

**MAYOR AND COUNCIL
REGULAR MEETING
April 27, 2021
7:00 P.M**

CALL TO ORDER

SALUTE TO COLORS

Mayor Zdichocki invited all those present to stand in a salute to the colors.

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 13, 2021 and was placed on the Official Bulletin Board in the Municipal Building and on the official website of the Borough of Stanhope.

In the event the Mayor and Council have not addressed all items on this Agenda by 10:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place. Please turn off all cell phones for the duration of this meeting.

ROLL CALL

Council Members:

Councilman Cipollini – present
Councilwoman Kuncken - present
Councilman Riccardi – present

Councilman Romano - present
Councilman Thornton - present
Councilman Wronko - present

Mayor Zdichocki – present

Moment of Silence Remembering Don Drake – Mayor Zdichocki stated she has referred to Stanhope Borough many times as a small town with a big heart, a very big family. Sadly, today we lost a family member. Donny Drake was a lifelong resident of Stanhope, a past Fire Chief of Stanhope Hose Company #1 for two terms, Treasurer of the Fire Department for thirty years, a member of the Stanhope Planning Board, and Stanhope's representative to SWAC (Solid Waste Advisory Council) for approximately ten years. Mayor Zdichocki stated Donny was one of the finest people she had the pleasure and good fortune to call her friend and she will miss him very much. Mayor Zdichocki asked everyone to pause for a moment of silence.

CITIZENS TO BE HEARD

Mayor Zdichocki opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

MINUTES FOR APPROVAL

Mayor Zdichocki read aloud the list of minutes being presented for approval:

March 9, 2021	Work Session Meeting & Closed Session
March 23, 2021	Business Meeting

On motion by Councilwoman Kuncken, seconded by Councilman Riccardi and carried by a majority voice vote, the above listed minutes were approved. Councilman Cipollini abstained from the minutes of March 23, 2021.

CORRESPONDENCE *(List Attached)*

On motion by Councilman Romano, seconded by Councilman Riccardi and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

Public Safety – Councilwoman Kuncken/Councilman Thornton

(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management)

Councilwoman Kuncken stated the Fire Department, for the month of March, reported 7 calls answered, 2 mutual aid calls, 2 drills, 1 meeting and 1 special detail for a total of 151 volunteer hours.

Councilwoman Kuncken stated the Sussex County Fire Marshal, for the month of March, reported 5 inspections which took place at Deli Delicious, Fitness Center, Dollar General, Lakeland Bank and Stack Landscapers. All passed except for the Fitness Center which has had some ongoing issues. Those issues were supposed to be abated by April 5th.

Councilwoman Kuncken stated, for the month of March, the Police Department reported 111 motor vehicle stops. The total number of calls for the month were 253.

Councilwoman Kuncken stated the Ambulance Squad for the month of February, reported 48 total calls; 15 in Stanhope, 30 in Netcong, and 3 out of town calls to Byram Township. They treated 35 patients and made 30 trips to the hospital. The total hours volunteered were 468 hours and 18 minutes. They travelled 787 miles. The Ambulance Squad for the month of March reported 56 calls; 22 in Stanhope, 28 in Netcong, 1 Stand-by and 5 out of town calls to Hopatcong Borough. They treated 44 patients and made 36 trips to the hospital. They travelled 1,057 miles. The total hours volunteered were 50 hours and 12 minutes. Councilwoman Kuncken stated the Ambulance Squad also reported that during the snow storm of February 1st and 2nd, 8 members of the squad volunteered 280 hours by staying at the Ambulance Squad Station to insure emergency responses would not be delayed due to the snow storm. Members volunteered on rotating shifts from 9pm on January 31st through 1pm on February 2nd to insure both ambulances were staffed for emergency response. Also, during the months of January and February, 11 members of the Ambulance Squad participated in a two-day training program to receive their initial certification or to recertify as Ice Rescue Technicians. Councilwoman Kuncken stated the Ambulance Squad, the Fire Department and the Public Safety Committee have been working with the Administrator, and have reached an agreement with regard to rescue operations. If their schedules allow, representatives from both the Fire Department and the Ambulance Squad will be attending the next scheduled Mayor and Council meeting to sign the agreement.

Councilman Riccardi stated he would like to recognize one of the Ambulance Squad members who, while off duty, was participating in a race and sacrificed his place in the race to assist another racer on the track who had been run over by another dirt bike and he essentially saved that person's life. Mayor Zdichocki stated the governing body is very proud of the volunteers in Stanhope.

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Councilman Romano stated the taxes collected for the month of March totaled \$184,031.29 and the year to date total is \$3,102,063.76. The percentage of taxes collected for the first quarter is 96.299% and for the second quarter the collection is just over 7%.

Councilman Romano stated the water collection totals for March are \$122,419.22 and the year to date amount is \$156,576.51. The sewer collection totals for March are \$142,961.87 and the year to date total is \$185,727.33. These figures are on track.

Community Development – Councilman Wronko/Councilman Riccardi

Councilman Wronko stated, for the month of March, 19 construction permits were issued. No information was received regarding violations for the month. Brush collection begins next week. The brush should be placed curbside this coming weekend.

Mayor Zdichocki stated she, Councilwoman Kuncken and Councilman Riccardi attended the Borough clean up this past weekend. There was a nice turnout of approximately 45 people. Bell's Mansion provided lunch which was attended by approximately 35 people. Mayor Zdichocki thanked Bell's Mansion for their generosity.

