (where mapping or studies described in 102.2 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
 - a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 105.2-3.
- 3) AO Zones – For Zone AO areas on the municipality’s FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- 5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

SECTION 103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

103.1 Floodplain Administrator Designation. The City Engineer is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

103.2 General. The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Section 107 of these regulations.

103.3 Coordination. The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

103.4 Duties. The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Section 102 of these regulations.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 103.14 of these regulations.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Section 107 of these regulations.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (11) Inspect development in accordance with Section 106 of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- (12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Section 107 of these regulations.

- (13) Cite violations in accordance with Section 108 of these regulations.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of South Amboy have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 102.2.

103.5 Use of changed technical data. The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

103.6 Other permits. It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

103.7 Determination of Local Design Flood Elevations. If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 102.2 and 102.3 respectively. This information shall be provided to the Construction Official and documented according to Section 103.15.

103.8 Requirement to submit new technical data. Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

103.9 Activities in riverine flood hazard areas. In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

103.10 Floodway encroachment. Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

103.10.1 Floodway revisions. A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

103.11 Watercourse alteration. Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

103.11.1 Engineering analysis. The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

103.12 Alterations in coastal areas. The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

103.13 Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land

Resource Protection.

103.14 Substantial improvement and substantial damage determinations. When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 102.2, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage
- (5) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

103.15 Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

103.16 Liability. The Floodplain Administrator and any employee charged with the enforcement

of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

SECTION 104 PERMITS

104.1 Permits Required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

104.2 Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Section 105 of these regulations, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- (6) Be signed by the applicant or the applicant's authorized agent.

104.3 Validity of permit. The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

104.4 Expiration. A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

104.5 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code

of this jurisdiction.

SECTION 105 SITE PLANS AND CONSTRUCTION DOCUMENTS

105.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 105.2.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 105.2(3) of these regulations.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

105.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to

reasonably reflect flooding conditions.

- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

105.3 Analyses and certifications by a Licensed Professional Engineer. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 105.4 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

105.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base

flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 106 INSPECTIONS

106.1 General. Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

106.2 Inspections of development. The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

106.3 Buildings and structures. The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- 1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 801.2.
- 4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.

106.4 Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

SECTION 107 VARIANCES

107.1 General. The Planning/Zoning Board shall hear and decide requests for variances. The Planning/Zoning Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 107.5, the conditions of issuance set forth in Section 107.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Planning/Zoning Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these

regulations.

107.2 Historic structures. A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

107.3 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

107.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 105.3(1) of these regulations.

107.5 Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

107.6 Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

SECTION 108 VIOLATIONS

108.1 Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

108.2 Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

108.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

108.4 Review Period to Correct Violations. A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall

also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

SECTION 201 DEFINITIONS

201.1 General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

201.2 Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of ‘Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, bathhouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures

when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community’s Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **AREA OF SPECIAL FLOOD HAZARD** – see **SPECIAL FLOOD HAZARD AREA**

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be

depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

COASTAL A ZONE – An Area of Special Flood Hazard starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coastal A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones is to be regulated similarly to V Zones/Coastal High Hazard Areas except as allowed by ASCE 24.

COASTAL HIGH HAZARD AREA – An Area of Special Flood Hazard inclusive of the V Zone extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, “Critical Building” means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEEP FOUNDATIONS – Per ASCE 24, deep foundations refer to those foundations constructed on erodible soils in Coastal High Hazard and Coastal A Zones which are founded on piles, drilled shafts, caissons, or other types of deep foundations and are designed to resist erosion and scour and support lateral and vertical loads as described in ASCE 7. Foundations shall extend to 10 feet below Mean Water Level (MWL) unless the design demonstrates that pile penetration will provide sufficient depth and stability as determined by ASCE 24, ASCE 7, and additional geotechnical investigations if any unexpected conditions are encountered during construction.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA’s base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure’s lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water

surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Section 107 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The City Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved State program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on an Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LIMIT OF MODERATE WAVE ACTION (LiMWA) – Inland limit of the area affected by waves greater than 1.5 feet during the Base Flood. Base Flood conditions between the VE Zone and the LiMWA will be similar to, but less severe than those in the VE Zone.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

LOWEST HORIZONTAL STRUCTURAL MEMBER - In an elevated building in a Coastal A or Coastal High Hazard Zone, the lowest beam, joist, or other horizontal member that supports the building is the lowest horizontal structural member. Grade beams installed to support vertical foundation members where they enter the ground are not considered lowest horizontal members.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) established by a

qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on

the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The Start of Construction is as follows:

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA),** this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the

market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

V ZONE CERTIFICATE - A certificate that contains a certification signed by a licensed design professional certifying that the designs, plans, and specifications and the methods of construction in V Zones and Coastal A Zones are in accordance with accepted standards of practice. This certificate also includes an optional Breakaway Wall Design Certification for enclosures in these zones below the Best Available Flood Hazard Data Elevation. A completed certification is required at permit application.

V ZONES – Areas of Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation in any given year shown on the Flood Insurance Rate Map (FIRM) zones V1-V30 and VE and is referred to as the Coastal High Hazard Area.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and

agricultural structures that have been issued variances by the community.

SECTION 301 SUBDIVISIONS AND OTHER DEVELOPMENTS

301.1 General. Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

301.2 Subdivision requirements. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

SECTION 401 SITE IMPROVEMENT

401.1 Encroachment in floodways. Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 105.3(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section 105.3(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 801.2 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

401.1.1 Prohibited in floodways. The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

401.2 Coastal High Hazard Areas (V Zones) and Coastal A Zones. In Coastal High Hazard Areas and Coastal A Zones:

- (1) New buildings shall only be authorized landward of the reach of mean high tide.
- (2) The placement of manufactured homes shall be prohibited except in an existing manufactured home park or subdivision.
- (3) Basements or enclosures that are below grade on all sides are prohibited.

