

BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, FEBRUARY 16, 2021 – 7:00 P.M.
MUNICIPAL COMPLEX, COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ

Members of the public who wish to participate in the meeting shall use the following dial in information:

Dial In via Computer

The following Link can be accessed from the Public Notice posted at www.keyportonline.com

Link: <https://us02web.zoom.us/j/86091811894?pwd=OUhyZmRjRGVDQmk1VnBFTms1MnNYdz09>

Meeting ID: 860 9181 1894

Password: 104714

Dial In via Telephone

Dial in Number: +1 646 558 8656

Meeting ID: 860 9181 1894

Password: 104714

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: ____ Mayor Kennedy ____ Council President Goode ____ Councilmember Pacheco
____ Councilmember Fotopoulos ____ Councilmember McDermott ____ Councilmember Davidson
____ Councilmember McNamara

As a courtesy to those around you, please silence your cell phones

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

LIQUOR LICENSE TRANSFER UPDATE

Place-To-Place Transfer (Expansion of Premises) Keyport Liquor License LLC

Plenary Retail Consumption License 1322-33-012-008 to be sited at 2, 6-10 W. Front Street

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments on items listed on the Agenda

Opened:

Closed:

COMMITTEE REPORTS

(Councilmember is lead or co-lead liaison of Committees in bold)

Councilmember:

Goode: **Fire/First Aid/OEM/Redevelopment**/Finance/Grants/Recreation/Senior Center

Pacheco: **Police/MAC/Harbor/Complete Streets/Library Construction**/Redevelopment/Public Works/Construction/ Fire Bureau/Property Maintenance/Zoning

Fotopoulos: **Finance/Grants/Board of Health/Registrar/Recycling/Environmental/Complete Streets**/Fire/First Aid/OEM

McDermott: **Keyport Bayfront Business Cooperative/Neighborhood Preservation Program/Library Construction**/Police/MAC

Davidson: **Public Works/Construction/Fire Bureau/Property Maintenance/Zoning/Planning Board/Neighborhood Preservation Program**

McNamara: **Recreation/Senior Center/Green Team/Harbor**/Board of Health/Registrar

MAYOR'S UPDATES

CONSENT AGENDA

(All resolutions listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration.)

- R72-21 Payment of Bills for the February 9, 2021 Bills List
- R73-21 Payment of Bills for the February 16, 2021 Bills List
- R74-21 Authorizing Final Payment and Close Out Change Order for V&K Construction, Inc. for Contract for Improvements to Main Street Park
- R75-21 (Amending R60-20) Authorizing the Borough of Keyport to Appoint Fairview Insurance as the Borough's Risk Manager

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

INTRODUCTION OF ORDINANCES

1. **Ordinance – Amending and Supplementing the Borough's Stormwater Management and Control Ordinance**

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT GOVERNING THE BOROUGH'S STORMWATER MANAGEMENT AND CONTROL**

1a. Motion to introduce:

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing

MM: 2nd: Ayes: Nays:

COMMUNICATIONS BY CONSENT

(For Approval)

1. Letter dated February 5, 2021 from Andrew Kelsey requesting approval to create a Parking Advisory Committee website

(To Receive and File)

2. Letter of resignation from Public Works Laborer Jonathan Hurlburt effective December 18, 2020
3. Letter dated January 15, 2021 from Monmouth County Park System regarding Municipal Open Space Grant Program Application
4. Letter dated January 27, 2021 from Monmouth County Board of County Commissioners enclosing a check in the amount of \$81,768.68 reimbursing the Borough for COVID-19 expenditures through CARES Act funding
5. Letter dated February 1, 2021 from Monmouth County Mosquito Control Division requesting a resolution authorizing aerial mosquito control operations within the Borough
6. Email dated February 3, 2021 from Sustainable Jersey congratulating the Borough on achieving Sustainable Jersey bronze recertification

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion on Communications by Consent

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

MINUTES FOR APPROVAL

January 1, 2021 Reorganization Meeting

January 19, 2021 Regular Meeting

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for January 2021
2. Tax/Water/Sewer Collector's Report for January 2021
3. Board of Health Treasurer's Report for January 2021
4. Building Department Monthly Report for January 2021
5. Municipal Court Monthly Report for January 2021

MM:

2nd:

Ayes:

Nays:

NEW BUSINESS

Legalization of Recreational Marijuana

UNFINISHED BUSINESS

ATTORNEY'S REPORT

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions.

Please limit comments to no more than five minutes per person.

Opened:

Closed:

ADJOURNMENT

Motion to Adjourn moved by:

2nd:

Time of Adjournment: PM

R72-21
2/9/21

RESOLUTION FOR THE PAYMENT OF BILLS

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing	CURRENT ACCT. 2021	\$ 165,621.74
	WATER/SEWER ACCT. 2021	\$ 20,466.57
	FEDERAL & STATE GRANTS	\$ 4,523.00
	TRUST ACCT.	\$ 5,262.50

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR COLLETTE KENNEDY

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

R 13-21
2/16/21

RESOLUTION FOR THE PAYMENT OF BILLS

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing	CURRENT ACCT. 2021	\$ 1,041,587.89
	WATER/SEWER ACCT. 2021	\$ 48,323.67
	CURRENT ACCT. 2020	\$ 24,841.36
	WATER/SEWER ACCT. 2020	\$ 14,454.21
	ANIMAL CONTROL ACCT.	\$ 1,478.58
	GENERAL CAPITAL ACCT.	\$ 30,968.00
	REC. BAYFRONT IMPROVEMENT	\$ 100.00
	DEVELOPER ESCROW	\$ 3,135.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR COLLETTE KENNEDY

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

RESOLUTION #__-21

**AUTHORIZING FINAL PAYMENT AND CLOSE OUT
CHANGE ORDER FOR V&K CONSTRUCTION, INC. FOR
CONTRACT FOR IMPROVEMENTS TO MAIN STREET
PARK**

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, on July 2, 2019, the Borough Council adopted Resolution 214-19 which authorized award of a contract to V&K Construction, Inc. ("**V&K**") for improvements to Main Street Park (the "**Contract**") following a public bid for the contract wherein V&K submitted the lowest bid in the total amount of \$511,660 for the Borough's selected bid option alternate; and

WHEREAS, V&K has completed the improvements to Main Street Park, including all punch list items, required under the Contract and issued a two (2) year maintenance bond in the amount of \$76,630.89 representing fifteen percent (15%) of the final contract amount; and

WHEREAS, V&K has submitted a proposed Final Payment and Closeout Change Order reducing the final cost of the Contract to \$510,872.60 representing a decrease in the total Contract price by \$787.40, on file with the Office of the Borough Clerk; and

WHEREAS, the Borough must execute the Final Payment and Closeout Change Order to authorize the release of the final payment and confirm the reduction in the Contract price to confirm the completion of the required improvements to Main Street Park under Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough authorizes the release of the final payment for the Contract and the final change order to the Contract confirming the final Contract cost of \$510,872.60.
3. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to execute the Final Payment and Closeout Change Order on file with the Office of the Borough Clerk.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

6. This Resolution shall take effect as provided by law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of February 16, 2021.

Michele Clark, RMC
Borough Clerk



JOHN H. ALLGAIER, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME
TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

January 7, 2021

Sent via Electronic (administrator@keyportonline.com) and Regular Mail

Mayor Collette Kennedy and Borough Council
Borough of Keyport
P.O. Box 60
Keyport, NJ 07735

Attn: Jay Delaney, Borough Administrator

**Re: Final Payment & Closeout Change Order
Improvements to Main Street Park
V&K Construction, Inc.
Borough of Keyport, Monmouth County, New Jersey
CME File: HKP00509.01**

Dear Mr. Delaney:

Transmitted herewith please find the Final Progress Payment Estimate and Closeout Change Order for the above-referenced project in the amount of \$40,991.41 as approved by this office for your review, approval and further handling. The estimate is for work completed through November 2020 including installation of the skate park features, playground features, softball field improvements, fencing, and punchlist work. The project was completed in accordance with the approved plans and specifications, including all previously issued punchlists.

The enclosed Change Order reflects increases and decreases in original contract quantities required to complete the project. The increases in quantities could not, in our opinion, have reasonably been effectuated by a separately bid contract without unduly disrupting work and imposing adverse consequences on the Borough and will provide an improved level of service to residents and park patrons.

The Closeout Change Order results in an adjustment in the project cost from an original contract amount of \$511,660.00 to a final amount of \$510,872.60 for a decrease of \$787.40.

Enclosed please find a signed Borough pay voucher and a two-year maintenance bond in the amount of \$76,630.89, or 15% of the final contract amount. Certified payroll records shall be submitted by the Contractor under separate cover.



Mayor and Borough Council
Re: Final Pay Estimate & Closeout Change Order
Improvements to Main Street Park

January 7, 2021
Our File No. HKP00509.01
Page 2

We trust this is the information you require to process payment; however, if there are any questions or comments, please do not hesitate to contact this office.

Very truly yours,
CME Associates

Trevor J. Taylor, PE, PP, CME
For the Firm

Enclosures

cc: Tom Fallon – CFO
Diana Hoffman – Finance Department
V&K Construction, Inc.

PROJECT NO.: HKP0503.01
 IMPROVEMENTS TO MAIN STREET PARK
 DATE: December 3, 2020

FINAL PAYMENT & CLOSE OUT CHANGE ORDER

OWNER: BOROUGH OF KEYPORT
 CONTRACTOR: V&K Construction, Inc.