Mayor Zdichocki stated she attended and spoke at the Little League opening ceremony over the weekend. Mayor Zdichocki asks that everyone use caution when travelling in the area now that the season has begun.

Municipal Infrastructure – Councilman Thornton/Councilman Wronko

(Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds)

Councilman Thornton stated hydrant flushing has been ongoing and will be completed by the end of the week.

Information Technology – Councilman Riccardi/Councilman Cipollini

Councilman Riccardi stated there is still steady usage of the Municipipay system. There were 73 tax payment transactions in the first quarter totaling \$71,000. There were 108 utility payments made. No problems have been reported.

Boards/Commissions – Councilman Cipollini/Councilman Romano

Councilman Cipollini stated he had no report this evening.

Mayor Zdichocki commended the Environmental Commission for the great job they did with the clean up this past weekend.

Councilman Romano stated the Board of Health had a very successful rabies clinic. Councilman Romano thanked the Administrator and the Department of Public Works for their assistance that evening. Monique McNeilly and the team did an excellent job and were able to service 90 people. The residents liked this procedure much better than the ones held in previous years at the firehouse. Mayor Zdichocki stated she has received feedback from the residents as well asking if this procedure could remain for the future. Councilman Romano stated one of the challenges of holding the clinic at the firehouse is lack of parking and the animals are all together outside. Councilwoman Kuncken stated there was an issue this year with the wind which took the tent off into the woods along with paperwork but everything went well regardless. Mayor Zdichocki commended the Board of Health for a job well done.

ADMINISTRATOR'S REPORT

Dell Road, East Drive & Plane Lane Paving – Administrator McNeilly stated he is waiting for dates for the milling and paving of Dell Road, East Drive and Plane Lane. The authorization for the speed humps is on the agenda this evening.

Families First Coronavirus Response Act Extension – Administrator McNeilly provided a sample resolution to the governing body regarding the Families First Coronavirus Response Act Extension. If this program is utilized for employees who have taken sick time to be vaccinated, time to recover from vaccination, recovering from the Coronavirus, or when not covered by workmen's compensation, the costs can be applied to the Cares Act Reimbursement. Councilwoman Kuncken asked if his would also cover other entities the Borough provides workmen's compensation for such as the Fire Department or Ambulance Squad. Administrator McNeilly stated this only covers employees. Mayor Zdichocki asked if there are restrictions on the amount of time an employee can take off and would the employees who did take time off and already used sick time be reimbursed. Administrator McNeilly stated the resolution would be written to include the timeframe when any employee was out of work due to the instances listed above and for future cases which may arise. This would make their sick time whole again and the time could be added to the Cares Act worksheet. Administrator McNeilly asked the governing body to review the information for discussion at the next meeting.

Tractor Trailers and Stop Signs – Administrator McNeilly stated, partially as a function of a new 4-ton bridge on Old Waterloo Road and the placement of a truck repair facility at the old Dynapac property, for some reason Google Maps for Tractor Trailers, which is a separate program, is directing trucks through the middle of town. With one police officer on duty it is very hard to track down the tractor trailers as they are coming through town and damages are occurring. The stop sign located at the corner of Main Street and Route 183 has been damaged five times in a three-week period. Thursday a truck had a shredded tire and was stuck on Route 183. There has been property damage at the top of McKinley Street at Brooklyn Road when a truck tried to use Linden Avenue, McKinley Street and Brooklyn Road to make a U-turn. Administrator McNeilly stated he forwarded a copy of an ordinance to the governing body which he has worked on with the Borough Attorney and the Borough Engineer to make Main Street North a no right turn for tractor trailers and McKinley Street East no turns for tractor trailers. Brooklyn Road on the lake side going through there is a 4-ton limit because trucks would get stuck down in there. Netcong has a good sign at the Route 183 side near Maple Avenue. It is a simple, universal, no left-hand turn sign for trucks over 6 tons. Stanhope Borough will do something similar where the “Welcome to Sussex County” sign is which will state no right hand turn for trucks over 4 tons. This will also be done for High Street. Linden Avenue already has a sign. Main Street North will also have a sign installed prohibiting a left-hand turn. Administrator McNeilly stated he has spoken with the Administrator in Mount Olive and they are aware of the situation. Mount Olive is going to try and work with Netcong Borough to make the area from the cemetery to the new bridge a 4-ton weight limit as both towns each own half of that road. It does not matter what weight the bridge can handle. The road needs to be for local traffic only on both sides and signage will need to be put in place. If more police officers are on duty in the future, better enforcement can be done. The situation that exists now is worse than when the trucks were going to Juntos.