(4) The use of fill for structural support of buildings is prohibited.

401.3 Sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

401.4 Water facilities. All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

401.5 Storm drainage. Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

401.6 Streets and sidewalks. Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

401.7 Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

401.8 Limitations on sites in coastal high hazard areas (V Zones) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones, alteration of sand dunes shall be permitted only when the engineering analysis required by Section 105.3(4) of these regulations demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 801.9(3) of these regulations and as permitted under the NJ Coastal Zone Management Rules (N.J.A.C. 7:7).

401.9 Hazardous Materials. The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

SECTION 501 MANUFACTURED HOMES

501.1 General. All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

501.2 Elevation. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section 801.2.

501.3 Foundations. All new, relocated, and replacement manufactured homes, including

substantial improvement of existing manufactured homes, shall be placed on permanent, reinforced foundations that are designed in accordance with Section R322 of the Residential Code.

501.4 Anchoring. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

501.5 Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 801.2.

501.6 Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 801.2 of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 801.2, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 601 RECREATIONAL VEHICLES

601.1 Placement prohibited. The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

601.2 Temporary placement. Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

601.3 Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 801.2 for habitable buildings.

SECTION 701 TANKS

701.1 Tanks. Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

SECTION 801 OTHER DEVELOPMENT AND BUILDING WORK

801.1 General requirements for other development and building work. All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 105.3(1) of this ordinance when located in a regulated

floodway;

- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section 102.3;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 102.3 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - i. Specifically allowed below the Local Design Flood Elevation; and
 - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

801.2 Requirements for Habitable Buildings and Structures.

- 1) Construction and Elevation in A Zones not including Coastal A Zones.
 - a. No portion of a building is located within a V Zone.
 - b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - c. All new construction and substantial improvement of any habitable building (as defined in Section 201) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
 - d. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.

- e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - iii. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
 - iv. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 801.2.1(d)ii are met;
 - v. Be constructed to meet the requirements of ASCE 24 Chapter 2;
 - vi. Have openings documented on an Elevation Certificate; and
 - vii. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 - 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 - 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 - 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

2) Construction and Elevation in V Zones and Coastal A Zones.

- a. All new construction and substantial improvements shall be constructed according to structural designs, plans and specifications conforming with ASCE 24 Chapter 4 which are signed by a licensed design professional and certified by that individual in a V Zone Certificate.
- b. All new construction and substantial improvement of any habitable building (as defined in Section 201) located in coastal high hazard areas shall have the lowest horizontal structural member, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
- c. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest horizontal structural member, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in

- conformance with ASCE 24 Chapter 7, and be confirmed by an Elevation Certificate; or
- ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 1. Meets the requirements of ASCE 24 Chapters 4 and 7; and
 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
 - d. All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. All breakaway walls shall be constructed according to structural designs, plans and specifications conforming with ASCE 24 Chapter 4, signed by a licensed design professional, and certified by that individual in a Breakaway Wall Certificate.
 - e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - i. Be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited.
 - ii. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 801.2.2(c)ii are met;
 - iii. Be constructed to meet the requirements of ASCE 24 Chapter 4;
 - iv. Have openings documented on an Elevation Certificate and have breakaway wall construction documented on a Breakaway Wall Certificate unless the requirements of 801.2.2(c)ii are met for a non-residential structure; and
 - v. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

801.3 Garages and accessory storage structures. Garages and accessory storage structures

shall be designed and constructed in accordance with the Uniform Construction Code.

801.4 Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 105.3(1) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Section 107 of this ordinance.

801.5 Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 105.3(1) of these regulations and N.J.A.C. 7:13.

801.6 Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 105.3(1) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

801.7 Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 105.3(1) of these regulations.

801.8 Other development in coastal high hazard areas (Zone V) and Coastal A Zones. In Coastal High Hazard Areas (V Zones) and Coastal A Zones, development activities other than buildings and structures shall be permitted only when also authorized by the appropriate Federal, State or local authority; when located outside the footprint of, and not structurally attached to, buildings and structures; and when analyses prepared by a licensed professional engineer demonstrates no harmful diversion of floodwater or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the base flood or otherwise function to avoid obstruction of floodwater; and
- (3) On-site filled or mound sewage systems.

801.9 Nonstructural fill in coastal high hazard areas (Zone V) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be

permitted for landscaping and for drainage purposes under and around buildings.

- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only when an analysis prepared by a licensed professional engineer demonstrates no harmful diversion of floodwater or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection where the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

SECTION 901 TEMPORARY STRUCTURES AND TEMPORARY STORAGE

901.1 Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

901.2 Temporary storage. Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

901.3 Floodway encroachment. Temporary structures and temporary storage in floodways shall meet the requirements of Section 105.3(1) of these regulations.

SECTION 1001 UTILITY AND MISCELLANEOUS GROUP U

1001.1 Utility and Miscellaneous Group U. In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

1001.2 Flood loads. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 102.3.

1001.3 Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 102.3 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

1001.4 Enclosures below base flood elevation. Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 801.2 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be

abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

1001.5 Flood-damage resistant materials. Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 102.3.

1001.6 Protection of mechanical, plumbing, and electrical systems. Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 102.3.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 3. SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect on _____

Deborah Brooks, Municipal Clerk

First Reading and Introduction: June 1, 2022

1st Publication: _____

Second Reading and Adoption: June 15, 2022

Final Publication: _____