Item Description	Quantity	Unit	Unit Price	Estimate	Payable Estimate		Work Completed This Estimate		Total to Date	
					Previous Quantity	Total Price	Current Quantity	Total Price	Total Quantity	Total Price
1. Cleaning and Preparation of Site, Mobilization, and Demobilization	1	LS	\$ 30,000.00	\$ 30,000.00	0.945	\$ 28,350.00	0.055	\$ 1,650.00	1.00	\$ 30,000.00
2. Concrete Skelapark (4'x17' SF), including concrete components, foundations, sub-base, and all materials necessary for a complete installation	1	LS	\$ 240,000.00	\$ 240,000.00	0.95	\$ 228,000.00	0.05	\$ 12,000.00	1.00	\$ 240,000.00
3. Playground Equipment Installation Only, including concrete foundations	1	LS	\$ 38,000.00	\$ 38,000.00	1.00	\$ 38,000.00	-	\$ -	1.00	\$ 38,000.00
4. Rebarrete Existing Flag Pole, including concrete foundations	1	LS	\$ 2,500.00	\$ 2,500.00	1.00	\$ 2,500.00	-	\$ -	1.00	\$ 2,500.00
5. Playset Bench, 15' Long, including concrete foundations	2	UN	\$ 2,500.00	\$ 5,000.00	2.00	\$ 5,000.00	-	\$ -	2.00	\$ 5,000.00
6. High, Vinyl Coated, Chain Link Fence, including concrete foundations	375	LF	\$ 95.00	\$ 35,825.00	364.00	\$ 34,580.00	-	\$ -	384.00	\$ 36,800.00
7. High, 4' Wide, Vinyl Coated, Chain Link Fence Gate, including concrete foundations	2	UN	\$ 3,400.00	\$ 6,800.00	2.00	\$ 6,800.00	-	\$ -	2.00	\$ 6,800.00
8. 4' High, Galvanized Steel, Chain Link Fence, including concrete foundations	225	LF	\$ 85.00	\$ 19,125.00	197.00	\$ 16,745.00	-	\$ -	197.00	\$ 16,745.00
9. 4' High, 12' Wide, Galvanized Steel, Double-Swing, Chain Link Fence Gate, foundations	1	UN	\$ 3,200.00	\$ 3,200.00	1.00	\$ 3,200.00	-	\$ -	1.00	\$ 3,200.00
10. 8' High, 6' Wide, Galvanized Steel, Chain Link Fence Gate, including concrete foundations	1	UN	\$ 4,160.00	\$ 4,160.00	1.00	\$ 4,160.00	-	\$ -	1.00	\$ 4,160.00
11. Concrete Pad/Sidewalk, 4' Thick, including sub-base	500	SY	\$ 81.00	\$ 40,500.00	438.80	\$ 35,526.80	-	\$ -	438.80	\$ 35,526.80
12. Decorative 4' Square Table, including concrete foundation	2	UN	\$ 2,500.00	\$ 5,000.00	2.00	\$ 5,000.00	-	\$ -	2.00	\$ 5,000.00
13. Decorative ADA Accessible Table, 4' Square, including concrete foundation	1	UN	\$ 3,600.00	\$ 3,600.00	1.00	\$ 3,600.00	-	\$ -	1.00	\$ 3,600.00
14. Engineered Wood Fiber Safety Mutch, 8' Thick, including filter fabric	2,550	SF	\$ 8.00	\$ 20,400.00	2,298.00	\$ 18,384.00	-	\$ -	2,298.00	\$ 18,384.00
15. Infield Clay Mix, 4' Thick	80	CY	\$ 90.00	\$ 7,200.00	72.00	\$ 6,480.00	8.00	\$ 720.00	80.00	\$ 7,200.00
16. Home Plate, Bases, Pitching Rubber, and All Associated Hardware, including additional ground sleeves and plugs	1	LS	\$ 1,500.00	\$ 1,500.00	1.00	\$ 1,500.00	-	\$ -	1.00	\$ 1,500.00
17. Softball Field Line Stopping	1	LS	\$ 4,000.00	\$ 4,000.00	-	\$ -	1.00	\$ 4,000.00	1.00	\$ 4,000.00
18. Earthwork and Subgrade Preparation, including all cuts, fills, import fill, compaction, grading, removal of excess/unstable soils, and all incidental work	1	LS	\$ 18,000.00	\$ 18,000.00	1.00	\$ 18,000.00	-	\$ -	1.00	\$ 18,000.00
19. Re-spread Topsoil, Fine Grade, Fertilize, Lime, and Seed All Open and Disturbed Areas	1	LS	\$ 6,000.00	\$ 6,000.00	0.50	\$ 3,000.00	0.50	\$ 3,000.00	1.00	\$ 6,000.00
20. Allowance For Work Not Specified	1	AL	\$ 5,000.00	\$ 5,000.00	-	\$ -	-	\$ -	-	\$ -
A-1. Increase State Park Fence Height per JIF Requirements	1	LS	\$ 8,736.00	\$ 8,736.00	0.57	\$ 5,000.00	0.43	\$ 3,736.00	1.00	\$ 8,736.00
A-1. Outdoor Exercise Equipment, including concrete foundations, and all materials necessary for a complete installation	1	LS	\$ 12,000.00	\$ 12,000.00	1.00	\$ 12,000.00	-	\$ -	1.00	\$ 12,000.00
A-2. Concrete Pad/Sidewalk, 4' Thick, including sub-base	50	SY	\$ 81.00	\$ 4,050.00	45.00	\$ 3,645.00	-	\$ -	45.00	\$ 3,645.00
Original Contract Total:				\$ 571,860.00	Total:	\$ 479,470.50	Total:	\$ 25,106.00	Total:	\$ 504,576.50
CLOSE OUT CHANGE ORDER										
CO-6. 8' High, Vinyl Coated, Chain Link Fence, including concrete foundations	(11)	LF	\$ 95.00	\$ (1,045.00)	-	\$ -	-	\$ -	-	\$ -
CO-8. 4' High, Galvanized Steel, Chain Link Fence, including concrete foundations	(26)	LF	\$ 85.00	\$ (2,380.00)	-	\$ -	-	\$ -	-	\$ -
CO-11. Concrete Pad/Sidewalk, 4' Thick, including sub-base	(87.4)	SY	\$ 81.00	\$ (7,073.40)	-	\$ -	-	\$ -	-	\$ -
CO-14. Engineered Wood Fiber Safety Mutch, 8' Thick, including filter fabric	(282)	SF	\$ 8.00	\$ (2,016.00)	-	\$ -	-	\$ -	-	\$ -
CO-20. Allowance For Work Not Specified	-	-	\$ -	\$ -	-	\$ -	-	\$ -	-	\$ -
a) Increase State Park Fence Height per JIF Requirements	1	LS	\$ 3,736.00	\$ 3,736.00	-	\$ -	-	\$ -	-	\$ -

PROJECT NO.: HKP008.01
 PROJECT: IMPROVEMENTS TO MAIN STREET PARK
 DATE: OCTOBER 27, 2020

FINAL PAYMENT ESTIMATE NO. 6 & CLOSE OUT CHANGE ORDER

OWNER: BOROUGH OF KEYPORT
 CONTRACTOR: V&K Construction, Inc.

Item Description	Quantity	Unit Price		Total Extension	Previous Estimate		This Estimate		Total Estimate	
		LS	SY		Quantity	Total Price	Quantity	Total Price	Total Quantity	Total Price
A-1 Curbed Exercise Equipment, including concrete foundations, and all materials necessary for a complete installation	(3)	LS	\$ 81.00	\$ (243.00)	-	\$ -	-	\$ -	-	\$ -
A-2 Concrete Pad/Stake/Walk 4" Thick, including sub-base	1	LS	\$ 2,675.00	\$ 2,675.00	-	\$ -	1.00	\$ 2,675.00	1.00	\$ 2,675.00
SUPP-1 Furnish and Install Fence Topper	1	LS	\$ 2,096.00	\$ 2,096.00	-	\$ -	1.00	\$ 2,096.00	1.00	\$ 2,096.00
SUPP-2 Furnish and Install Playground Signage	1	LS	\$ 1,525.00	\$ 1,525.00	-	\$ -	1.00	\$ 1,525.00	1.00	\$ 1,525.00
SUPP-3 Removal of Railroad Ties and Restoration	1	LS	\$ 1,525.00	\$ 1,525.00	-	\$ -	-	\$ -	-	\$ -
Contract Adjustment Total:				\$ (787.40)	Total:	\$ -	Total:	\$ 6,296.00	Total:	\$ 8,250.00
Final Contract Value:				\$ 510,872.80	Total:	\$ 478,470.80	Total:	\$ 514,022.00	Total:	\$ 510,872.80

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from Owner on account of Work done under the contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by Prior Payment Estimates; and (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Payment Estimate will pass to OWNER at time of payment free and clear of all liens, claims, security interest and encumbrances (except such as covered by Bond acceptable to OWNER).

PREPARED BY:

V&K Construction, Inc.

APPROVED BY:

Trevor J. Toner, P.E., P.P., C.M.E.
 CME ASSOCIATES

CURRENT TO DATE TOTAL \$ 510,872.80
 LESS 2% RETAINAGE \$ -
 LESS PREVIOUS PAYMENTS \$ 489,681.15
 BALANCE DUE \$ 40,991.41

**RESOLUTION #__-21
(Amending R60-20)**

**AUTHORIZING THE BOROUGH OF KEYPORT TO
APPOINT FAIRVIEW INSURANCE AS THE BOROUGH'S
RISK MANAGER**

WHEREAS, the Borough of Keyport (the "**Borough**") is a member of the Monmouth County Municipal Joint Insurance Fund (the "**MCMJIF**") pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, participation in the MCMJIF requires the Borough to retain a consultant to provide risk management consultation services; and

WHEREAS, Fairview Insurance Agency Associate, Inc. ("**Fairview**") submitted a proposal through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 to provide risk management consultation services for a period of three (3) years; and

WHEREAS, Fairview has previously provided risk management consultation services to the Borough; and

WHEREAS, the Borough desires to re-appoint Fairview as the Borough's Risk Manager.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. That the Mayor and Borough Council of the Borough of Keyport hereby appoint Fairview as the Borough's Risk Manager for a period of three (3) years as of January 1, 2020.
3. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to enter into the Agreement with Fairview for the provision of risk management consultation services, substantially in the form on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor of the Borough in her discretion in consultation with legal counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
6. This Resolution shall take effect as provided by applicable law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of February 16, 2021.

Michele Clark, RMC
Borough Clerk

RESOLUTION #60-20

**AUTHORIZING THE BOROUGH OF KEYPORT TO
APPOINT FAIRVIEW INSURANCE AS THE BOROUGH'S
RISK MANAGER**

WHEREAS, the Borough of Keyport (the "**Borough**") is a member of the Garden State Municipal Joint Insurance Fund (the "**GSMJIF**") pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, participation in the GSMJIF requires the Borough to retain a consultant to provide risk management consultation services; and

WHEREAS, Fairview Insurance Agency Associate, Inc. ("**Fairview**") submitted a proposal through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 to provide risk management consultation services for a period of three (3) years; and

WHEREAS, Fairview has previously provided risk management consultation services to the Borough; and

WHEREAS, the Borough desires to re-appoint Fairview as the Borough's Risk Manager.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. That the Mayor and Borough Council of the Borough of Keyport hereby appoint Fairview as the Borough's Risk Manager for a period of three (3) years as of January 1, 2020.
3. The Mayor of the Borough, the Acting Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to enter into the Agreement with Fairview for the provision of risk management consultation services, substantially in the form on file with the Deputy Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor of the Borough in her discretion in consultation with legal counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Deputy Borough Clerk.
6. This Resolution shall take effect as provided by applicable law.

OFFERED: Sheridan

SECONDED: Pacheco

AYES: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan

NAYS:

ABSENT:

I, Michele Clark, Deputy Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of January 21, 2020.



Michele Clark, RMC
Deputy Borough Clerk

Michele Clark

From: Thomas Fitzpatrick <tfitzpatrick@fairviewinsurance.com>
Sent: Tuesday, February 02, 2021 1:27 PM
To: mclark@keyportonline.com
Subject: FW: Monmouth County JIF Resolution - Need Amended Resolution ASAP
Attachments: 2289_001.pdf

Importance: High

Good afternoon Michele,

I appreciate you taking the time to speak with me today. As discussed, below is the email I sent to Denise regarding this matter. After review, kindly advise if the Borough will be able to amend the attached Resolution at tonight's meeting.