NJ DCA Local Recreation Improvement Grant (LRIG) – Administrator McNeilly stated he received an email from Millennium Strategies, grant writers for the Borough, regarding the Furnace Pond Walking Trail. Millennium Strategies has stated the Furnace Pond Walking Trail Project is not a strong fit for the NJ DCA Local Recreation Improvement Grant (LRIG), due to the requirements and how competitive the grant will be. The total amount of the grant is \$2.5 million and the largest grant which will be awarded is \$500,000. The program’s main goal is to fund projects that help local governments address unmet recreation needs (i.e. in densely populated urban communities). All municipalities are technically eligible to apply, but there will likely be only 5 to 10 awards granted statewide. The DCA will want to fund projects that, after the two-year grant period, yield tangible improvements to recreational facilities for underserved communities. While engineering costs such as permits and surveying are eligible, these would need to be part of a larger project to improve a facility within the two-year grant period. The timeline for obtaining the permits would likely take longer than that. The project must be on Borough owned land and the application would require us to provide a deed as proof of ownership. A project that crosses into NJDEP owned land would not be eligible. Administrator McNeilly stated Millennium Strategies will continue to search for viable grants for this project which may come available through ANJEC or one of the foundations. Mayor Zdichocki asked if repaving and resurfacing the basketball courts would be an option. Administrator McNeilly stated he is of the opinion no grants will be awarded in this part of the State. There may be more funds available in the future for towns with smaller populations.

Survivor Tree – Mayor Zdichocki stated a date for the Survivor Tree to be transported to the Borough has to be chosen. The available dates are Wednesday, May 10th or Friday, May 14th. Administrator McNeilly stated May 14th is a better choice for the Department of Public Works. Mayor Zdichocki stated the Fire Department will transport the tree from New York to the Borough on the fire truck. The DPW will be on site to plant the tree at the park. A small ceremony will take place and then after September 11th a larger event can be planned. The Survivor Tree is the only tree which survived the 9/11 attack and seedlings were collected and grown to donate to municipalities which have a 9/11 memorial. Hopatcong Borough will also be receiving a sapling. Administrator McNeilly estimates that the tree will arrive in the Borough late afternoon on May 14th. Administrator McNeilly stated the Fire Department needs to be aware that the tree needs to arrive early afternoon due to the fact the DPW needs to be available to plant the tree. Mayor Zdichocki stated she will confirm who will be riding on the fire truck and to make them aware of the time constraints.

COUNCIL DISCUSSION

Mayor Zdichocki asked for any council discussion issues. There were none.

OLD BUSINESS

ORDINANCES

Mayor Zdichocki offered the following ordinances for public hearing and final adoption which were read by title.

Ordinances for Public Hearing and Final Adoption

Ordinance 2021-05

AN ORDINANCE REVISING CHAPTER 100, ARTICLE XXVIII, STORMWATER CONTROL, OF THE CODE OF THE BOROUGH OF STANHOPE

WHEREAS, the Borough of Stanhope is desirous to revise Chapter 100, Article XXVII Stormwater Control, of the Borough Code to comply with the Stormwater Management Rules, N.J.A.C. 7:8-1.1, et seq.

NOW, THEREFORE, by the Borough Council of the Borough of Stanhope, hereby deletes current Article XXVIII, Stormwater Control, Sections 100-197 through 100-209, in its entirety, and adopts a new Article XXVIII, as follows:

Article XXVIII. Stormwater Control

§ 100-197. Scope and Purpose:

- (1) Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- (2) Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in § 100-198.
- (3) Applicability.
 - (a) This Ordinance shall be applicable to the following major developments:
 - [1] Non-residential major developments; and
 - [2] Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - (b) This ordinance shall also be applicable to all major developments undertaken by the Borough of Stanhope.
- (4) Compatibility with Other Permit and Ordinance Requirements. Development approvals issued pursuant to this Ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

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

§ 100-198. Definitions:

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

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

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

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

“Compaction” means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

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

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

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

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

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

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

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

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

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

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually result in the disturbance of one or more acres of land since February 2, 2004. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

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

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

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

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with § 100-200(6) of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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

- (1) A net increase of impervious surface;
- (2) The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system”

is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);

- (3) The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
- (4) The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

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

- (1) The total area of motor vehicle surface that is currently receiving water;
- (2) A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§ 100-199. Design and Performance Standards for Stormwater Management Measures:

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

§ 100-200. Stormwater Management Requirements for Major Development:

- (1) The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 100-206.
- (2) Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).

- (3) The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 100-200(16), (17) and (18).
- (a) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (b) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - (c) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- (4) A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 100-200(15), (16), (17) and (18) may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
- (a) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - (b) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of § 100-200(15) (16), (17) and (18) to the maximum extent practicable;
 - (c) The applicant demonstrates that, in order to meet the requirements of § 100-200(15) (16), (17) and (18), existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - (d) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under § 100-200(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 100-200(15) (16), (17) and (18) that were not achievable onsite.
- (5) Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in § 100-200(15) (16), (17) and (18). When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:
- https://njstormwater.org/bmp_manual2.htm.
- (6) Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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

(Notes corresponding to annotations ^(a) through ^(g) are found on Page 14)

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

(Notes corresponding to annotations ^(b) through ^(d) are found below)

Table 3 <u>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3</u>				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	0	Yes	No	N/A
<u>Extended Detention Basin</u>	40-60	Yes	No	1
<u>Manufactured Treatment Device^(h)</u>	50 or 80	No	No	Dependent upon the device
<u>Sand Filter^(c)</u>	80	Yes	No	1
<u>Subsurface Gravel Wetland</u>	90	No	No	1
<u>Wet Pond</u>	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at § 100-200(15)(b);
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at § 100-198;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at § 100-198.
- (7) An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 100-200(6). Alternative stormwater management measures may be used to satisfy the requirements at § 100-200(15) only if the measures meet the definition of green infrastructure at § 100-198. Alternative stormwater management measures that function in a similar manner to a BMP listed at § 100-200(15)(b) are subject to the contributory drainage area limitation specified at § 100-200(15)(b) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at § 100-200(15)(b) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 100-200(4) is granted from § 100-200(15).

- (8) Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- (9) Design standards for stormwater management measures are as follows:
- (a) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (b) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 100-204(3);
 - (c) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (d) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 100-204; and
 - (e) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- (10) Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 100-198 may be used only under the circumstances described at § 100-200(15)(d).
- (11) Any application for a new agricultural development that meets the definition of major development at § 100-198 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections D (15), (16), (17) and (18) and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- (12) If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 100-200 (16), (17) and (18) shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

- (13) Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Sussex County Clerk’s Office.

A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 100-200 (15), (16), (17) and (18) and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 100-200(13). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

- (14) A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 100-200 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Sussex County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with § 100-200(13) above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

(15) Green Infrastructure Standards

- (a) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (b) To satisfy the groundwater recharge and stormwater runoff quality standards at § 100-200(16) and (17), the design engineer shall utilize green infrastructure BMPs identified in Table 1 at § 100-200(6). and/or an alternative stormwater management measure approved in accordance with § 100-200(7). The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

- (c) To satisfy the stormwater runoff quantity standards at § 100-200 (18), the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with § 100-200(7).
- (d) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 100-200(4) is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with § 100-200(7) may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 100-200(16), (17) and (18).

(16) Groundwater Recharge Standards

- (a) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (b) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 100-201, either:
 - [1] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - [2] Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
- (c) This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
- (d) The following types of stormwater shall not be recharged:
 - [1] Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - [2] Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

(17) Stormwater Runoff Quality Standards

- (a) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.

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

Table 4 - Water Quality Design Storm Distribution

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

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

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

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

- (f) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in § 100-200 (16), (17) and (18).
- (g) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (h) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (i) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
- (j) This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

(18) Stormwater Runoff Quantity Standards

- (a) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (b) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 100-201, complete one of the following:
 - [1] Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - [2] Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - [3] Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed.

- (c) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§ 100-201. Calculation of Stormwater Runoff and Groundwater Recharge:

- (1) Stormwater runoff shall be calculated in accordance with the following:
 - (a) The design engineer shall calculate runoff using one of the following methods:
 - [1] The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1_044171.pdf, or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or
 - [2]. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625. The document is also available at: <http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.
 - (b) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at section E(1)(a)[1] and the Rational and Modified Rational Methods at section E(1)(a)[2]. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 - (c) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre-construction stormwater runoff rates and volumes.

- (d) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (e) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- (2) Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at: <https://www.nj.gov/dep/njgs/pricelst/gsrreport/gsr32.pdf> or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

§ 100-202. Sources for Technical Guidance:

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

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

- (a) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
- (b) Additional maintenance guidance is available on the Department's website at:
https://www.njstormwater.org/maintenance_guidance.htm.

- (2) Submissions required for review by the Department should be mailed to:

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

§ 100-203. Solids and Floatable Materials Control Standards:

- (1) Site design features identified under § 100-200(6) above, or alternative designs in accordance with § 100-200(7) above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 100-203(1)(b) below.

- (a) Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

[1] The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

- [2] A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

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

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

(b) The standard in (1)(a) above does not apply:

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

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

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

§ 100-204. Safety Standards for Stormwater Management Basins:

- (1) This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- (2) The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs.

Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in § 100-204(3)(a), H(3)(b) and H(3)(c) for trash racks, overflow grates, and escape provisions at outlet structures.

(3) Requirements for Trash Racks, Overflow Grates and Escape Provisions

(a) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

- [1] The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
- [2] The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
- [3] The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
- [4] The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

(b) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

- [1] The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
- [2] The overflow grate spacing shall be no less than two inches across the smallest dimension.
- [3] The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

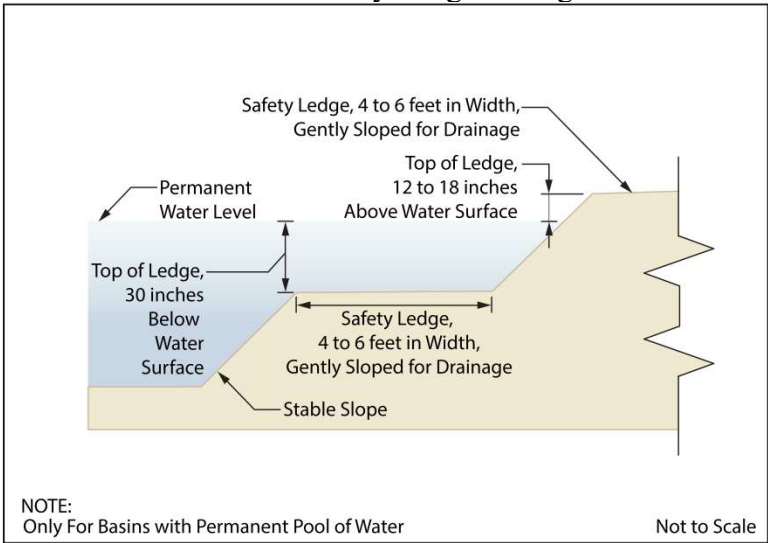
(c) Stormwater management BMPs shall include escape provisions as follows:

- [1] If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to § 100-204(3), a free-standing outlet structure may be exempted from this requirement;
- [2] Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
- [3] In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.