Please let me know if you have any questions.

Thank you,

Tom

Thomas J. FitzPatrick
Executive Sales
Fairview Insurance Agency Associates, Inc.
25 Fairview Avenue
Verona, NJ 07044
Office: 973 - 857 - 0870 ext.1124
Direct Phone: 973 - 559 - 5749
fax: 973 - 857 - 9131
tfitzpatrick@fairviewinsurance.com
www.fairviewinsurance.com



Effective immediately, please note my new direct line phone number 973-559-5749.

THE HIGHEST COMPLIMENT YOU CAN GIVE ME IS A BUSINESS REFERRAL

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From: Thomas Fitzpatrick <tfitzpatrick@fairviewinsurance.com>
Sent: Tuesday, February 2, 2021 12:59 PM
To: Denise Nellis <dnellis@keyportonline.com>
Subject: Monmouth County JIF Resolution - Need Amended Resolution ASAP
Importance: High

Good afternoon Denise,

I hope you are well and staying warm with all of this snow!

I am writing because we were contacted by the Monmouth JIF regarding the attached Resolution that the Borough executed last year reappointing Fairview as the Risk Management Consultant. The Resolution says that the Borough is a member of the Garden State Municipal JIF, which is not accurate. The JIF has advised that we need to get a new Resolution to them ASAP.

I see on the Borough's calendar that it looks like there is a council meeting scheduled for tonight via zoom. It is imperative that we get a new Resolution to the JIF, is there any way a new Resolution can be done at tonight's meeting?

The intent and purpose of the Resolution is not affected, we simply need the Resolution to name the correct JIF (Monmouth County Municipal Joint Insurance Fund). Then, with the amended Resolution, the JIF has asked for a letter on Borough letterhead simply stating that the Borough wishes to keep Fairview Insurance Agency as the Risk Management Consultant for the 2021 Fund Year per the Resolution and executed contract.

Please let me know if this can be done at tonight's Borough meeting so we can advise the JIF.

Thank you,

Tom

Thomas J. FitzPatrick
Executive Sales
Fairview Insurance Agency Associates, Inc.
25 Fairview Avenue
Verona, NJ 07044
Office: 973 - 857 - 0870 ext.1124
Direct Phone: 973 - 559 - 5749
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tfitzpatrick@fairviewinsurance.com
www.fairviewinsurance.com



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JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
 DAVID J. SAMUEL, PE, PP, CME
 JOHN J. STEFANI, PE, LS, PP, CME
 JAY B. CORNELL, PE, PP, CME
 MICHAEL J. McCLELLAND, PE, PP, CME
 GREGORY R. VALES, PE, PP, CME



TIM W. GILLEN, PE, PP, CME (1991-2019)
 BRUCE M. KOCH, PE, PP, CME
 LOUIS J. PLOSKONKA, PE, CME
 TREVOR J. TAYLOR, PE, PP, CME
 BEHRAM TURAN, PE, LSRP
 LAURA J. NEUMANN, PE, PP
 DOUGLAS ROHMEYER, PE, CFM, CME
 ROBERT J. RUSSO, PE, PP, CME
 JOHN J. HESS, PE, PP, CME

December 7, 2020

Sent Via E-Mail and Hand Delivery

Jay Delaney
 Borough Administrator
 Borough of Keyport
 PO Box 60
 Keyport, NJ 07735-0060

**Re: Borough Stormwater Management and Control
 Ordinance Update
 Keyport Borough, Monmouth County, NJ**

Dear Jay:

Please see attached the following for your use for the Borough Stormwater Management and Control Ordinance:

- NJDEP Model Stormwater Control Ordinance for Municipalities
- Ordinance No. 26-18 with Blue-lined text to be removed with the suggested revisions to the ordinance
- Draft Ordinance with yellow highlight of new text to meet the NJDEP Model Ordinance

Please review and provide any comments on the revised ordinance. Please note that the NJDEP is requiring that the new ordinance be adopted by March 21, 2021. The Monmouth County Planning office is also required to review of the draft ordinance prior to final adoption. Below is a summary of the revisions to the ordinance.

Should you have any questions or require additional information, please do not hesitate to contact me at this office.

Very truly yours,
CME Associates

Trevor J. Taylor, PE, PP, CME
 Borough Engineer's Office

TT:
 Enclosures
 cc: Michele Clark, Borough Clerk

S:\Keyport\Stormwater SP\Stormwater Control Ordinance\20-12-07 Delaney Model SWM Ordinance Update.docx



NJDEP proposed amendments to the stormwater management rules, which were formally adopted in March 2020, and requires municipalities to update their Municipal Stormwater Ordinance.

The fundamental difference is that the new rules will require decentralized, distributed stormwater management practices that enable stormwater to infiltrate and more closely resemble the natural water cycle. These "best management practices" (BMPs) include vegetated swales, bioretention, green roofs, cisterns, wet ponds, infiltration basins and constructed wetlands.

Here are some specific differences:

- Replaces a subjective performance standard with an objective, math-based standard that requires the use of green infrastructure to meet water quality, quantity, and recharge standards. The rule includes tables showing which green infrastructure BMPs may be used to meet certain standards, and which BMPs may be used only with a variance.
- The water quality standard will apply to "motor vehicle surface" — meaning, paved or unpaved roads, driveways, parking lots, etc. — instead of impervious surface. Consistent with current NJDEP practice, the water quality standard will not apply to impervious surfaces that are not used by vehicles.
- The "major development" definition now includes "creation of one-quarter acre or more of 'regulated motor vehicle surface'."
- Water quantity, quality, and groundwater recharge standards must be met in each drainage area on-site (unless they converge before leaving the property).
- Provides tables to show compliance with the new green infrastructure requirements (generally consistent with prior nonstructural)
- A groundwater mounding analysis is required for all infiltration BMPs, not just for recharge.
- A deed notice for stormwater management measures, including green infrastructure, must be recorded and submitted to NJDEP before construction.

Note: these kinds of higher standards can be applied only to nonresidential projects that go before the local planning board or zoning board of adjustment. Residential projects are governed by the Residential Site Improvement Standards (RSIS), which reference the current stormwater rule. Thus, residential projects subject to planning board or zoning board review must meet the state's minimum standards, no more and no less. That said, some developers are willing to exceed the state's minimum standards in the interest of environmental protection, return on investment, marketing, and/or other community interests.

ORDINANCE #__-21

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT GOVERNING THE BOROUGH'S STORMWATER MANAGEMENT AND CONTROL

WHEREAS, the Borough of Keyport (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Chapter XXIV of the Borough's Revised General Ordinances governs the requirements for stormwater management and control within the Borough; and

WHEREAS, the Governing Body of the Borough desires to amend certain sections of Chapter XXIV to conform to stormwater management rules established by the New Jersey Department of Environmental Protection and pursuant to recommendations from the Borough Engineer; and

WHEREAS, the Council of the Borough (the "**Council**") has determined to amend Chapter XXIV referenced therein to provide for such amendments (additions are underlined, deletions are ~~stricken~~).

NOW THEREFORE, BE IT ORDAINED by the Council that the Revised General Ordinances of the Borough of Keyport, Chapter XXIV be and hereby is amended and supplemented as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Council hereby amends Chapter XXIV of the Revised General Ordinances of the Borough of Keyport to read as follows:

24-1 SCOPE AND PURPOSE.

- a. Policy Statement. Flood control, groundwater recharge, and pollutant reduction through ~~nonstructural or low impact techniques such as green infrastructure shall be prioritized before relying on structural BMPs. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to~~

meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

- b. Purpose. It is the purpose of this Chapter to establish minimum stormwater management requirements and controls for "major development," as defined in Section 24-2.
- c. Applicability.
 - 1. This Chapter shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:
 - (a) Nonresidential, major developments; and
 - (b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - 2. This Chapter shall also be applicable to all major developments undertaken by the Borough of Keyport.
- d. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued for subdivisions and site plans pursuant to this Chapter are to be considered an integral part of development approvals under the subdivision and site plan review process 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 Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Chapter 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 Chapter 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.

24-2 DEFINITIONS

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage and to give this Chapter its most reasonable application. 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

Those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP

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). The geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.

COMMUNITY BASIN

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

The increase in soil bulk density.

CONTRIBUTARY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

An agency designated by the County Board of Commissioners to review municipal storm water management plans and implementing ordinance(s). The County review agency may either be:

- a. A County planning agency; or
- b. 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

The New Jersey Department of Environmental Protection.

DESIGN ENGINEER

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.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DEVELOPMENT

The division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, 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 lands, 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

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

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.

EMPOWERMENT NEIGHBORHOOD

A neighborhood 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.

ENVIRONMENTALLY CONSTRAINED AREAS

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 AREAS

An area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat 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.

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

- a. Treating stormwater runoff through infiltration into subsoil;
- b. Treating stormwater runoff through filtration by vegetation or soil; or
- c. Storing stormwater runoff for reuse.

HYDROLOGIC UNIT CODE 14 (HUC 14)

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

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

INFILTRATION

The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

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

An individual "development," as well as multiple developments that individually or collectively result in:

- a. The disturbance of one or more acres of land since February 2, 2004;
- b. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
- c. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
- d. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

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

Any "development" that provides for ultimately disturbing one (1) or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. "Major development" also means "development" which results in an increase of impervious area on any site of one-quarter (1/4) acre (10,890 square feet) or greater.

MOTOR VEHICLE

A land vehicle 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

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

Any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL

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 Section E.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

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON

Any individual, corporation, company, partnership, firm, association, the Borough of Keyport, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

POLLUTANT

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, groundwaters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

- a. A net increase of impervious surface;
- b. 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);
- c. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
- d. 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

Any of the following, alone or in combination:

- a. The total area of motor vehicle surface that is currently receiving water;

- b. 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

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

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PAI)

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

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

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 BASIN

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

STORMWATER MANAGEMENT MEASURE

Any structural or nonstructural strategy, 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 nonstormwater discharges into stormwater conveyances.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

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.

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

TIDAL FLOOD HAZARD AREA

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. A flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONE

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

Previously developed portions of areas:

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

WATER CONTROL STRUCTURE

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

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

An area that is inundated or saturated by surface water or groundwater 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. (Ord. #3-07, §2)

24-3 GENERAL STANDARDS.

- a. Design and Performance Standards for Stormwater Management Measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90~~Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 24-4. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.~~
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- b.2. The standards in this Chapter 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.

24-4 STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT.

- a. Maintenance Plan Required. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 24-10.
- b. Threatened and Endangered Species. 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 muhlenbergii* (bog turtle).

c. Exemptions. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Section 24-4f. and g.:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

d. Waivers. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of § 24-4f and g may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of § 24-4f. and g. to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of § 24-4f. and g., existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under paragraph d3. above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 24-4f. and g. that were not achievable on site.

e. Nonstructural Stormwater Management Strategies: 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 Subsections O, P, Q, and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f) Tables 5-1, 5-2 and 5-3 and

listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

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

1. ~~To the maximum extent practicable, the standards in Section 24-4f. and g. shall be met by incorporating nonstructural stormwater management strategies set forth at Section 24-4e. into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in paragraph 2. below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.~~
2. ~~Nonstructural stormwater management strategies incorporated into site design shall:~~
 - (a) ~~Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;~~
 - (b) ~~Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;~~
 - (c) ~~Maximize the protection of natural drainage features and vegetation;~~
 - (d) ~~Minimize the decrease in the "time of concentration" from preconstruction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;~~
 - (e) ~~Minimize land disturbance including clearing and grading;~~
 - (f) ~~Minimize soil compaction;~~
 - (g) ~~Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;~~
 - (h) ~~Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;~~

- (i) ~~Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:~~
 - (1) ~~Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 24-4e,3. below;~~
 - (2) ~~Site design features that help to prevent discharge of trash and debris from drainage systems;~~
 - (3) ~~Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and~~
 - (4) ~~When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.~~
- 3. ~~Site design features identified under Section 24-4e2(i)(2) above 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 Section 24-4e,3(c) below.~~
 - (a) ~~Grates.~~
 - (1) ~~Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:~~
 - (i) ~~The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or~~
 - (ii) ~~A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than one half (0.5") inch across the smallest dimension.~~
 - (2) ~~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 or 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 basin floors.~~

~~(b) Whenever design engineers use a curb opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two (2), 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.~~

~~(c) This standard does not apply:~~

~~(1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;~~

~~(2) Where flows from the water quality design storm as specified in Section 24-4g1 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:~~

~~(i) A rectangular space 4 5/8 inches long and 1 1/2 inches wide (this option does not apply for outfall netting facilities); or~~

~~(ii) A bar screen having a bar spacing of 0.5 inch.~~

~~(3) Where flows are conveyed through a trash rack that has parallel bars with one (1") inch spacing between the bars, to the elevation of the water quality design storm as specified in Section 24-4g1; or~~

~~(4) 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. Any land area used as a nonstructural stormwater management measure to meet the performance standards in Section 24-4f and g shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.~~

(5) ~~Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 24-7, or found on the Department's website at www.njstormwater.org.~~

- f. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.
- ~~Erosion Control, Groundwater Recharge and Runoff Quantity Standards.~~

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

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

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

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

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

Notes to Tables 1, 2, and 3:

(a) subject to the applicable contributory drainage area limitation specified at Subsection O(2);

- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at § 24-2;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at § 24-2.

1. ~~This paragraph contains minimum design and performance standards to control erosion, encourage, and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.~~

(a) ~~The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.~~

(b) ~~The minimum design and performance standards for groundwater recharge are as follows:~~

(1) ~~The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 24-5, either:~~

(i) ~~Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred (100%) percent of the average annual preconstruction groundwater recharge volume for the site; or~~

(ii) ~~Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from preconstruction to post-construction for the 2-year storm is infiltrated.~~

(2) ~~This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to paragraph (3) below.~~

(3) ~~The following types of stormwater shall not be recharged:~~

(i) ~~Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas~~

where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4 areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

(ii) ~~Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by products; industrial machinery, and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.~~

(4) ~~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 and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.~~

(c) ~~In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 24-5, complete one (1) 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 preconstruction runoff hydrographs for the same storm events;~~

(2) ~~Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the preconstruction 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 preconstruction 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. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or~~

(4) ~~In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with paragraphs (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.~~

2. ~~Any application for a new agricultural development that meets the definition of major development at Section 24-2 shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "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 manufacturing of agriculturally related products.~~

- g. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 24-6B. Alternative stormwater management measures may be used to satisfy the requirements at Subsection O only if the measures meet the definition of green infrastructure at § 24-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Subsection O(2) are subject to the contributory drainage area limitation specified at Subsection O(2) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Subsection O(2) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater

runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Subsection D is granted from Subsection O.

Stormwater Run-off Quality Standards:

1. ~~Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by eighty (80%) percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional one-quarter (1/4) acre of impervious surface is being proposed on a development site. 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 Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. The water quality design storm is one and one-quarter (1.25") inches of rainfall in two (2) hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of nonstructural and structural stormwater management measures.~~

Table 1: Water Quality Design Storm Distribution

Time (minutes)	Cumulative Rainfall (inches)	Time (minutes)	Cumulative Rainfall (inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

2. ~~For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 24-7, or found on the Department's website at www.njstormwater.org. The BMP Manual and other sources of technical guidance are listed in Section 24-7. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at~~

~~the following address: Division of Watershed Management, New Jersey Department of Environmental Protection, PO Box 418, Trenton, New Jersey, 08625-0418.~~

3. ~~If more than one (1) 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:~~

$$R = A + B - [(AXB)/100]$$

~~Where:~~

~~R = total TSS percent load removal from application of both BMPs~~

~~A = the TSS percent removal rate applicable to the first BMP~~

~~B = the TSS percent removal rate applicable to the second BMP~~

Table 2: TSS Removal Rate for BMPs	
Best Management Practice	TSS Removal Rate (percentage)
Bioretention Systems	90%
Constructed Stormwater Wetlands	90%
Extended Detention Basin	40%-60%
Infiltration Structure	80%
Manufactured Treatment Device	See § 24-6e
Sand Filter	80%
Vegetative Filter Strip	60%-80%
Wet Pond	50%-90%

4. ~~If there is more than one on-site drainage area, the 80% TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on-site in which case the removal rate can be demonstrated through a calculation using a weighted average.~~
5. ~~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 nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in § 24-4f. and g.~~
6. ~~Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in § 24-7.~~

- ~~7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.~~
- ~~8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:~~
- ~~(a) The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:~~
- ~~(1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided.~~
- ~~(2) Encroachment within the designated special water resource protection area under paragraph (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than one hundred fifty (150') feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.~~
- ~~(b) All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.~~
- ~~(c) If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off Site Stability in the "Standards for Soil Erosion and Sediment Control in New~~

Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:

- ~~(1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;~~
 - ~~(2) Stormwater associated with discharges allowed by this section shall achieve a 95% TSS post construction removal rate;~~
 - ~~(3) Temperature shall be addressed to ensure no impact on the receiving waterway;~~
 - ~~(4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;~~
 - ~~(5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and~~
 - ~~(6) All encroachments proposed under this section shall be subject to review and approval by the Department.~~
- ~~(d) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to §24-4g8. has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to paragraph g8. shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in paragraph g8(a)(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.~~
- ~~(e) Paragraph g8 does not apply to the construction of one (1) individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.~~

- h. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- i. Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 24-9C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 24-9; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- j. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 24-2 may be used only under the circumstances described at Subsection O.4.
- k. Any application for a new agricultural development that meets the definition of major development at § 24-2 shall be submitted to the Soil Conservation District for review and

approval in accordance with the requirements at Subsections O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

- l. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- m. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Monmouth County Clerk. 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 Subsections O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 24-11B(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- n. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 24-4 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 Monmouth 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 M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
- o. Green Infrastructure Standards.

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

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

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

p. Groundwater Recharge Standards.

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 24-5, either:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual preconstruction groundwater recharge volume for the site; or
 - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - (a) 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
 - (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff

quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.

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

Table 4: Water Quality Design Storm Distribution

<u>Time</u> <u>(Minutes)</u>	<u>Cumulative</u> <u>Rainfall</u> <u>(Inches)</u>	<u>Time</u> <u>(Minutes)</u>	<u>Cumulative</u> <u>Rainfall</u> <u>(Inches)</u>	<u>Time</u> <u>(Minutes)</u>	<u>Cumulative</u> <u>Rainfall</u> <u>(Inches)</u>
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

<u>9</u>	<u>0.01494</u>	<u>49</u>	<u>0.2466</u>	<u>89</u>	<u>1.1434</u>
<u>10</u>	<u>0.01660</u>	<u>50</u>	<u>0.2583</u>	<u>90</u>	<u>1.1500</u>
<u>11</u>	<u>0.01828</u>	<u>51</u>	<u>0.2783</u>	<u>91</u>	<u>1.1550</u>
<u>12</u>	<u>0.01996</u>	<u>52</u>	<u>0.2983</u>	<u>92</u>	<u>1.1600</u>
<u>13</u>	<u>0.02164</u>	<u>53</u>	<u>0.3183</u>	<u>93</u>	<u>1.1650</u>
<u>14</u>	<u>0.02332</u>	<u>54</u>	<u>0.3383</u>	<u>94</u>	<u>1.1700</u>
<u>15</u>	<u>0.02500</u>	<u>55</u>	<u>0.3583</u>	<u>95</u>	<u>1.1750</u>
<u>16</u>	<u>0.03000</u>	<u>56</u>	<u>0.4116</u>	<u>96</u>	<u>1.1800</u>
<u>17</u>	<u>0.03500</u>	<u>57</u>	<u>0.4650</u>	<u>97</u>	<u>1.1850</u>
<u>18</u>	<u>0.04000</u>	<u>58</u>	<u>0.5183</u>	<u>98</u>	<u>1.1900</u>
<u>19</u>	<u>0.04500</u>	<u>59</u>	<u>0.5717</u>	<u>99</u>	<u>1.1950</u>
<u>20</u>	<u>0.05000</u>	<u>60</u>	<u>0.6250</u>	<u>100</u>	<u>1.2000</u>
<u>21</u>	<u>0.05500</u>	<u>61</u>	<u>0.6783</u>	<u>101</u>	<u>1.2050</u>
<u>22</u>	<u>0.06000</u>	<u>62</u>	<u>0.7317</u>	<u>102</u>	<u>1.2100</u>
<u>23</u>	<u>0.06500</u>	<u>63</u>	<u>0.7850</u>	<u>103</u>	<u>1.2150</u>
<u>24</u>	<u>0.07000</u>	<u>64</u>	<u>0.8384</u>	<u>104</u>	<u>1.2200</u>
<u>25</u>	<u>0.07500</u>	<u>65</u>	<u>0.8917</u>	<u>105</u>	<u>1.2250</u>
<u>26</u>	<u>0.08000</u>	<u>66</u>	<u>0.9117</u>	<u>106</u>	<u>1.2267</u>
<u>27</u>	<u>0.08500</u>	<u>67</u>	<u>0.9317</u>	<u>107</u>	<u>1.2284</u>
<u>28</u>	<u>0.09000</u>	<u>68</u>	<u>0.9517</u>	<u>108</u>	<u>1.2300</u>
<u>29</u>	<u>0.09500</u>	<u>69</u>	<u>0.9717</u>	<u>109</u>	<u>1.2317</u>
<u>30</u>	<u>0.10000</u>	<u>70</u>	<u>0.9917</u>	<u>110</u>	<u>1.2334</u>
<u>31</u>	<u>0.10660</u>	<u>71</u>	<u>1.0034</u>	<u>111</u>	<u>1.2351</u>
<u>32</u>	<u>0.11320</u>	<u>72</u>	<u>1.0150</u>	<u>112</u>	<u>1.2367</u>
<u>33</u>	<u>0.11980</u>	<u>73</u>	<u>1.0267</u>	<u>113</u>	<u>1.2384</u>
<u>34</u>	<u>0.12640</u>	<u>74</u>	<u>1.0383</u>	<u>114</u>	<u>1.2400</u>
<u>35</u>	<u>0.13300</u>	<u>75</u>	<u>1.0500</u>	<u>115</u>	<u>1.2417</u>
<u>36</u>	<u>0.13960</u>	<u>76</u>	<u>1.0568</u>	<u>116</u>	<u>1.2434</u>
<u>37</u>	<u>0.14620</u>	<u>77</u>	<u>1.0636</u>	<u>117</u>	<u>1.2450</u>
<u>38</u>	<u>0.15280</u>	<u>78</u>	<u>1.0704</u>	<u>118</u>	<u>1.2467</u>
<u>39</u>	<u>0.15940</u>	<u>79</u>	<u>1.0772</u>	<u>119</u>	<u>1.2483</u>
<u>40</u>	<u>0.16600</u>	<u>80</u>	<u>1.0840</u>	<u>120</u>	<u>1.2500</u>