(4) Variance or Exemption from Safety Standard

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

Safety Ledge Illustration
Elevation View –Basin Safety Ledge Configuration



§ 100-205. Requirements for a Site Development Stormwater Plan:

(1) Submission of Site Development Stormwater Plan

- (a) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 100-205(3) below as part of the submission of the application for approval.
- (b) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
- (c) The applicant shall submit five (5) copies of the materials listed in the checklist for site development stormwater plans in accordance with § 100-205(3) of this ordinance.

(2) Site Development Stormwater Plan Approval

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

(3) Submission of Site Development Stormwater Plan

The following information shall be required:

- (a) Topographic Base Map
The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 100 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
- (b) Environmental Site Analysis
A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique,

unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

(c) Project Description and Site Plans

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

(d) Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of sections C through E are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

(e) Stormwater Management Facilities Map

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

[1] Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.

[2] Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

(f) Calculations

[1] Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 100-200 of this ordinance.

[2] When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

(g) Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of § 100-206.

(h) Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in § 100-205(3)(a) through I(3)(f) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 100-206. Maintenance and Repair:

(1) Applicability

Projects subject to review as in § 100-197(3) of this ordinance shall comply with the requirements of § 100-206(2) and J(3).

(2) General Maintenance

- (a) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (b) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
- (c) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (d) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (e) If the party responsible for maintenance identified under § 100-206(2)(c) above is not a public agency, the maintenance plan and any future revisions based on § 100-206(2)(g) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (f) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (g) The party responsible for maintenance identified under § 100-206(2)(c) above shall perform all of the following requirements:
 - [1] maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - [2] evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - [3] retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by § 100-206(2)(f) and § 100-206 (2)(g) above.

- (h) The requirements of § 100-206(2)(c) and § 100-206 (2)(d) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

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

- (i) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- (j) Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

§ 100-207. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties set forth in Section 100-196 of the Borough Code.

§ 100-208. Severability and Repealer

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

§ 100-209. Effective Date:

This Ordinance shall take effect immediately after final passage and publication.

On motion by Councilman Riccardi, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Administrator McNeilly stated the Land Use Board advised that a correction had to be made to the ordinance. The reference to the Board of Chosen Freeholders was changed to the Board of County Commissioners. The Board of Chosen Freeholders recently changed their name.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Wronko - yes

On motion by Councilman Romano, seconded by Councilman Riccardi, and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

Ordinance 2021-06

**CAPITAL ORDINANCE APPROPRIATING \$23,050.00 FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH
OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW
JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Stanhope, in the County of Sussex, New Jersey, AS FOLLOWS;

Section 1. The several improvements described in Section 3 of this capital ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Stanhope, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$23,050.00, which has heretofore been set aside for the improvement or purpose stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$23,050.00 appropriations, the Borough will use \$23,050.00 from the General Capital Improvement Fund, as described in Section 3.

Section 3. The improvements hereby authorized and the several purposes for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for each such purpose, are respectively as follows:

General Capital Improvement Fund:

Fire Department – Equipment purchase, including turnout gear..... \$15,450.00

Police Department - Body worn cameras & related equipment..... \$ 7,600.00

All the aforesated improvements or purposes where applicable, are in accordance with specifications on file in the office of the Borough Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this capital ordinance are capital expenses and are each a property or improvement that the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed by this capital ordinance, is five (5) years.

Section 5. This capital ordinance shall take effect ten (10) days after the publication thereof after final adoption.

On motion by Councilwoman Kuncken, seconded by Councilman Wronko and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

Councilman Cipollini – yes
Councilwoman Kuncken – yes
Councilman Riccardi – yes

Councilman Romano - yes
Councilman Thornton – yes
Councilman Wronko – yes

On motion by Councilman Riccardi, seconded by Councilman Thornton, and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

Ordinance 2021-07

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$27,810 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$26,420 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STANHOPE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stanhope, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$27,810, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$1,390 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$27,810 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$26,420 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$26,420 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition, by purchase, of new and additional equipment for use by the Department of Public Works of the Borough, including fire hydrant connect caps and defender locks, together with all attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$26,420.

(c) The estimated cost of said purpose is \$27,810, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$1,390 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make 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 said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough 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, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$26,420, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Borough (the "Chief Financial Officer") provided that no note shall mature later than one year from its date. The 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 the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

On motion by Councilman Riccardi, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

Councilman Cipollini – yes
Councilwoman Kuncken – yes
Councilman Riccardi – yes

Councilman Romano - yes
Councilman Thornton – yes
Councilman Wronko - yes

On motion by Councilman Romano, seconded by Councilwoman Kuncken, and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

Ordinance 2021-08

**AN ORDINANCE OF THE BOROUGH OF
STANHOPE COUNTY OF SUSSEX, NEW JERSEY
FIXING THE SALARY AND WAGES FOR
BOROUGH EMPLOYEES AND OFFICIALS**

BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope, New Jersey as follows:

SECTION 1. That the Annual salary, wage and compensation to be paid to Borough employees and officials in 2021 be as follows:

Mayor	\$ 3,013.00
Borough Council Member	2,739.00
Administrator	As per contract
Borough Clerk	67,140.00
Deputy Borough Clerk	39,583.00
Registrar	4,598.00
Deputy Registrar	2,474.00
Website Content Manager	4,010.00
Chief Financial Officer/Tax Collector	110,366.00
Utility Collector/Asst to Tax Collector	41,523.00
Accounts Payable	25,200.00
Tax Assessor	21,945.00
Custodian	8,568.00

POLICE DEPARTMENT

Chief of Police	As per contract
Sergeant	As per contract
Sergeant's Stipend	As per contract
Detective's Stipend	As per contract
Patrolman	As per contract
Clerk Typist Police Dept.	37,763.00
Police Matron	\$24.39 per hour
Police Matron – Call-out	\$50.00 per call-out
Special Officer	\$23.21 per hour
Crossing Guard	\$16.54 per hour

DEPARTMENT OF PUBLIC WORKS

D.P.W. Superintendent	\$ 79,547.00
Water Operator	5,809.00
Sewer Operator	5,809.00
Water T-1 License Stipend	3,500.00
Public Works Repairer	As per contract
Laborer	As per contract
Part-time Laborer	\$12.00 to \$13.98 per hour
Seasonal Help	\$15.22 per hour

CONSTRUCTION DEPARTMENT

Construction Official	25,583.00
Fire Subcode Official	3,174.00
Plumbing Subcode Official	3,649.00
Zoning Officer	11,958.00
Code Enforcement Officer	12,448.00
Municipal Housing Stipend	2,016.00
Clerical –Construction	9,164.00

BOARDS AND COMMISSIONS:

Land Use Secretary	\$ 10,341.00
Board of Health Secretary	4,884.00
Secretary to:	
Shade Tree	\$25.00 per month*
Environmental Commission	\$25.00 per month*
Recreation Commission	\$25.00 per month*

*submission of monthly minutes required.

SECTION 2. Salaries and wages for all Borough employees and officials shall be paid in bi-weekly installments as nearly equal as possible.

SECTION 3. Unless otherwise provided herein, remuneration for all employees shall be retroactive to January 1st of each year.

SECTION 4. The salaries and wages herein established shall be in lieu of any and all fees to which the respective incumbents of said offices might otherwise be entitled by statute or ordinance; which fees shall immediately upon collection thereof be paid over to the Treasurer for use of the Borough except as otherwise provided herein.

SECTION 5. The Borough shall pay medical insurance premiums in accordance with State law, collective bargaining agreements and the Borough's elected participation in any State health benefit program for all eligible employees and their eligible dependents.

SECTION 6. The terms and conditions of all collective bargaining agreements negotiated between the Borough and any bargaining unit representing Borough employees are hereby incorporated into this Ordinance.

SECTION 7. All Ordinances and Resolutions, or parts thereof, inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance shall become effective immediately upon final adoption and publication as required by law.

On motion by Councilman Romano, seconded by Councilman Wronko and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Zdichocki opened the meeting to the public for questions or comments on this ordinance only. Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken – yes	Councilman Thornton – yes
Councilman Riccardi – yes	Councilman Wronko - yes

On motion by Councilman Wronko, seconded by Councilman Cipollini, and unanimously carried by voice vote, the Mayor and Council instructed the Clerk to post the ordinance and authorized publication of same.

NEW BUSINESS

RESOLUTIONS

Mayor Zdichocki offered the following resolutions which were read by title.

Resolution 092-21**RESOLUTION FIXING THE 2021 SALARIES OF
BOROUGH EMPLOYEES**

WHEREAS, the Borough Council adopted Ordinance # 2021-08 on April 27, 2021; and

WHEREAS, the Borough Council of the Borough of Stanhope desires to set the specific salaries for full-time and part-time non-contract Borough employees for the year 2021,

NOW, THEREFORE, BE IT RESOLVED that the following salaries are retroactive to January 1, 2021:

Patricia Zdichocki	Mayor	\$ 3,013.00
Anthony Riccardi	Council Member	2,739.00
Diana Kuncken	Council Member	2,739.00
Thomas Romano	Council Member	2,739.00
Eugene Wronko	Council Member	2,739.00
Bill Thornton	Council Member	2,739.00
Raymond Cipollini	Council Member	2,739.00
Brian McNeilly	Administrator	As per contract
Ellen Horak	Borough Clerk	67,140.00
Linda Chirip	Deputy Borough Clerk	39,583.00
Ellen Horak	Registrar	4,598.00
Linda Chirip	Deputy Registrar	2,474.00
Linda Chirip	Website Content Manager	4,010.00
Dana Mooney	Chief Financial Officer/ Tax Collector	110,366.00
Maria Mascuch	Utility Collector/ Asst. to Tax Collector	41,523.00
Tammy Minniti	Accounts Payable	25,200.00
Jason Laliker	Tax Assessor	21,945.00
Ward Sherrer	Custodian	8,568.00
POLICE DEPARTMENT		
Steven Pittigher	Chief of Police	As per contract
	Sergeant	As per contract
	Sergeant's Stipend	As per contract
	Detective's Stipend	As per contract
	Patrolman	As per contract
Virginia Citarella	Clerk Typist - Police Dept	37,763.00
Various	Police Matron	\$24.39 per hour
Various	Police Matron – Call-out	\$50.00 per call-out
Various	Special Officer	\$23.21 per hour
Various	Crossing Guard	\$16.54 per hour
DEPARTMENT OF PUBLIC WORKS		
Jason Titsworth	Superintendent	79,547.00
Jason Titsworth	Water Operator	5,809.00
Jason Titsworth	Sewer Operator	5,809.00
Jason Titsworth.	Water T-1 License Stipend	3,500.00
	Public Works Repairer	As per contract
	Laborer	As per contract
Various	Part-time Laborer	\$12.00 to \$13.98 per hour
Various	Seasonal Part Time	\$15.22 per hour
CONSTRUCTION DEPARTMENT		
Thomas Pershouse	Construction Official	25,583.00
Tammy Minniti	Clerical - Construction	9,164.00
BOARDS AND COMMISSIONS:		
Ellen Horak	Land Use Secretary	10,341.00
Monique McNeilly	Board of Health Secretary	4,884.00