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

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

Where

R = total TSS Percent Load Removal from application of both BMPs, and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

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

r. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 24-5, complete one of the following:
 - (a) 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;

- (b) 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;
- (c) 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 postconstruction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
- (d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2a, b and c above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

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

24-5 CALCULATION OF STORMWATER RUNOFF AND GROUNDWATER RECHARGE.

- a. Stormwater runoff shall be calculated in accordance with the following:
 - 1. The design engineer shall calculate runoff using one of the following methods:
 - (a) 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:
the NRCS National Engineering Handbook Section 4– Hydrology and Technical Release 55– Urban Hydrology for Small Watersheds; or

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

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

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

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

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction 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 at § 24-5a1(a) and the Rational and Modified Rational Methods at § 24-5a1(b). 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 (5) years without interruption prior to the time of application. If more than one (1) land cover have existed on the site during the five (5) years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing preconstruction 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 preconstruction stormwater runoff rates and volumes,
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious

cover, urban impervious area modifications as described in the NRCS Technical Release 55 - Urban Hydrology for Small Watersheds and other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- b. Groundwater recharge may be calculated in accordance with the following:
1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water 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 <http://www.state.nj.us/dep/njgs/>; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427, Trenton, New Jersey, 08625-0427; (609) 984- 6587.

24-6 STANDARDS FOR STRUCTURAL STORMWATER MANAGEMENT MEASURES.

- a. Standards for structural stormwater management measures are as follows:
1. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
 2. Structural 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 1/3 the width of the diameter of the orifice or 1/3 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 § 24-8b.
 3. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
 4. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of 2½ inches in diameter.

5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at § 24-8.
- b. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by § 24-4 of this Chapter.
- c. Manufactured treatment devices may be used to meet the requirements of § 24-4 of this Chapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

24-7 SOURCES FOR TECHNICAL GUIDANCE.

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

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.
~~at paragraphs 1. and 2. below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.~~

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3: ~~bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.~~

2. ~~Additional maintenance guidance is available on the Department's website at: The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.~~

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

- b. ~~Additional technical guidance for stormwater management measures can be obtained from the following Submissions required for review by the Department should be mailed to:~~

1. ~~The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil~~

~~Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625; (609) 292-5540;~~

2. ~~The Rutgers Cooperative Extension Service, (732) 932-9306; and~~

3. ~~The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 33420, Trenton, New Jersey, 08625-0420, (609) 292-5540.~~

24-8 SOLIDS AND FLOATABLE MATERIALS CONTROL STANDARDS.

a. Site design features identified under § 24-4F, or alternative designs in accordance with § 24-4G, 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 § 24-8A(2) below.

1. Design engineers shall use one of the following grades 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:

(a) 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

(b) 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.

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

2. The standard in A(1) above does not apply:

- (a) 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;
- (b) 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;
- (c) 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:
 - (i) 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
 - (ii) 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).

- (d) 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
- (e) 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

24-89 SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.

- a. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- b. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management basins. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins to be retrofitted to meet one or more of the safety standards in § 24-9C(1),(2), and (3) for trash racks, overflow grates, and escape provisions at outlet structures.
- b.c. Requirements for trash racks, overflow grates and escape provisions.

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
 - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
 - (c) 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.
 - (d) The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft. sq.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no less than two inches across the smallest dimension,
 - (c) 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 lbs./ft. sq.
3. For purposes of this subsection, "escape provisions" means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:
 - (a) If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in § 24-8c., a freestanding outlet structure may be exempted from this requirement.
 - (b) Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than 2½ feet. Such safety ledges shall be comprised of two steps. Each step shall be four

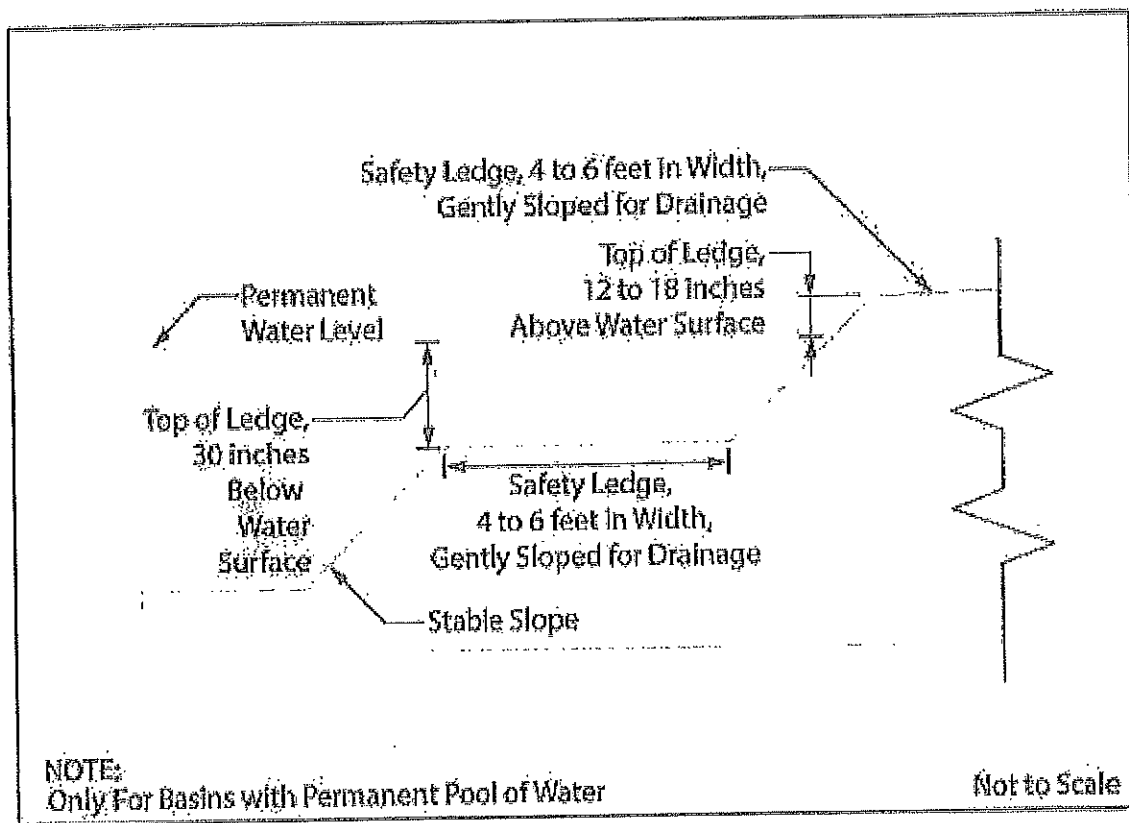
feet to six feet in width. One step shall be located approximately 2½ feet below the permanent water surface, and the second step shall be located one to 1½ feet above the permanent water surface. See § 24-8d. for an illustration of safety ledges in a stormwater management basin.

- (c) In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

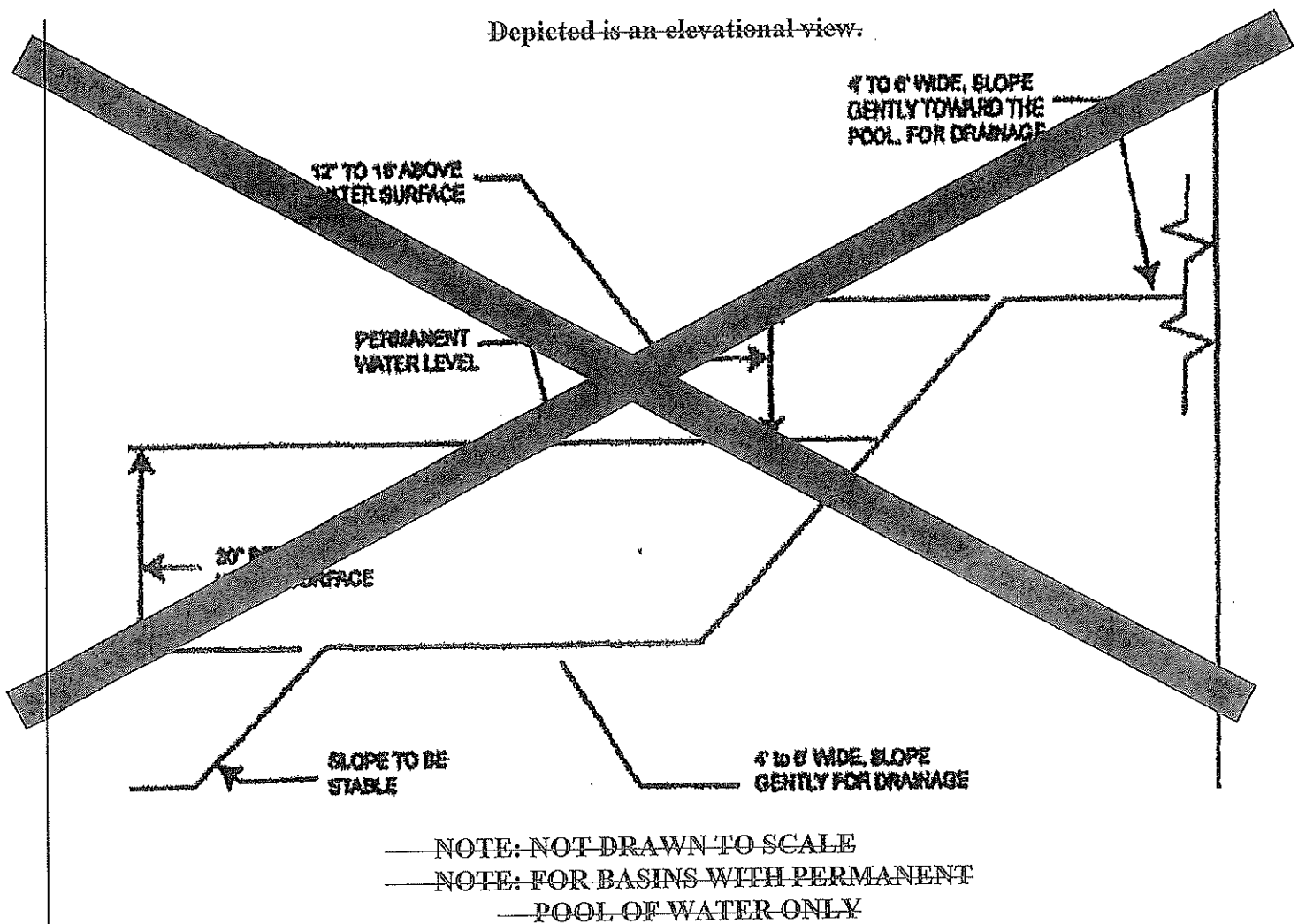
ed. Variance or Exemption from Safety Standards.

1. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, County or Department) that the variance or exemption will not constitute a threat to public safety.

de. Illustration of Safety Ledges in a New Stormwater Management Basin.



Depicted is an elevational view.



24-910 REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN.

- a. Submission of Site Development Stormwater Plan.
 1. Whenever an applicant seeks municipal approval of a development subject to this Chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 24-9c. below as part of the submission of the applicant's application for subdivision or site plan approval.
 2. The applicant shall demonstrate that the project meets the standards set forth in this Chapter.
 3. The applicant shall submit seven copies of the materials listed in the checklist for site development stormwater plans in accordance with § 24-9c. of this Chapter.

- b. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Chapter.
- c. Checklist Requirements. The following information shall be required:
 - 1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch equals 200 feet or greater, showing two-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 floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing manmade structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
 - 2. Environmental Site Analysis. A written and graphic description of the natural and manmade features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
 - 3. Project Description and Site Plan(s). 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 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 of proposed changes in natural conditions may also be provided.
 - 4. Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §§ 24-3 through 24-6 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
 - 5. Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- (a) Total area to be 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.
 - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- 6. Calculations.
 - (a) Comprehensive hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in § 24-4 of this Chapter.
 - (b) When the proposed stormwater management control measures (e.g., infiltration basins) depends on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- 7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of § 24-10.
- 8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this Chapter may, in consultation with the Municipal Engineer, waive submission of any of the requirements in § 24-9c1 through §24-9c6 of this Chapter 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.

24-10 MAINTENANCE AND REPAIR.

- a. Applicability.
 - 1. Projects subject to review as in Section 24-1c. of this Chapter shall comply with the requirements of § 24-10b and c.
- b. General Maintenance.
 - 1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the ~~developer~~ 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~~ developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
34. 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.
45. If the person responsible for maintenance identified under § 24-10b2 above is not a public agency, the maintenance plan and any future revisions based on § 24-10b7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
56. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including 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 nonvegetated linings.
67. The ~~person~~ party responsible for maintenance identified under § 24-10b2~~3~~ above shall perform all of the following requirements:
- (a) 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;

(b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

(c) 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 Subsections B(6) and B(7) above

78. The person responsible for maintenance identified under § 24-10b2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.

89. The person responsible for maintenance identified under § 24-10b2 above shall 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 § 24-10b6 and 24-10b7 above.

910. The requirements of §§ 24-10b3 and 24-10b4 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.

110. 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 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.

c. Nothing in this section 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.

24-112 VIOLATIONS AND PENALTIES.

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Chapter shall be subject to a maximum penalty of a fine of two hundred fifty (\$250.00) dollars per calendar day until such violation(s) have been resolved to the satisfaction of the municipality and/or the NJDEP.

24-123 EFFECTIVE DATE.

This Chapter shall take effect immediately upon the approval by the County review agency, or sixty (60) days from the receipt of the ordinance by the County review agency if the County review agency should fail to act.

24-134 SEVERABILITY.

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Chapter.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced:
Public Hearing:
Adopted:

Michele Clark, RMC
Borough Clerk

Collette J. Kennedy, Mayor

February 5, 2021

Andrew Kelsey
[REDACTED]

Keyport, NJ 07735

Mayor and Council
70 West Front Street
Keyport, NJ 07735

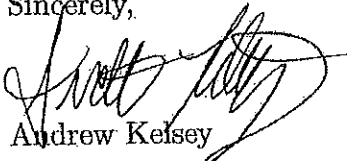
Mayor and Council,

I am requesting approval to create a Parking Advisory Committee web site. The homepage of the web site will serve to explain our purpose and help assuage public concern as we move throughout the Borough exhibiting seemingly strange behavior while we collect parking related data. It will also provide the infrastructure for conducting parking related surveys. I will serve as the page administrator.

I certify and acknowledge compliance with the following:

- a. The department head, or the proposed page/profile administrator(s), is(are) the sole page/profile administrator(s) for the social media page or profile.
- b. The posts by the page/profile administrator(s) will be limited to public information, sharing of news and information directly involving the department, public safety bulletins, hours of operation, and how to contact the department.
- c. The posts by the page/profile administrator(s) will not advertise, promote, endorse, or discuss any private individuals, businesses, organizations, political parties or persons, or political opinions.
- d. The posts by the page/profile administrator(s) will always be in compliance with all applicable laws, regulations, ordinances and policies and will always be professional and courteous.
- e. The page/profile administrator(s) will promptly remove any comments from the public that do not comply with the above, or the page/profile administrator(s) will prohibit the public from commenting on the public social media page.
- f. The page/profile administrator(s) will protect the privacy and confidentiality of all individuals as provided by law or any applicable guidelines.

Sincerely,


Andrew Kelsey

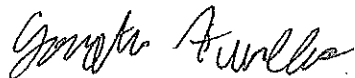
Comm #2

To whom it may concern,

Please accept this letter as formal resignation from my position of Laborer at Keyport Public Works effective December 18th, 2020. Thank you for the opportunities and experience provided during my time here. If there's anything I can do to make this transition easier please let me know.

Sincerely,

Jonathan Hurlburt

A handwritten signature in cursive script, appearing to read "Jonathan Hurlburt", written in dark ink.



Monmouth County Park System

Providing Open Space, Parks, and Recreation

805 Newman Springs Road, Lincroft, NJ 07738-1695 • 732-842-4000
monmouthcountyparks.com

Comm #3

Board of Recreation Commissioners

Kevin Mandeville,
Chairman
Michael G. Harmon,
Vice Chairman
Thomas E. Hennessy, Jr.
David W. Horsnall
Mark E. Zelina
Patricia M. Butch
Thomas W. Adcock
Anthony Fiore
James J. Truncer,
Secretary-Director
Ross F. Licitra,
County Commissioner-Liaison

RECEIVED
JAN 19 2021

BY:

January 15, 2021

Mr. Jay Delaney
Borough Administrator
Borough of Keyport
P.O. Box 60
Keyport, NJ 07735

RE: MUNICIPAL OPEN SPACE GRANT PROGRAM – APPLICATION
#20-30 – 2020 PARK IMPROVEMENT PROJECT

Dear Mr. Delaney:

Thank you for nominating the 2020 Park Improvement Project for a 2020 Monmouth County Municipal Open Space Grant. I regret to inform you that the application was not selected for funding.

I would be happy to discuss this application and any potential future submissions with you. We expect to formally solicit applications for the next round of funding in May 2021 with a September 2021 submission deadline.

Sincerely,

Paul Gleitz, P.P. AICP
Principal Park Planner

pc: Mayor
Clerk

The Nation's First Accredited Park and Recreation Agency



**Monmouth County
Board of County Commissioners**

Comm #4

THOMAS A. ARNONE
DIRECTOR

SUSAN M. KILEY
DEPUTY DIRECTOR

LILLIAN G. BURRY
NICK DIROCCO
ROSS F. LICITRA



RECEIVED
JAN 29 2021

HALL OF RECORDS
ONE EAST MAIN STREET
FREEHOLD, NJ 07728
TELEPHONE: 732-431-7000

BY:

January 27, 2021

Dear Mayor,

On behalf of the Monmouth County Board of Chosen Freeholders, I am happy to provide you with the enclosed check to assist with reimbursing costs your municipality has incurred due to the COVID-19 pandemic.

As you are aware, Monmouth County received nearly \$108 million in federal stimulus money, through the CARES Act, to be used to offset the unexpected expenditures related to COVID-19 from March 1, 2020 through Dec. 30, 2020.

The Freeholders felt that it was important to find a way to share the CARES Act money with our municipalities and I am glad that we were able to work together to make sure that your municipality received some much needed relief.

I want to thank you for your dedication and exemplary efforts on behalf of your residents and municipality, which have been severely impacted by the pandemic. I look forward to working with you as we navigate our communities through these unprecedented times.

As always, please feel free to reach out to me if I can be of further assistance in this or any other matter.

Sincerely,

Thomas A. Arnone

Tom Arnone
Commissioner Director

\$81,768.⁶⁸

"SEPTEMBER 2d, 1609 THIS IS A VERY GOOD LAND TO FALL IN WITH AND A PLEASANT LAND TO SEE."

Entry in the log of Henry Hudson's Ship Half Moon made after the Dutch Explorer became the first European to come ashore in what was later known as Monmouth County

COUNTY OF MONMOUTH
Mosquito Control Division

1901 Wayside Road, Tinton Falls, NJ 07724



Board of County Commissioners
Director
Thomas A. Arnone
Deputy Director
Susan M. Kiley, *liaison*
Lillian G. Burry
Nick DiRocco
Ross F. Licitra

COMMUNITY
RECEIVED
FEB 05 2021

BY: *County Administrator*
Teri O'Connor

Superintendent
Victoria C. Thompson
victoria.thompson@co.monmouth.nj.us
732-542-3630
fax 732-542-3267

February 1, 2021

Dear Municipal Clerk:

The Monmouth County Mosquito Control Division runs a countywide mosquito control program to protect residents from mosquito-borne diseases and maintain a comfort level suitable to enjoy outdoor activities. An important component of this program is the application of mosquito pesticides using the County helicopter in select areas of the county that produce or harbor high numbers of mosquitoes.

Prior to conducting aerial applications over an area designated "congested" by the Federal Aviation Administration, the Mosquito Control Division is required, pursuant to FAR Part 137.51, to secure written approval from the governing body of the political subdivision over which the aircraft is to be operated. To assist this process, I have enclosed a brief sample resolution for consideration by the governing body.

For your information, the Mosquito Control Division anticipates resuming the aerial surveillance and treatment program on or about April 1, 2021 and possibly continuing as late as November 30, 2021. Normally, the treatment areas are restricted to large tracts of standing water in undeveloped parts of the county where mosquito larvae thrive. Each time the Division undertakes aerial larval control applications in your municipality, your local police department will be notified beforehand.

The Mosquito Control Division conducts adult mosquito control with truck-mounted spray equipment. The Division would only consider aerial mosquito control in developed areas if the public health risk from West Nile virus, Eastern Equine Encephalitis virus or other mosquito-borne disease warrants such action. If the helicopter were to be used, the municipal administrator, police and health officer would be contacted as well as the public notified in accordance with pesticide regulations, NJAC 7:30. The County would also adhere to all additional FAA and NJDOT regulations.

Please execute and return an adopted resolution as soon as possible, **preferably before April 1, 2021**. If you have any questions or concerns about the resolution or our program, please call me at 732-542-3630 or e-mail victoria.thompson@co.monmouth.nj.us. I would be glad to answer questions regarding our program or the products we use. The cooperation of the governing body is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Victoria C. Thompson".

Victoria Thompson
Superintendent

Enclosure

**RESOLUTION AUTHORIZING
THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL
MOSQUITO CONTROL OPERATIONS WITHIN**

(Name of municipality)

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the _____ (municipality) is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

Moved by:

Seconded:

Ayes:

Nays:

Abstentions:

Absences:

I _____, Clerk of the municipality of _____ do hereby attest that the foregoing resolutions was adopted at a regular meeting of the Governing Body of the _____ held on _____ day of _____, 2021.

Clerk

Michele Clark

From: McParland, Megan <mcp Parlam@tcnj.edu>
Sent: Wednesday, February 03, 2021 1:31 PM
To: mayorkennedy@keyportonline.com
Cc: Sustainable Jersey Info; mclark@keyportonline.com; administrator@keyportonline.com; jppolewczak@gmail.com;
Subject: Congratulations on Bronze Recertification!
Attachments: SNJ_KEYPORT_RGB.png; SNJ_KEYPORT_grayscale.jpg; SNJ_KEYPORT_cmyk.jpg; 2020 Bronze Certification Media Release Template.docx; Certified Municipalities Logo Sheet Guide.pdf; Certified_Town_Outreach_Template_GENERIC_2020.docx

Dear Mayor Kennedy,

We are pleased to inform you that Keyport has achieved Sustainable Jersey bronze recertification! Municipalities that earn this certification are considered by their peers, state government, experts, and civic organizations in New Jersey to be among the leading communities in the state.

Your municipality will be recognized at the 2020 Sustainable Jersey Virtual Awards Luncheon on **Thursday, March 11 at 12:00pm**. Please email 3-5 high quality images illustrating some of your sustainability efforts to me by Monday, February 22, so we can integrate them into the presentation or feature them in other Sustainable Jersey program and promotional materials.

We invite you, municipal officials and staff, and members of your community to join us for the 2020 Sustainable Jersey Virtual Awards Luncheon. Please register [here](#). We will also broadcast the event on Sustainable Jersey's Facebook page.

A certification plate for your certification plaque will be shipped to the primary contact on the Sustainable Jersey account, listed below. If the award should be addressed to someone else's attention, or a different mailing address, phone number or email address used, please let me know **no later than Friday, February 5**.

Jay Delaney
70 West Front Street
Keyport, NJ 07735
(732) 739-3900
administrator@keyportonline.com

Promotional Materials

Please use the attached resources to publicize your Sustainable Jersey certification:

- Sustainable Jersey Certified Logo
- Generic Outreach Template
- Media Release Template
- Certified Municipalities Logo Sheet Guide

You can find your official certification report at the top of your online application, or through the [Participating Communities Map](#) page on our website.

Certification Information

Please note that your certification will expire December 31, 2023. We encourage you to continue to gain recognition for your sustainability efforts by resubmitting prior to this date. Many communities apply for recertification annually in order to track their progress and work towards silver level certification. If you have any questions please contact me.

Congratulations again on your outstanding achievement!

Sincerely,

Megan McParland (she/her)
Program Coordinator
Sustainable Jersey
the Sustainability Institute at The College of New Jersey
Forcina Hall, 3rd Floor
Ewing, NJ 08628-0718
(609) 771-2921
mcp Parlam@tcnj.edu

"A man dies when he refuses to stand up for that which is right." - Dr. Martin Luther King Jr.

KEYPORT BOROUGH CLERK'S OFFICE

DATE: 2/1/2021
TO: MAYOR & COUNCIL
FROM: MICHELE CLARK, BOROUGH CLERK
RE: CASH RECEIPTS FOR JANUARY 2021

WATER/SEWER ACCOUNT

OTHER: DEMOLITION		0.00
TOTAL WATER/SEWER	\$	0.00

CURRENT ACCOUNT

BINGO LICENSE	\$	0.00
LIMO LICENSES		0.00
PHOTOCOPIES		0.00
POSTAGE		0.00
RAFFLE LICENSE		0.00
TAXI DRIVER		0.00
TAXI OWNER		0.00
TOW TRUCK OPERATOR APPLICATION		0.00
FLEET FEE/TOW OWNER		750.00
SEARCHES		0.00
VENDING/PEDDLER LICENSE		0.00
VENDING MACHINE		300.00
LIQUOR LICENSE		0.00
STREET OPENING		300.00
RECYCLING PERMITS		0.00
PARKING PERMITS		210.00
AUCTION FEES		0.00
PD- ACC RPTS		0.00
SIDEWALK/STREET CAFÉ		0.00
FILM PERMIT APPLICATION		0.00
OTHER: RETURNED CHECK CHARGE		0.00
NSF FEE		0.00
SUBPOENA		0.00
TOTAL CURRENT		\$1,560.00

ESCROW ACCOUNT

SEASONAL BUSINESS	\$	0.00
ESCROW	\$	54.00
TOTAL ESCROW	\$	54.00

TOTAL RECEIPTS	\$1,614.00
-----------------------	-------------------

STREET OPENING CASH REPAIR ESCROW BREAKDOWN

APPLICANT	PERMIT NUMBER	AMOUNT	Additional Escrow
NJNG 3439		\$ 27.00	
NJNG 3440		\$ 27.00	
TOTAL:		\$ 54.00	

Report #3

TAX COLLECTORS / UTILITY COLLECTOR'S MONTHLY REPORT 2021

TREASURERS REPORT	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOVEMBER	DECEMBER	TOTALS
2022 TAXES													\$0.00
2021 TAXES	\$997,381.78												\$997,381.78
INTEREST AND COSTS	\$72,870.07												\$72,870.07
5% YEAR END PENALTY	\$4,978.12												\$4,978.12
NSF FEES	\$1,882.67												\$1,882.67
OFFICIAL TAX SEARCH FEE	\$60.00												\$60.00
ADMIN. FEES/POLICE VEHICLES													\$0.00
UNIFORM FIRE SAFETY	\$12,569.00												\$12,569.00
LANDLORD REGISTRATION	\$580.00												\$580.00
MUNICIPAL PERMIT FEES	\$1,360.00												\$1,360.00
MUNICIPAL LICENSES FEES	\$803.00												\$803.00
MUNICIPAL COURT FEES	\$5,978.40												\$5,978.40
UNIFORM CONSTRUCTION FEES	\$10,769.00												\$10,769.00
MRNA - UCC	\$735.00												\$735.00
PLANNING BOARD APPLICATION													\$0.00
VACANT PROPERTY REGISTRATION FEES	\$3,500.00												\$3,500.00
PROPERTY MAINTENANCE FEES													\$0.00
HEALTH INSURANCE CO-PAY	\$14,045.74												\$14,045.74
WORKER'S COMPENSATION													\$0.00
REIMB. POLICE/FIRE/DEM CAR ACCIDENTS													\$0.00
BETHANY MANOR (PILOT)	\$35,650.00												\$35,650.00
OYSTER BAY LEGION (PILOT)	\$19,333.88												\$19,333.88
POLICE INCIDENT REPORTS													\$0.00
POLICE TOWSTORE - IMPRIS	\$245.00												\$245.00
POST OFFICE LAND RENT	\$1,650.00												\$1,650.00
OUTDOOR MEDIA													\$0.00
BIRTH/DEATH/MARRGE - BOH FEES	\$1,160.00												\$1,160.00
RECREATION FEES													\$0.00
DMV INSPECTION FEES													\$0.00
CEDAR PARK FEES													\$0.00
RECYCLE - METAL / TIRES													\$0.00
ALCOHOL ED. AND REHAB GRANT													\$0.00
MUNICIPAL DRUG ALLIANCE GRANT													\$0.00
OFFICE ON AGING GRANT													\$0.00
BODY ARMOUR GRANT													\$0.00
CLEAN COMMUNITIES GRANT													\$0.00
DRUNK DRIVER ENF GRANT													\$0.00
RECYCLING TONAGE GRANT													\$0.00
SUSTAINABLE JERSEY GRANT													\$0.00
NPP GRANT/COVID 19 GRANT													\$0.00
CABLEVISION FEES													\$0.00
VERIZON FIOS FEES	\$38,421.19												\$38,421.19
SENIOR CENTER TRIP MONEY													\$0.00
SENIOR CENTER MEMBER FEES	\$50.00												\$50.00
SENIOR CENTER TRIP SURCHARGE													\$0.00
SENIOR CENTER BEQUEST													\$0.00
INTERFUND FOR OTHER ACCOUNTS	\$204.00												\$204.00
JIF DIVIDEND													\$0.00
CMPTRA - STATE AID													\$0.00
FALL ENERGY RCPTS - STATE AID													\$0.00
SPRING ENERGY RCPTS - STATE AID													\$0.00
LIBRARY STATE AID													\$0.00
SNR CITIZEN DEDUCT REIMBURSMT													\$0.00
SV ADMIN FEE / HOMESTEAD ADMIN FEE													\$0.00
HOMESTEAD REBATE - STATE PAYMNT													\$0.00
UNION BEACH INTERLOCAL FEES													\$0.00
INTERFUND POLICE IN SCHOOLS													\$0.00
POLING LOCATION RENTS													\$0.00
SALE OF MUNICIPAL ASSETS													\$0.00
MUNICIPAL LIEN REDEMPTION FEES													\$0.00
COUNTY REIMBURSEMENT - COVID19	\$81,768.68												\$81,768.68
MISCELLANEOUS REVENUE	\$134.00												\$134.00
TOTAL CURRENT RECEIPTS	\$1,306,099.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,306,099.53

REPORT #2

TAX COLLECTOR'S / UTILITY COLLECTOR'S MONTHLY REPORT 2021

[illegible]

TREASURERS REPORT FOR THE MONTH OF JANUARY 2021

<u>TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE.....</u>	<u>\$8074.00</u>
DOG LICENSES.....	\$964.80
CAT LICENSES.....	\$90.20
MARRIAGE & CIVIL UNION LICENSES.....	\$9.00
MARRIAGE & CIVIL UNION LICENSES TRUST.....	\$75.00
DOMESTIC PARTNERSHIP AFFIDAVITS.....	\$-0-
BURIAL PERMITS TRUST.....	\$-0-
DEATH CERTIFICATES.....	\$-0-
DEATH CERTIFICATES EFT**	\$1160.00
MARRIAGE CERTIFICATES.....	\$100.00
BIRTH CERTIFICATES.....	\$-0-
TATTOO PARLOR.....	\$-0-
PLAN REVIEW.....	\$300.00
FOOD HANDLERS.....	\$5375.00
MISCELLANEOUS.....	\$-0-

DISBURSEMENTS –

Check #330	- Boro of Keyport Misc. Acct.	- \$5784.00
Check #331	- Boro of Keyport Trust Acct.	- \$75.00
Check #332	- Boro of Keyport Dog Acct.	- \$867.20
Check #333	- NJ State Dept. of Health	- \$187.80

****STATE ELECTRONIC FUNDS TRANSFER-\$1160.00**

Treasurers Report
Page Two

Respectfully submitted,

Board of Health Secretary

Cc: Borough Clerk
Treasurer w/checks

BUILDING DEPARTMENT
MONTHLY REPORT - CASH RECEIPTS FOR:

Jan-21

PERMIT TYPE	# ISSUED	AMOUNT
State DCA Fee	33	\$602.00
Construction Certificates	3	\$225.00
Plumbing	17	\$1,845.00
Electrical	22	\$3,036.00
Building	10	\$3,506.00
Fire Sub Code	11	\$735.00
Code Enforcement C of O	56	\$4,255.00
Transfer of Title C of O	11	\$385.00
Smoke Detector Inspection	53	\$2,759.00
Zoning	11	\$1,810.00
200 Ft. Property List	1	\$10.00
Fence	0	\$0.00
Shed	0	\$0.00
Flatwork	0	\$0.00
Soil Transfer	0	\$0.00
Dumpsters/Pods	4	\$120.00
Construction Violations	0	\$0.00
Backflow Preventor	0	\$0.00
NSF	0	\$0.00
TOTALS		\$19,288.00
TRC	0	\$0.00
Vacant Property Registration	2	\$3,500.00
Landlord Registration	6	\$550.00
Total		\$23,338.00

ACCOUNTS PAYABLE

Amount Paid to Borough \$18,686.00 Check # 2891
State Fee Due quarterly

Respectfully Submitted
Laurie Graham

**MUNICIPAL COURT
BOROUGH OF KEYPORT**

P O Box 60
70 West Front St
Keyport, NJ 07735

Report # 5

Frank J. LaRocca, MCJ
Municipal Court Judge

Phone: (732)739-5155
Fax: (732)739-2133

Sandra M. Akes, CMCA
Acting Court Administrator

February 9, 2021

Jay Delaney, Borough Administrator
BOROUGH OF KEYPORT

Dear Mr. Delaney,

The Municipal Court met three times in the month of January 2021. There were 174 new cases added and 174 cases disposed of. Enclosed is check # 10209 in the amount of \$4,347.10 for all fines collected and check # 10210 in the amount of \$200.00 for Public Defender fee collected. There was no POAA fee collected.

Sincerely,

Sandra M. Akes, CMCA
Borough of Keyport Municipal Court



KEYPORT MUNICIPAL COURT
DISTRIBUTION OF MONIES
GENERAL CASH BOOK

AGENCY	FROM 1/01/2021 TO 1/31/2021
ATS	335.00
DE	150.00
SN	100.00
WB	132.84
VCCB	0.00
DMV	818.90
COUNTY	1436.00
MUNICIPAL	4347.10
PUBLIC DEFENDER	200.00
P.O.A.A.	0.00
CD	50.00
RT	50.00
TOTAL DISBURSED	7,619.84

NJ AUTOMATED TRAFFIC SYSTEM
AOC REPORT-TRAFFIC SECTION
KEYPORT BORO MUNICIPAL COURT
FROM 01/01/2021 TO 01/31/2021

REPORT ID: TFC01610-0
RUN DATE: 02/06/2021
RUN TIME: 20:35

IX. TOTAL CHARGES PENDING-BEGINNING OF MONTH	DWI	ALL OTHER	PK ONLY
X. CHARGES ADDED	22	317	110
A NEWLY FILED IN THIS M. C.	1	107	8
B REMANDED BY COUNTY PROSECUTOR	1	8	
C RECEIVED FROM ALL OTHER COURTS		4	
D REINSTATED (PREVIOUSLY DISPOSED)	2	119	
E TOTAL CHARGES ADDED			8 = 129 + 45 = 174
XI. CHARGES DISPOSED BY:			
A REFERRAL TO COUNTY PROSECUTOR			
B REFERRAL TO ALL OTHER COURTS		32	19
C VIOLATIONS BUREAU (R. 7:12-4)		10	1
D CLOSED PER R. 7:8-9	3		
E ENTRY OF GUILTY PLEA			
F A FINDING OF GUILT AFTER TRIAL	2	34	3
G A FINDING OF NOT GUILTY AFTER TRIAL	0 *	11 *	0 **
H DISMISSAL	5	87	23
I OTHER FORMS OF ADJUDICATION			
J TOTAL CHARGES DISPOSED			3 = 115 + 59 = 174
{ * = AMENDED / MERGED ** = AMENDED / MERGED / DSUS / RSUS }			
XII. CHARGES PENDING-END OF MONTH (BY AGE FROM DATE OF COMPLAINT)			
A PENDING FOR 0 TO 60 DAYS:	4	112	13
1 OPEN, ACTIVE (WARRANT NOT ISSUED)	1	4	3
2 WARRANT ISSUED			
B FOR 61 DAYS OR LONGER:	14	233	73
1 OPEN, ACTIVE (WARRANT NOT ISSUED)			6
2 WARRANT ISSUED	19	349	95
C TOTAL CHARGES PENDING - END OF MONTH			
XIII. SENTENCES IMPOSED ON EACH CHARGE			
A JAIL SENTENCE	3	3	
B REVOCATION/SUSPENSION OF MV LICENSE			
C PROBATION (R. 7:9-1(C))			
D COMMUNITY SERVICE	3	20	1
E FINE IMPOSED			
XIV. DEFENDANTS SENTENCED AND COMMITTED TO JAIL			
XV. MONIES ASSESSED OR FORFEITED: (VIOLATIONS BUREAU AND OPEN COURT)			
A TOTAL FINES, PENALTIES, AND SURCHARGES ASSESSED	1,770.00	6,065.89	620.92
B TOTAL COURT COSTS IMPOSED	99.00	1,430.00	327.00
C TOTAL CASH BAIL FORFEITURES (- REINSTATEMENTS) (PK INCLUDED IN ALL OTHER)			
XVI. DISTRIBUTION OF MONIES			
A GENERAL CASH BOOK	DMV	COUNTY	MUNICIPAL
B BAIL BOOK	818.90	1436.00	4347.10
			CD 50.00
			PD 200.00
			RT 50.00
			7619.84

ATS 335.00
DE 150.00
SN 100.84
SUB 132.84

NJ AUTOMATED TRAFFIC SYSTEM
AOC REPORT-TRAFFIC SECTION
KEYPORT BORO MUNICIPAL COURT
FROM 01/01/2021 TO 01/31/2021

REPORT ID: TFC01610-0
RUN DATE: 02/06/2021
RUN TIME: 20:35

TRAFFIC/PARKING
MATTERS

XVII. COURT PERSONNEL TIME
B JUDICIAL STAFF
CASE RELATED HOURS
1 CASE RELATED HOURS
A TOTAL BENCH TIME 0.00
B TOTAL CASE RELATED NON-BENCH TIME 0.00

END OF TRAFFIC SECTION - AOC STATISTICAL REPORT

(FROM 01/01/2021 TO 01/31/2021)

	INDICTABLE OFFENSES	D.P. & P.D.P. OFFENSES	ALL OTHER NON-TRAFFIC
I. TOTAL CHARGES PENDING - BEGINNING OF MONTH		329	279
II. CHARGES ADDED			
A. NEWLY FILED IN THIS MUNICIPAL COURT	13	13	3
B. REMANDED BY COUNTY PROSECUTOR		3	
C. RECEIVED FROM ALL OTHER COURTS			
D. REINSTATE (E.G., CD FAILURES)	13	13	
E. TOTAL CHARGES ADDED	13	29	3
III. CHARGES DISPOSED BY			
A. REFERRAL TO COUNTY PROSECUTOR	13	3	
B. REFERRAL TO ALL OTHER COURTS			
C. VIOLATIONS BUREAU (R. 7:7)		4	17
D. ENTRY OF GUILTY PLEA			
E. A FINDING OF GUILTY AFTER TRIAL			
F. A FINDING OF NOT GUILTY AFTER TRIAL			
G. DISMISSAL		14	3
H. PLACEMENT IN A DIVERSIONARY PROGRAM			
I. CLOSED PER R.7:8-9.		4	1
J. TOTAL CHARGES DISPOSED	13	25	21
IV. TOTAL CHARGES PENDING END OF MONTH (BY AGE FROM DATE OF COMPLAINT)			
A. FROM 0 TO 60 DAYS		35	8
1. OPEN, ACTIVE (NON-FUGITIVE)		68	119
2. OPEN, WARRANT ISSUED (FUGITIVE)			
B. FOR 61 DAYS OR LONGER			
1. OPEN, ACTIVE (NON-FUGITIVE)		110	60
2. OPEN, WARRANT ISSUED (FUGITIVE)		102	79
C. TOTAL CHARGES PENDING - END OF MONTH		315	266
V. SENTENCES IMPOSED ON EACH CHARGE			
A. JAIL SENTENCE			
B. CONDITIONAL DISCHARGE			
C. REVOCATION/SUSPENSION OF MV LICENSE			
D. PROBATION (R. 3:21-7)			
E. COMMUNITY SERVICE			
F. FINE IMPOSED		4	6
G. CONDITIONAL DISMISSAL			
VI. DEFENDANTS SENTENCED AND COMMITTED TO JAIL			
VII. COMPLAINTS AND NOTICES FILED			
A. NUMBER OF COMPLAINTS SUMMONES (CDR-1)	4	9	
B. NUMBER OF COMPLAINTS WARRANTS (CDR-2)	2		
C. NOTICE IN LIEU OF			
VIII. MONIES ASSESSED OR FORFEITED (VIOLATIONS BUREAU AND OPEN COURT)			
A. TOTAL FINES IMPOSED	.00	1620.00	5399.00
B. TOTAL VCCB PENALTIES ASSESSED	.00	200.00	.00
C. TOTAL COURT COST IMPOSED	.00	112.00	476.00
D. TOTAL CASH BAIL FORFEITURES	.00	.00	.00

3 = 45

21 = 59