Secretary to:

Shade Tree	25.00 per month*
Environmental Commission	25.00 per month*
Recreation Commission	25.00 per month*

*submission of monthly minutes required.

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to set the salary level according to the salary amounts in Ordinance #2021-08 for the temporary part-time positions of police matron, crossing guards, general part-time, DPW part-time and seasonal employees.

On motion by Councilman Romano seconded by Councilman Riccardi and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

Resolution 093-21

**RESOLUTION TO AMEND BUDGET TO INCLUDE 2018
RECYCLING TONNAGE GRANT**

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 in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Stanhope has received a total of \$8,392.86 from the NJ Solid Waste Administration for the 2018 Recycling Tonnage Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2021 budget to include the additional grant funds approved of \$8,392.86 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does 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 2021 in the sum of \$8,392.86, which will be available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services – Public

And Private Revenues Offset with Appropriations: 2018 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of.....\$8,392.86
be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Public and Private Programs Offset by Revenues:

2018 Recycling Tonnage Grant, and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall submit one copy of the Chapter 159 certification form to the Director of Local Government Services.

On motion by Councilwoman Kuncken, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

Resolution 094-21

**A RESOLUTION BY THE BOROUGH OF STANHOPE
AUTHORIZING THE CONDITIONAL OFFER OF
EMPLOYMENT IN THE STANHOPE BOROUGH POLICE
DEPARTMENT FOR CHRISTINA L. DIMITRIOU**

WHEREAS, the Borough is seeking to issue a conditional offer of employment for a new Police Officer; and

WHEREAS, one candidate, Christina L. Dimitriou, will be presented with a Conditional Offer of Employment; and

WHEREAS, Ms. Dimitriou has been found to meet the minimum initial requirements for the position of Police Officer, but must meet other additional requirements before the offer becomes final; and

WHEREAS, medical and psychological evaluations, interviews, continued background cooperation and drug tests are a few of the additional requirements that needs to be completed for Ms. Dimitriou; and

WHEREAS, Ms. Dimitriou must adhere to all of the conditions of the Conditional Offer of Employment, including obtaining certificates in the time frame designated and satisfactorily completing the one year probation period.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey as follows:

Christina L. Dimitriou is hereby conditionally offered a position of Police Officer effective April 27, 2021.

On motion by Councilwoman Kuncken, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

Resolution 095-21

**RESOLUTION APPROVING GREENMAN-PEDERSEN,
INC. TO PROVIDE PROFESSIONAL CONSTRUCTION
ADMINISTRATION AND OBSERVATION SERVICES FOR
THE STANHOPE PEDESTRIAN LOOP PHASE 2 PROJECT**

WHEREAS, the Borough of Stanhope advertised for construction administration and construction observation services for roadway reconstruction and improvements for the Stanhope Pedestrian Loop Phase 2 Project (the “Project”); and

WHEREAS, the Borough received a NJDOT Transportation Alternative Program (TAP) grant for this project; and

WHEREAS, Greenman-Pedersen, Inc. (“GPI”) submitted a proposal to provide the construction administration and observation services needed by the Borough for the Project in the amount of \$124,760.00; and

WHEREAS, the Borough Attorney and Borough Engineer have reviewed the proposal for compliance with the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby approve GPI to provide professional construction administration and observation services, for a maximum amount of \$124,760.00, to be paid out of the TAP grant for the Stanhope Pedestrian Loop Phase 2 Project.

On motion by Councilman Thornton, seconded by Councilman Wronko and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

Resolution 096-21

**A RESOLUTION BY THE BOROUGH OF STANHOPE
AUTHORIZING THE EXECUTION OF THE SEWER
CAPACITY ALLOCATION RESERVATION AGREEMENT
BETWEEN STANHOPE BOROUGH AND BYRAM
TOWNSHIP**

WHEREAS, the Borough of Stanhope is a member of the Musconetcong Sewerage Authority (MSA); and

WHEREAS, Byram Township and the Borough of Stanhope entered into a Sewer Capacity Allocation Reservation Agreement in 2016, which has completed, and which resulted in an allocation of an additional 1,450 gallons per day of sewerage capacity to Byram Township by the Borough over and above the 100,000 gallons per day; and

WHEREAS, the Borough has preliminarily evaluated its future sewer treatment needs and has determined that there is more than 4,300 gallons per day of their allocation not anticipated to be needed, thereby making 4,300 gallons per day available for transfer to other municipalities; and

WHEREAS, Byram Township has prepared an agreement between Byram Township and the Borough for Sewer Capacity Allocation Reservation for 4,300 gallons per day; and

WHEREAS, the Mayor and Council has reviewed and approved the attached Sewer Capacity Allocation Reservation Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey that the Mayor and Borough Clerk are authorized to sign any and all documents relating to the Sewer Capacity Allocation Reservation Agreement.

On motion by Councilwoman Kuncken, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

CONSENT AGENDA (All items listed on the Consent Agenda are considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.)

Resolution 097-21

**RESOLUTION AUTHORIZING THE CONTRACT FOR
THE INSTALLATION OF SPEED TABLES ON DELL
ROAD TO RIVERVIEW PAVING**

WHEREAS, the Borough, through the Borough engineer, solicited quotes for the installation of four (4) speed tables on Dell Road, which did not meet the bid threshold and were reviewed and approved by the Borough QPA, Grant Rome; and

WHEREAS, Riverview Paving submitted the lowest quote and the Borough Engineer recommends awarding the contact to Riverview Paving; and

WHEREAS, it is the intent of the Borough of Stanhope to award a contract for the installation of speed tables on Dell Road to Riverview Paving, pursuant to the quote received; and

WHEREAS, the Chief Financial Officer has reviewed and approved of the award to Riverview Paving.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the installation of speed tables on Dell Road shall be awarded to Riverview Paving in the amount of \$14,000.00.

Resolution 098-21

**RESOLUTION AUTHORIZING THE CONTRACT FOR
THE INSTALLATION OF SPEED HUMPS ON YOUNG
DRIVE TO RIVERVIEW PAVING**

WHEREAS, the Borough, through the Borough engineer, solicited quotes for the installation of four (4) speed humps on Young Drive, which quotes did not meet the bid threshold and were reviewed and approved by the Borough QPA, Grant Rome; and

WHEREAS, Riverview Paving submitted the lowest quote and the Borough Engineer recommends awarding the contract to Riverview Paving; and

WHEREAS, it is the intent of the Borough of Stanhope to award a contract for the installation of speed humps on Young Drive to Riverview Paving, pursuant to the quote received; and

WHEREAS, the Chief Financial Officer has reviewed and approved of the award to Riverview Paving.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the installation of speed humps on Young Drive shall be awarded to Riverview Paving in the amount of \$12,000.00;

Resolution 099-21

**RESOLUTION AUTHORIZING THE DONATION OF
VARIOUS FIRE DEPARTMENT GEAR**

WHEREAS, the Stanhope Hose Company No. 1 currently has various fire gear that has no public purpose and can no longer be utilized by the department due to the PEOSHA guidelines in the State of New Jersey; and

WHEREAS, the gear will be donated to fire departments outside the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Stanhope Hose Company No. 1 is permitted to donate the various fire gear to fire departments outside of the State of New Jersey.

Resolution 100-21

**RESOLUTION AUTHORIZING REFUND OF
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2020-003, representing 2019 property taxes and/or utility charges on Block 10901, Lot 20, known as 18 Valley Rd, assessed to Taylor, Thomas A, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder:	Pro Cap 8, LLC. US Bank Cust for Pro Cap 8 50 South 16 th St, Suite 2050 Philadelphia, PA 19102
Redemption Amount:	Tax Title Lien #2020-003 and Interest to Date of Meeting \$ 1.865.81 Premium Paid by Lienholder <u>200.00</u>
Total From Current Fund:	\$ 1.865.81
Total From Tax Premium Account	200.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

On motion by Councilman Wronko, seconded by Councilman Riccardi and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

PAYMENT OF BILLS

Resolution 101-21

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated April 27, 2021 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

On motion by Councilman Romano, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

ATTORNEY’S REPORT

Jonathan Frodella, Borough Attorney, stated he had no report this evening.

CITIZENS TO BE HEARD

Mayor Zdichocki opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Seeing no one from the public wishing to speak, Mayor Zdichocki closed the public portion of the meeting.

CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently existing;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

1 – Personnel
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

On motion by Councilman Riccardi, seconded by Councilwoman Kuncken, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Mayor and Council went into Closed Session at 7:38 P.M.

RETURN TO OPEN SESSION

At the conclusion of the Closed Session, the Mayor and Council reconvened the public meeting at 7:50 P.M. with all present.

Resolution 101-21

RESOLUTION APPOINTING LINDA CHIRIP TEMPORARY ZONING SECRETARY

WHEREAS, due to the ongoing vacancy in the zoning office there is a need to maintain public contact, manage applications, process OPRA requests and coordinate applications with the temporary zoning officer,

NOW, THEREFORE, BE IT RESOLVED that based on this need, Linda Chirip has been appointed temporary Zoning Secretary for (5) hours per week. The appointment of temporary Zoning Secretary will be until a permanent Zoning Officer is appointed or four month period ending September 3rd, 2021, at which time this will be evaluated for further need; and

BE IT FURTHER RESOLVED that Linda Chirip shall be compensated \$40.00 per hour for the (5) extra hours per week, as of May 3rd, 2021.

On motion by Councilman Romano, seconded by Councilman Riccardi and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Cipollini – yes	Councilman Romano - yes
Councilwoman Kuncken - yes	Councilman Thornton – yes
Councilman Riccardi - yes	Councilman Wronko – yes

ADJOURNMENT

On motion by Councilman Cipollini, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 7:53 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk