

**BOROUGH OF LAKEHURST
REMINDER: REDEVELOPMENT MEETING
BEGINNING AT
7:00 PM**

**REDEVELOPMENT AGENCY
FEBRUARY 4, 2021
TENTATIVE AGENDA**

1. Appointment of Chairperson
2. Appointment of Secretary
3. Appointment of Attorney
4. Appointment of Agent
5. Approval of 2021 Schedule of Meetings
6. Resolution regarding agency appointments
7. Approval of Minutes of February 6, 2020 meeting
8. Any other business
9. Adjournment

**BOROUGH OF LAKEHURST
WORK SESSION/REGULAR MEETING
FEBRUARY 4, 2021
TENTATIVE AGENDA**

1. Approval of Minutes of January 21, 2021 Regular Meeting
2. Resolution regarding payment of bills
3. Resolution for Share Services Agreement with Ocean County Prosecutor's Office for participation in traffic safety program known as F.A.S.T
4. Resolution appointing Public Agency Compliance Officer
5. Second Public Hearing on 2021 Community Development Block Grant
6. Resolution regarding 2021 Community Development Block Grant funding application

7. Resolution authorizing cancellation of 2020 taxes and issue a refund to the homeowners
8. Introduction and first reading of Ordinance #2021-03 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED LAND DEVELOPMENT”
9. Introduction and first reading of Ordinance #2021-04 entitled: “ AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING ORDINANCE 25-27.41 TITLED “STORM DRAINAGE” AND ORDINANCE 25-27.48 TITLED “WATER QUALITY” CONTAINED WITHIN CHAPTER XXV ENTITLED LAND DEVELOPMENT.
10. Second Reading and Public Hearing of Ordinance #2021-01 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED “TRAFFIC””
11. Second Reading and Public Hearing of Ordinance #2021-0 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER X, TITLED PARKS, LAKES AND RECREATION AREAS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST”
12. Executive/closed session to discuss personnel matters/contract negotiations

Maryanne Capasso, RMC
Municipal Clerk

The Mayor and Council reserve the right to add or delete items from the agenda.

**RESOLUTION
FEBRUARY 4, 2021**

WHEREAS, the governing body of the Borough of Lakehurst, in the County of Ocean and State of New Jersey has carefully examined all vouchers presented to the Borough Clerk for payment of claims; finding all to be accurate and legitimate;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the bills list as presented in the amount of \$282,478.29 is hereby approved.

I, Maryann Capasso, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of February 4, 2021.

**Maryanne Capasso
Municipal Clerk, RMC**

P.O. Type: All
Range: First to Last
Format: Detail without Line Item Notes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

| PO # | PO Date | Vendor | Amount | Charge Account | Contract PO Type Acct Type Description | Stat/Chk | First Rcvd Enc Date Date | Chk/Void Date Invoice |
|----------|----------|----------------------------------|-----------------|-----------------|---|----------|-----------------------------|--------------------------|
| 20-00832 | 11/30/20 | P0151 PEDRONI FUEL OIL CO. | | | | | | |
| | | 1 DYED DIESEL FOR PW GARAGE | 780.57 | 0-01-31-447-266 | B DIESEL FUEL | R | 11/30/20 02/03/21 | |
| 20-00875 | 12/14/20 | H0520 CORE & MAIN | | | | | | |
| | | 1 5/8 X 3/4 ACCUSTREAM 100GL | 1,260.00 | 0-09-00-101-212 | B MAINTENANCE SUPPLIES | R | 12/14/20 02/03/21 | N499074 |
| | | 2 3/4 RUBBER METER WASHERS | 22.50 | 0-09-00-101-212 | B MAINTENANCE SUPPLIES | R | 12/14/20 02/03/21 | |
| | | | <u>1,282.50</u> | | | | | |
| 20-00904 | 12/18/20 | U0008 ULTRA EQUIPMENT, LLC | | | | | | |
| | | 1 FORD F550 CONTROL HARNESS | 444.79 | 0-09-00-101-252 | B MOTOR VEHICLE - MAINT/REPAIR | R | 12/18/20 02/03/21 | 10764 |
| 21-00004 | 01/15/21 | L0108 LORCO PETROLEUM SERVICES | | | | | | |
| | | 1 OIL RECYCLING - 350 GAL | 175.00 | 1-01-26-306-250 | B RECYCLING TAX | R | 01/15/21 02/03/21 | 1357578 |
| 21-00005 | 01/15/21 | P0257 PUBLIC WORKS ASSOC. OF NJ | | | | | | |
| | | 1 2021 MEMBERSHIP DUES | 75.00 | 1-09-00-101-281 | B PROFESSIONAL MEMBERSHIP & DUES | R | 01/15/21 02/03/21 | |
| | | 2 2021 MEMBERSHIP DUES | 15.00 | 1-09-00-101-281 | B PROFESSIONAL MEMBERSHIP & DUES | R | 01/15/21 02/03/21 | |
| | | | <u>90.00</u> | | | | | |
| 21-00006 | 01/15/21 | H0626 HENDERSON LABS, J.R. INC. | | | | | | |
| | | 1 LAB TESTS DECEMBER 2020 | 160.00 | 0-09-00-101-222 | B CONTRACTUAL SERVICES | R | 01/15/21 02/03/21 | 57189 |
| 21-00007 | 01/15/21 | A0083 AISH FIRE PROTECTION CO | | | | | | |
| | | 1 KITCHEN SUPPRESSION INSPECTION | 102.00 | 1-01-26-310-299 | B MISCELLANEOUS | R | 01/15/21 02/03/21 | 1036120420 |
| 21-00011 | 01/15/21 | E0033 EXTEL COMMUNICATIONS | | | | | | |
| | | 1 NEC SOFTWARE ASSURANCE | 496.00 | 1-01-26-310-222 | B CONTRACTUAL SERVICES | R | 01/15/21 02/03/21 | 221211 |
| | | 2 ANNUAL PHONE SYSTEM MAIN BORO | 712.00 | 1-01-26-310-222 | B CONTRACTUAL SERVICES | R | 01/15/21 02/03/21 | |
| | | 3 ANNUAL PHONE SYSTEM MAIN DPW | 510.00 | 1-09-00-101-222 | B CONTRACTUAL SERVICES | R | 01/15/21 02/03/21 | |
| | | | <u>1,718.00</u> | | | | | |
| 21-00012 | 01/15/21 | N0113 NJ WATER ASSOCIATION | | | | | | |
| | | 1 2021 ANNUAL MEMBERSHIP | 400.00 | 1-09-00-101-281 | B PROFESSIONAL MEMBERSHIP & DUES | R | 01/15/21 02/03/21 | 8511 |

February 3, 2021
02:31 PM

Borough of Lakehurst
Bill List By P.O. Number

Page No: 2

| PO # | PO Date | Vendor | Amount | Charge Account | Contract PO Type | Stat/Chk | First Rcvd | Chk/Void | Invoice |
|------------------|----------|--------------------------------|---------------|-----------------|----------------------------------|----------|---------------|----------|---------|
| Item Description | | | | | Acct Type Description | | Enc Date Date | Date | |
| 21-00013 | 01/15/21 | T0061 | | | TOMS RIVER HEATING & AIR COND | | | | |
| 1 | | BORO HALL NO HEAT | 125.00 | 0-01-26-310-244 | B EQUIPMENT - MAINTENANCE/REPAIR | R | 01/15/21 | 02/03/21 | 134622 |
| 21-00016 | 01/19/21 | 00143 | | | OCEAN COUNTY MAYOR'S ASSOC. | | | | |
| 1 | | 2021 MEMBERSHIP DUES | 220.00 | 1-01-20-110-281 | B PROFESSIONAL MEMBERSHIP & DUES | R | 01/19/21 | 02/03/21 | 2021-13 |
| 21-00021 | 01/19/21 | T0040 | | | TEAM LIFE | | | | |
| 1 | | WARRANTY BATTERY REPLACEMENT | 99.00 | 1-01-25-240-246 | B EQUIPMENT - SAFETY | R | 01/19/21 | 02/03/21 | 31322 |
| 21-00023 | 01/19/21 | P0038 | | | PRO-SHRED SOUTHERN NJ | | | | |
| 1 | | PD SHRED INVOICE# 29526 | 45.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 29526 |
| 21-00024 | 01/19/21 | P0041 | | | PRICED RITE TOWING | | | | |
| 1 | | INVOICE# 149709 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 149709 |
| 2 | | INVOICE# 149710 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 149710 |
| 3 | | INVOICE# 150180 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 150180 |
| 4 | | INVOICE# 150544 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 150544 |
| | | | <u>500.00</u> | | | | | | |
| 21-00025 | 01/19/21 | A0090 | | | ACCURATE TOWING | | | | |
| 1 | | IMPOUND VEHICLE INV# 70857 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 70857 |
| 2 | | IMPOUND VEHICLE INVOICE# 71694 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 71694 |
| 3 | | IMPOUND VEHICLE INV # 70773 | 125.00 | 1-01-25-240-297 | B Police - Miscellaneous | R | 01/19/21 | 02/03/21 | 70773 |
| | | | <u>375.00</u> | | | | | | |
| 21-00026 | 01/19/21 | T0969 | | | THIS & THAT UNIFORMS | | | | |
| 1 | | CLASS A PANTS | 170.00 | 0-01-25-240-274 | B UNIFORM ALLOWANCE - JAMES | R | 01/19/21 | 02/03/21 | 3238 |
| 21-00067 | 01/25/21 | 00531 | | | OCEAN COUNT POLICE CHIEF ASSOC | | | | |
| 1 | | 2021 ANNUAL DUES M. KLINE | 200.00 | 1-01-25-240-281 | B PROFESSIONAL MEMBERSHIP & DUES | R | 01/25/21 | 02/03/21 | |
| 21-00074 | 01/25/21 | R0046 | | | RUMPF LAW | | | | |
| 1 | | PUBLIC DEFENDER | 375.00 | T-03-00-100-005 | B Public Defender | R | 01/25/21 | 02/03/21 | |
| 21-00078 | 01/29/21 | D0966 | | | DOWNNS FORD | | | | |
| 1 | | PD 1307 BRAKES | 328.95 | 1-01-26-291-252 | B POLICE VEHICLE MAINT/REPAIR | R | 01/29/21 | 02/03/21 | 46068 |
| 21-00082 | 02/01/21 | P0022 | | | SUN LIFE | | | | |
| 1 | | LIFE INS BILL TO 03/21 | 127.71 | 1-01-23-220-227 | B Insurance - Life Insurance | R | 02/01/21 | 02/03/21 | |

| PO # | PO Date | Vendor | Contract | PO Type | First | Rcvd | Chk/Void | |
|----------------------------------|------------|--------------------------------------|-----------|------------------------------------|----------|----------|----------|---------|
| Item Description | Amount | Charge Account | Acct Type | Description | Stat/Chk | Enc Date | Date | Invoice |
| 21-00083 | 02/01/21 | NJ101 NJ DEPT OF HEALTH | | | | | | |
| 1 DOG LIC REPORT JANUARY 2021 | 87.00 | 1-15-00-900-003 | B | Due to State - License Fees | R | 02/01/21 | 02/03/21 | |
| 21-00084 | 02/01/21 | J0900 JCP&L | | | | | | |
| 1 ELECTRIC BILL UF | 3,113.82 | 1-09-00-101-276 | B | ELECTRIC | R | 02/01/21 | 02/03/21 | |
| 21-00085 | 02/01/21 | C0076 CLEARY, GIACOBBE, ALFIERI & | | | | | | |
| 1 LABOR ATTORNEY FEES | 765.00 | 1-01-20-155-231 | B | LEGAL SERVICES | R | 02/01/21 | 02/03/21 | 90210 |
| 21-00086 | 02/01/21 | M0113 MANCHESTER TOWNSHIP | | | | | | |
| 1 ILSA ANIMAL CONTROL 8/20-11/20 | 440.00 | 0-15-00-900-001 | B | Animal Control Expenditures | R | 02/01/21 | 02/03/21 | |
| 21-00087 | 02/01/21 | M0113 MANCHESTER TOWNSHIP | | | | | | |
| 1 IT SHARED SERVS 1ST QTR 2021 | 3,375.00 | 1-01-42-150-202 | B | Manchester Township - IT Services | R | 02/01/21 | 02/03/21 | |
| 21-00088 | 02/01/21 | A0506 AT&T | | | | | | |
| 1 AT&T TELEPHONE CHARGES 2 MONTH | 9,006.18 | 1-01-31-440-275 | B | TELEPHONE | R | 02/01/21 | 02/03/21 | |
| 21-00089 | 02/01/21 | B9112 B & K EQUIPMENT SERVICES | | | | | | |
| 1 BACKHOE INVOICE# 32134 | 308.58 | 1-09-00-101-252 | B | MOTOR VEHICLE - MAINT/REPAIR | R | 02/01/21 | 02/03/21 | 32134 |
| 2 BACKHOE INVOICE# 32154 | 1,092.61 | 1-09-00-101-252 | B | MOTOR VEHICLE - MAINT/REPAIR | R | 02/01/21 | 02/03/21 | 32154 |
| 3 2013 PETERBILT INVOICE# 32076 | 367.08 | 1-01-26-291-254 | B | SANITATION VEHICLE MAINT/REP | R | 02/01/21 | 02/03/21 | 32076 |
| 4 2010 PETERBILT INVOICE# 32211 | 230.96 | 1-01-26-291-254 | B | SANITATION VEHICLE MAINT/REP | R | 02/01/21 | 02/03/21 | 32211 |
| 5 MACK TRASHTRUCK INVOICE# 32210 | 358.80 | 1-01-26-291-254 | B | SANITATION VEHICLE MAINT/REP | R | 02/01/21 | 02/03/21 | 32210 |
| | 2,358.03 | | | | | | | |
| 21-00090 | 02/01/21 | J0900 JCP&L | | | | | | |
| 1 LED STREET LIGHTING | 429.21 | 1-01-31-436-276 | B | STREET LIGHTING | R | 02/01/21 | 02/03/21 | |
| 21-00091 | 02/01/21 | A0024 ACTION DATA SERVICES | | | | | | |
| 1 PAYROLL SERVICE PDEND 1/10/21 | 181.29 | 1-01-20-130-299 | B | Finance - Miscellaneous | R | 02/01/21 | 02/03/21 | 71657 |
| 21-00092 | 02/01/21 | M0052 MICHAEL VALINOTI | | | | | | |
| 1 MEDICARE REIMB 11/20 | 144.60 | 0-01-23-220-228 | B | Insurance - Medicare Reimbursement | R | 02/01/21 | 02/03/21 | |
| 2 MEDICARE REIMB 12/20 - 1/21 | 297.00 | 1-01-23-220-228 | B | Insurance - Medicare Reimbursement | R | 02/01/21 | 02/03/21 | |
| | 441.60 | | | | | | | |
| 21-00093 | 02/01/21 | O0284 OCEAN COUNTY DEPART OF FINANCE | | | | | | |
| 1 COUNTY LEVY DUE 2/15/2021 | 163,051.49 | 1-01-55-900-001 | B | COUNTY TAXES PAYABLE | R | 02/01/21 | 02/03/21 | |

| PO # | PO Date | Vendor | Amount | Charge Account | Contract Acct Type | PO Type Description | Stat/Chk | First Enc Date | Rcvd Date | Chk/Void Date | Invoice |
|--|----------|--|-------------------|-----------------|--------------------|---|----------|----------------|-----------|---------------|----------|
| 21-00093 | 02/01/21 | 00284 OCEAN COUNTY DEPART OF FINANCE Continued | | | | | | | | | |
| | | 2 COUNTY A/O DUE 2/15/2021 | 2,932.20 | 1-01-55-900-001 | | B COUNTY TAXES PAYABLE | R | 02/01/21 | 02/03/21 | | |
| | | | <u>165,983.69</u> | | | | | | | | |
| 21-00094 | 02/01/21 | C0060 COMCAST CABLE | | | | | | | | | |
| | | 1 ESC CABLE MODEM | 156.52 | 1-01-31-440-275 | | B TELEPHONE | R | 02/01/21 | 02/03/21 | | |
| | | 2 PW CABLE MODEM | 110.84 | 1-01-31-440-275 | | B TELEPHONE | R | 02/01/21 | 02/03/21 | | |
| | | 3 BORO HALL CABLE MODEM | 174.57 | 1-01-31-440-275 | | B TELEPHONE | R | 02/01/21 | 02/03/21 | | |
| | | 4 PD CABLE MODEM | 105.84 | 1-01-31-440-275 | | B TELEPHONE | R | 02/01/21 | 02/03/21 | | |
| | | | <u>547.77</u> | | | | | | | | |
| 21-00095 | 02/03/21 | G0030 GRAMCO BUSINESS COMMUNICATIONS | | | | | | | | | |
| | | 1 MAIN AGREEMENT RECORDING SYST | 900.00 | 1-01-20-120-222 | | B Clerk - Contractual Services | R | 02/03/21 | 02/03/21 | | |
| | | 2 LAND USE BOARD SHARE | 395.00 | 1-01-21-180-222 | | B Planning Board - Contractual Services | R | 02/03/21 | 02/03/21 | | |
| | | | <u>1,295.00</u> | | | | | | | | |
| 21-00096 | 02/03/21 | W0030 WEX BANK | | | | | | | | | |
| | | 1 WAWA GAS CHARGES JAN 2021 | 2,184.16 | 1-01-31-447-265 | | B GASOLINE | R | 02/03/21 | 02/03/21 | | 69853245 |
| 21-00097 | 02/03/21 | J0900 JCP&L | | | | | | | | | |
| | | 1 ELECTRIC BILL STREET LIGHTING | 1,411.90 | 1-01-31-436-276 | | B STREET LIGHTING | R | 02/03/21 | 02/03/21 | | |
| 21-00098 | 02/03/21 | J0900 JCP&L | | | | | | | | | |
| | | 1 ELECTRIC BILL CF | 1,849.12 | 1-01-31-435-276 | | B ELECTRICITY | R | 02/03/21 | 02/03/21 | | |
| <hr/> Total Purchase Orders: 36 Total P.O. Line Items: 55 Total List Amount: 201,187.29 Total Void Amount: 0.00 <hr/> | | | | | | | | | | | |

| Totals by Year-Fund | | | | | | | |
|-----------------------------|---------------------|-------------|-------------|--------------|---------------|-----------|------------|
| Fund Description | Fund | Budget Rcvd | Budget Held | Budget Total | Revenue Total | G/L Total | Total |
| CURRENT FUND APPROPRIATIONS | 0-01 | 1,220.17 | 0.00 | 1,220.17 | 0.00 | 0.00 | 1,220.17 |
| WATER & SEWER OPERATING | 0-09 | 1,887.29 | 0.00 | 1,887.29 | 0.00 | 0.00 | 1,887.29 |
| ANIMAL CONTROL FUND | 0-15 | 440.00 | 0.00 | 440.00 | 0.00 | 0.00 | 440.00 |
| | Year Total: | 3,547.46 | 0.00 | 3,547.46 | 0.00 | 0.00 | 3,547.46 |
| CURRENT FUND APPROPRIATIONS | 1-01 | 191,662.82 | 0.00 | 191,662.82 | 0.00 | 0.00 | 191,662.82 |
| WATER & SEWER OPERATING | 1-09 | 5,515.01 | 0.00 | 5,515.01 | 0.00 | 0.00 | 5,515.01 |
| ANIMAL CONTROL FUND | 1-15 | 87.00 | 0.00 | 87.00 | 0.00 | 0.00 | 87.00 |
| | Year Total: | 197,264.83 | 0.00 | 197,264.83 | 0.00 | 0.00 | 197,264.83 |
| | T-03 | 375.00 | 0.00 | 375.00 | 0.00 | 0.00 | 375.00 |
| | Total of All Funds: | 201,187.29 | 0.00 | 201,187.29 | 0.00 | 0.00 | 201,187.29 |

P.O. Type: All
Range: First to Last
Format: Detail without Line Item Notes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

| PO # | PO Date | Vendor | Amount | Charge Account | Contract Acct | PO Type Description | Stat/Chk | First Enc Date | Rcvd Date | Chk/Void Date | Invoice |
|----------|----------|----------------------------------|------------------|-----------------|---------------|--------------------------------|----------|----------------|-----------|---------------|---------|
| 21-00076 | 01/26/21 | 00141 OCEAN COUNTY MUNICIPAL JIF | | | | | | | | | |
| 1 | 2021 | 1ST INSTALLMENT GENLIA | 33,951.00 | 1-01-23-210-224 | B | INSURANCE - LIABILITY | R | 01/26/21 | 01/26/21 | | |
| 2 | 2021 | 1ST INSTALLMENT W/C | 31,082.00 | 1-01-23-215-224 | B | INSURANCE-WORKERS COMPENSATION | R | 01/26/21 | 01/26/21 | | |
| 3 | 2021 | 1ST INSTALLMENT | 7,770.00 | 1-09-00-101-228 | B | INSURANCE - OTHER | R | 01/26/21 | 01/26/21 | | |
| 4 | 2021 | 1ST INSTALLMENT | 8,488.00 | 1-09-00-101-228 | B | INSURANCE - OTHER | R | 01/26/21 | 01/26/21 | | |
| | | | <u>81,291.00</u> | | | | | | | | |

Total Purchase Orders: 1 Total P.O. Line Items: 4 Total List Amount: 81,291.00 Total Void Amount: 0.00

| Totals by Year-Fund | | | | | | | |
|-----------------------------|------|------------------|-------------|------------------|---------------|-------------|------------------|
| Fund Description | Fund | Budget Rcvd | Budget Held | Budget Total | Revenue Total | G/L Total | Total |
| CURRENT FUND APPROPRIATIONS | 1-01 | 65,033.00 | 0.00 | 65,033.00 | 0.00 | 0.00 | 65,033.00 |
| WATER & SEWER OPERATING | 1-09 | 16,258.00 | 0.00 | 16,258.00 | 0.00 | 0.00 | 16,258.00 |
| Total of All Funds: | | <u>81,291.00</u> | <u>0.00</u> | <u>81,291.00</u> | <u>0.00</u> | <u>0.00</u> | <u>81,291.00</u> |

**RESOLUTION
FEBRUARY 4, 2021**

WHEREAS, the Prosecutor's Program is a traffic safety program (also known as the Fatal Accident Support Team, F.A.S.T.) by the Ocean County Prosecutor's Office for the purpose of assisting in the investigation, prosecution of fatal accidents and in traffic enforcement and education; **and**

WHEREAS, the Shared Services Act, N.J.S.A. 40A:8A-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services, **and**

WHEREAS, the Borough of Lakehurst is desirous of entering into an Interlocal Agreement with the Ocean County Prosecutor's Office for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by Borough of Lakehurst to the Prosecutor's Program.

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

1. That the Mayor and the Municipal Clerk of the Borough of Lakehurst are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the Ocean County Prosecutor's Office for participation in the Prosecutor's Program
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall be effective retroactively from January 1, 2021 and shall remain in full force and effect through December 31, 2021.
4. A certified copy of this resolution shall be forwarded to the Ocean County Prosecutor's Office

I, Maryanne Capasso, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of February 4, 2021.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
FEBRUARY 4, 2021**

WHEREAS, in accordance with N.J.A.C. 17:27-3.2 each public agency shall designate an individual to serve as its Public Agency Compliance Officer (PACO), which serves as the liaison between the Department of the Treasury, Division of Public Contracts Equal Employment Opportunity and the Borough, **and**

WHEREAS, the PACO serves as the Public Agency's point of contact for all matters concerning implementation and administration of the above referenced statute, **and**

WHEREAS, the Mayor and Council are desirous of appointing Municipal Clerk Maryanne Capasso to the position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Maryanne Capasso is hereby appointed a Public Agency Compliance Officer for the Borough of Lakehurst.

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C 17:27 the Municipal Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State of New Jersey Department of the Treasury Division of Contract Compliance and EEO in Public Contracts.

I, Maryanne Capasso, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of February 4, 2021.

**Maryanne Capasso, RMC
Municipal Clerk**

R E S O L U T I O N 2021-

AUTHORIZING CANCELLATION OF 2021 TAXES AND ISSUE A REFUND TO
THE HOMEOWNER

BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst that upon the recommendation of the Tax Assessor, the 2020 taxes are exempt and should be cancelled on the following property assessed to the appropriate homeowner. The cancellation creates an overpayment of property taxes, that will be refunded as follows;

| <u>BLOCK</u> | <u>LOT</u> | <u>NAME</u> | <u>YEAR</u> | <u>AMOUNT</u> | <u>REFUND</u> |
|--------------|------------|--------------------|-------------|---------------|---------------|
| 8 | 6 | McLaughlin, Vernon | 2020 | \$ 1,824.15 | \$ 1,824.15 |

I, Maryanne Capasso, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of February 4, 2021.

Maryanne Capasso, RMC
Municipal Clerk

BOROUGH OF LAKEHURST

ORDINANCE #2021-03

"AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED LAND DEVELOPMENT"

1. Section 25-16 is hereby amended in its entirety.

25-16 STORMWATER CONTROL

25-16.1 Scope and Purpose.

A. Policy Statement

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

B. Purpose.

The purpose of this ordinance is to establish minimum stormwater management requirement and controls for “major development” as defined below in Section 25-16.2.

C. Applicability.

1. This ordinance shall apply to the following major developments:
 - a. Non-residential major developments.
 - b. Aspects of residential development that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. All major development projects undertaken by the Borough shall comply with this ordinance.

D. Compatibility with Other Permit and Ordinance Requirements.

1. Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the Applicant of the responsibility to secure required permit or approvals for activities regulated by any other applicable code, rule, act or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of public health, safety and general welfare
2. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation , or other provision of law, the more restrictive or stringent provisions or higher standards shall control.

25-16.2 Definitions.

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

"Aquaculture" means the propagation, rearing and subsequent harvesting of aquatic organisms in controlled or selected environments, and their subsequent processing, packaging and marketing, including but not limited to, activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting and providing for protection from predators.

"The Borough" means the Land Use Board or other board, agency or official of the Borough of Lakehurst with authority to approve or disapprove subdivisions, site plans, construction permits, building permits or other applications for development approval. For the purposes of reviewing development applications and ensuring compliance with the requirements of this ordinance, the Borough of Lakehurst may designate the municipal engineer or other qualified designee to act on behalf of the Borough of Lakehurst.

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

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

"Certification" means either a written statement signed and sealed by a licensed New Jersey Professional Engineer attesting that a BMP design or stormwater management system conforms to or meets a particular set of standards or to action taken by the Commission pursuant to N.J.A.C. 7:50-3, Part II or Part IV. Depending upon the context in which the term is use, the

terms "certify" and "certified" shall be construed accordingly.

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

"Compaction" means the increase in soil bulk density caused by subjecting soil to greater-than-normal loading. Compaction can also decrease soil infiltration and permeability rates.

"Construction" means the construction, erection, reconstruction, alteration, conversion, demolition, removal or equipping of buildings, structures or components of a stormwater management system including but not limited to collection inlets, stormwater piping, swales and all other conveyance systems, and stormwater BMPs.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

"Design permeability" means the tested permeability rate with a factor of safety of two (2) applied to it (e.g., if the tested permeability rate of the soils is four (4) inches per hour, the design rate would be two (2) inches per hour).

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

In the case of development on agricultural land, i.e. lands used for an agricultural use or purpose as defined at N.J.A.C. 7:50-2.11, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Boards (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.

"Development, minor" means all development other than major development.

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

"Drainage area" means a geographic area within which stormwater, sediments, or dissolved materials drain to a BMP, a stormwater management system, a particular receiving waterbody, or a particular point along a receiving waterbody.

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

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

"Environmentally critical area" means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened animal species; threatened or endangered plants of the Pinelands pursuant to N.J.A.C. 7:5-6.27(a); large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. T & E habitat constitutes habitat that is critical for the survival of a local population of threatened and endangered species or habitat that is identified using the Department's Landscape Project as approved by the Department's Endangered and Non-game Species Program, whichever is more inclusive. Threatened and endangered wildlife shall be protected in conformance with N.J.A.C. 7:50-6.33.

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

"Exception" means the approval by the approving authority of a variance or other material departure from strict compliance with any section, part, phrase, or provision of this ordinance. An exception may be granted only under certain specific, narrowly defined conditions described herein and does not constitute a waiver of strict compliance with any section, part, phrase, or provision of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-1.1 et seq.).

"Extended detention basin" means a facility constructed through filling and/or excavation that provides temporary storage of stormwater runoff. It has an outlet structure that detains and attenuates runoff inflows and promotes the settlement of pollutants. An extended detention basin is normally designed as a multi-stage facility that provides runoff storage and attenuation for both stormwater quality and quantity management. The term "stormwater detention basin" shall have the same meaning as "extended detention basin."

"Finished grade" means the elevation of the surface of the ground after completion of final grading, either via cutting, filling, or a combination thereof.

"Grading" means modification of a land slope by cutting and filling with the native soil or re-distribution of the native soil which is present at the site.

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

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

"Groundwater" means water below the land surface in a zone of saturation.

"Groundwater mounding analysis" means a test performed to demonstrate that the groundwater below a stormwater infiltration basin will not "mound up," encroach on the unsaturated zone, break the surface of the ground at the infiltration area or downslope, and create an overland flow situation .

"Heavy Equipment" means equipment, machinery, or vehicles that exert ground pressure in excess of eight (8) pounds per square inch.

"High Pollutant Loading Area" means an area in an industrial or commercial development site: where solvents and/or petroleum products are loaded/unloaded , stored, or applied; where pesticides are loaded/unloaded or stored; 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; where recharge would be inconsistent with NJDEP- approved remedial action work plan or landfill closure plan; and/or where a high risk exists for spills of toxic materials, such as gas stations and vehicle maintenance facilities. The term "HPLA" shall have the same meaning as "High Pollutant Loading Area."

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular

receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

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

"Infiltration" is the process by which precipitation enters the soil through its surface.

"In lieu contribution" means a monetary fee collected by the Borough in lieu of requiring strict on-site compliance with the groundwater recharge, stormwater runoff quantity and/or stormwater runoff quality standards established in this ordinance.

"Install" means to assemble, construct, put in place or connect components of a stormwater management system.

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

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

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

"Mitigation" means acts necessary to prevent, limit, remedy or compensate for conditions that may result from those cases where an applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in N.J.A.C. 7:8, in an adopted regional stormwater management plan, or in a local ordinance which is as protective as N.J.A.C. 7:8, and an exception from strict compliance is granted by the Borough and the Pinelands Commission.

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

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

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

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 25-16.4(F). of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

"NJDEP" means the New Jersey Department of Environmental Protection.

"NJPDES" means the New Jersey Pollutant Discharge Elimination System as set forth in N.J.S.A 58:10A-1 et seq. and in N.J.AC. 7:14A

"NJPDES permit" means a permit issued by the NJDEP pursuant to the authority of the Water Pollution Control Act, N.J.S.A 58:10A-1 et seq., and N.J.A.C. 7:14A for a discharge of pollutants.

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

"Nonstructural BMP" means a stormwater management measure, strategy or combination of strategies that reduces adverse stormwater runoff impacts through sound site planning and design. Nonstructural BMPs include such practices as minimizing site disturbance, preserving important site features, reducing and disconnecting impervious cover, flattening slopes, utilizing native vegetation, minimizing turf grass lawns, maintaining natural drainage features and characteristics and controlling stormwater runoff and pollutants closer to the source. The term "Low Impact Development technique" shall have the same meaning as "nonstructural BMP."

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

"Permeability" means the rate at which water moves through a saturated unit area of soil or rock material at hydraulic gradient of one, determined as prescribed in N.J.A.C. 7:9A-6.2 (Tube Permeameter Test), N.J.A.C. 6.5 (Pit Bailing Test) or N.J.A.C. 6.6 (Piezometer Test). Alternative permeability test procedures may be accepted by the approving authority provided the test procedure attains saturation of surrounding soils, accounts for hydraulic head effects on

infiltration rates, provides a permeability rate with units expressed in inches per hour and is accompanied by a published source reference. Examples of suitable sources include hydrogeology, geotechnical, or engineering text and design manuals, proceedings of American Society for Testing and Materials (ASTM) symposia, or peer-review journals. Neither a Soil Permeability Class Rating Test, as described in N.J.A.C. 7:9A-6.3, nor a Percolation Test, as described in N.J.A.C. 7:9A-6.4, are acceptable tests for establishing permeability values for the purpose of complying with this ordinance.

"Permeable" means having a permeability of one (1) inch per hour or faster. The terms "permeable soil," "permeable rock" and "permeable fill" shall be construed accordingly.

"Person" means any individual, corporation, company, partnership, firm, association, municipality 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. Person shall also mean any state, interstate, or Federal Agency.

"Pinelands Commission" or "Commission" means the Commission created pursuant Section 5 of the Pinelands Protection Act, N.J.S.A. 13:18A-5.

"Pinelands CMP" means the New Jersey Pinelands Comprehensive Management Plan (N.J.A.C. 7:50 1.1 et seq).

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substances (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, suspended solids, 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.

"Professional Engineer" means a person licensed to practice Professional Engineering in the State of New Jersey pursuant to N.J.S.A. 48:8-27 et seq.

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

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

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

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

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

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

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

"Replicate" means one of two or more soil samples or tests taken at the same location (within five feet of each other) and depth, within the same soil horizon or substratum. In the case of fill material, replicate tests are tests performed on sub- samples of the same bulk sample packed to the same bulk density.

"Sand" means a particle size category consisting of mineral particles which are between 0.05 and 2.0 millimeters in equivalent spherical diameter. Also, a soil textural class having 85 percent or more of sand and a content of silt and clay such that the percentage of silt plus 1.5 times the percentage of clay does not exceed 15, as shown in Section 25-16.11(C)(1) (USDA Soil Textural Triangle).

"Seasonally high-water table" means the upper limit of the shallowest zone of saturation which occurs in the soil, identified as prescribed in N.J.A.C. 7:9A-5.8.

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

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

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

"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.

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

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

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

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

"Stormwater management measure" means any ~~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 non-stormwater discharges into stormwater conveyances.

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

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

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

“Suitable soil” means unsaturated soil, above the seasonally high water table, which contains less than fifty percent (50%) by volume of coarse fragments and which has a tested permeability rate of between one (1) and twenty (20) inches per hour.

"Surface water" means any waters of the State which are not groundwater.

"Time of concentration" means the time it takes for runoff to travel from the hydraulically most distant point of the drainage area to the point of interest within a watershed.

"Total Suspended Solids" means the insoluble solid matter suspended in water and stormwater that is separable by laboratory filtration in accordance with the procedure contained in the "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation. The term "TSS" shall have the same meaning as "Total Suspended Solids."

"Tidal Flood Hazard Area" means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic

Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

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

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

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

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

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

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

"Water table" means the upper surface of a zone of saturation.

"Well" means a bored, drilled, or driven shaft, or a dug hole, which extends below the seasonally high-water table and which has a depth which is greater than its largest surface dimension.

"Wetlands" mean those lands, which are inundated or saturated by water at a magnitude, duration and frequency 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. Wetlands include lands with poorly drained or very poorly drained soils as designated by the National Cooperative Soils Survey of the Soil Conservation Service of the United States Department of Agriculture. Wetlands include coastal wetlands and inland wetlands, including submerged lands. The "New Jersey Pinelands Commission Manual for Identifying and Delineating Pinelands Area Wetlands : A Pinelands Supplement to the Federal Manual for Identifying and Delineating Jurisdictional Wetlands," dated January, 1991, as amended, may be utilized in delineating the extent of wetlands based on the definitions of

wetlands and wetlands soils contained in this section, N.J.A.C. 7:50

2.11, 6.4 and 6.5. The term "wetland" shall have the same meaning as "wetlands."

"Wet pond" means a stormwater facility constructed through filling and/or excavation that provides both permanent and temporary storage of stormwater runoff. It has an outlet structure that creates a permanent pool and detains and attenuates runoff inflows and promotes the settling of pollutants. A stormwater retention basin can also be designed as a multi-stage facility that also provides extended detention for enhanced stormwater quality design storm treatment and runoff storage and attenuation for stormwater quantity management. The term "stormwater retention basin" shall have the same meaning as "wet pond."

25-16.3 Design and Performance Standards for Stormwater Management Measures

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

25-16.4 Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 25-16.10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-16.4P, Q and R:
 - 1. The construction of an underground utility line provided that the disturbed areas are

- revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-16.4O, P, Q and R, may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternative's analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 25-16.4O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section 25-16.4O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Section 25-16.4 D.3 within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 25-16.4O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 25-16.4O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

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

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

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

(Notes corresponding to annotations ^(a) through ^(g) are found below)

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

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

| 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 | | | | |
|---|--|----------------------------|----------------------|--|
| Best Management Practice | Stormwater Runoff Quality TSS Removal Rate (percent) | Stormwater Runoff Quantity | Groundwater Recharge | Minimum Separation from Seasonal High Water Table (feet) |
| Blue Roof | 0 | Yes | No | N/A |
| Extended Detention Basin | 40-60 | Yes | No | 1 |

| | | | | |
|--|----------|-----|----|---------------------------|
| Manufactured Treatment Device ^(h) | 50 or 80 | No | No | Dependent upon the device |
| Sand Filter ^(c) | 80 | Yes | No | 1 |
| Subsurface Gravel Wetland | 90 | No | No | 1 |
| Wet Pond | 50-90 | Yes | No | N/A |

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 25-16.4O.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 Section 25-16.2;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 25-16.2.

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 Section 25-16.6.B. Alternative stormwater management measures may be used to satisfy the requirements at Section 25-16.4(O) only if the measures meet the definition of green infrastructure at Section 25-16.2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section 25-16.4O.2 are subject to the contributory drainage area limitation specified at Section 25-16.4O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section 25-16.4O.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 Section 25-16.4D is granted from Section 25.16.4O.

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, ~~and~~ 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 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 the bars of six inches. In addition, the design of the trash racks must comply with the requirements of Section 25-16.8C.
3. Stormwater management measures shall be designed and constructed 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 7.8 shall be deemed to meet these requirements, to minimize and facilitate maintenance and repairs; and to ensure proper functioning.
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 25-16.8.
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 Section 25-16.2 may be used only under the circumstances described at Section 25-16.4O.4.

K. Any application for a new agricultural development that meets the definition of major development at Section 25-16.2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Section 25-16.4O, 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 Sections 25-16.4P, 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 recorded deed notice recorded at the Ocean County Clerk's office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections 25-16.4O, 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 Section 25-16.10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 25-16.4 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 Ocean County Clerks office 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 Sections 25-16.4P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 25-16F. and/or an alternative stormwater management measure approved in accordance with Section 25-16.4G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. To satisfy the stormwater runoff quantity standards at Section 25-16.4R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 25-16.4G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 25-16.4D 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 Section 25-16.4G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections 25-16.4P, 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 Sections 25-16.4P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 24-16.4D.

P. Groundwater Recharge Standards.

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 25-16.5 shall 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.
 - b) Demonstrate through hydrologic and hydraulic analysis that any increase of the stormwater runoff volume from preconstruction 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

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

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

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

Where

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

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

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 25-16. 4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 25-16.5, 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 post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - d. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.a, 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.

25-16.5 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 Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

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

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

- 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 pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology above at Section 5.A.1.a and the Rational and Modified Rational Methods at Section 5.A.1.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 years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
 4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.
 5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater Recharge may be calculated in accordance with the following:
1. The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as

amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

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

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, P.O. Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420; (609) 984-6587.

25-16.6 Sources for Technical Guidance.

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at: http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

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

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

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

C. Additional Guidance Sources.

- (1) New Jersey Pinelands Commission, PO Box 7, 15 Springfield Road, New Lisbon, New Jersey 08064; Phone: 609-894-7300; Website: <http://www.state.nj.us/pinelands>.
- (2) Ocean County Soil Conservation District, 714 Lacey Road, Forked River, New Jersey 08731; Phone: 609-971-7002; Fax 609-971-3391; Website : www.ocscd.org
- (3) New Jersey Department of Transportation, PO Box 600, Trenton, NJ 08625-0600; Phone: 609-530-3536; Website: <http://www.state.nj.us/transportation>.

25-16.7 Solids and Floatable Materials Control Standards:

A. Site design features identified under Section 25-16.4F above, or alternative designs in accordance with Section 25-16.4G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 25-16.7A.2 below.

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

25-16.8 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 BMP's. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMP's. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMP's to be retrofitted to meet one or more of the safety standards in Section 25-16.8.C.1, .C.2, and C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - 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; and

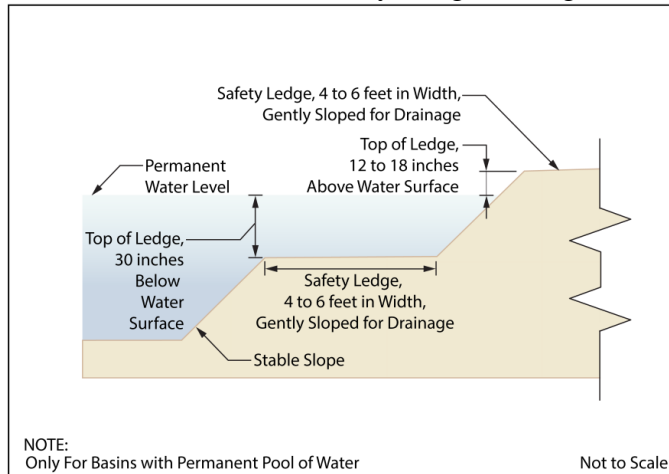
- d. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 lbs./sq. ft.
 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such 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./sq. ft.
3. Stormwater Management BMP's include escape provisions as follows:
 - a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps rungs or other features that provide easily accessible means of egress from stormwater management BMP's. With the prior approval of the municipality pursuant to 25-16.8.C, a free-standing outlet structure may be exempted from this requirement.
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMP's having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See Section 8.E for an illustration of safety ledges in a stormwater management BMP; and
 - c. In new stormwater management BMP's, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.

D. Variance or Exemption from Safety Standards

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

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

Elevation View –Basin Safety Ledge Configuration



25-16.9 Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan.

- (1) Whenever an applicant seeks municipal approval of a site development that is subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 25-16.9C below as part of the applicant's application for subdivision or site plan approval. These required components are in addition to any other information required under any provisions of the Borough's land use ordinance or by the Pinelands Commission pursuant to N.J.A.C. 7:50-1.1 et seq.
- (2) The applicant shall demonstrate that the site development project meets the standards set forth in this ordinance.
- (3) The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 25-16.9C of this ordinance.

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 Land Use Board to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of the Site Development Stormwater Plan

The following information shall be required:

Checklist Requirements. Any application for approval of a major development shall include at least the following information. All required engineering plans shall be submitted to the Borough and the Pinelands Commission in CAD Format 15 or higher, registered and rectified to NJ State Plane Feet NAD 83 or Shape Format NJ State Plane Feet NAD 83, and all other documents shall be submitted in both paper and commonly used electronic file formats such as pdf., word processing, database or spreadsheet files. Three (3) copies of each item shall be submitted.

1. Topographic Base Map. The applicant shall submit a topographic base map of the site which extends a minimum of three hundred (300) feet beyond the limits of the proposed development, at a scale of one (1) inch = two hundred (200) feet or greater, showing one (1) foot contour intervals. The map shall indicate the following: existing surface water drainage, shorelines, steep slopes, soils, highly erodible soils, perennial or intermittent streams that drain into or upstream of any Category One or Pinelands Waters, wetlands and floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing surface and subsurface human-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown. The Borough or the Pinelands Commission may require upstream tributary drainage system information as necessary.

2. Environmental Site Analysis. The applicant shall submit a written and graphic description of the natural and human-made features of the site and its environs. This description should include:

- a) A discussion of environmentally critical areas, 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 for or constraints on development; and
- b) Detailed soil and other environmental conditions on the portion of the site proposed for installation of any stormwater BMPs, including, at a minimum: soils report based on onsite soil tests; locations and spot elevations in plan view of test pits and permeability tests; permeability test data and calculations; and any other required soil data (e.g., mounding analyses results) correlated with location and elevation of each test site; cross-section of proposed stormwater BMP with side-by-side depiction of soil profile drawn to scale and seasonal high water table elevation identified; and any other information necessary to demonstrate the suitability of the specific proposed structural and nonstructural stormwater management measures relative to the environmental conditions on the portion(s) of the site proposed for implementation of those measures.

3. Project description and site plan(s). The applicant shall submit a map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and

other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan.

- a) This plan shall provide a demonstration of how the goals and standards of Sections 25-16.3 through 25-16.5 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 applicant shall submit a map, at the same scale as the topographic base map, depicting the following information:

- a) The total area to be disturbed, paved and/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 manage and dispose of stormwater; and
- 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 (if applicable) and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this ordinance.
- b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure

7. Maintenance and Repair Plan.

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 25-16.10.

8. Exception from submission requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of these required components in Section 25-16.9C.1 thru 9C.6 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.

25-16.10 Maintenance and Repair

A. Applicability

1. Projects subject to review as in Section 1.C of this ordinance shall comply with the requirements of Section 10.B and 10.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of basin, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section 10.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section 10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs

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

7. The party responsible for maintenance identified under Section 10.B.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 Section 10.B.6 and B.7 above.
 8. The requirements of Section 10.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

25-16.11: Penalties:

1. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure, or land in violation of this ordinance shall be subject to the following penalties:

A fine not less than \$ 500.00 and not to exceed \$ 1,250.00;

Imprisonment up to 90 days in the county jail;

Or both

25-16.12: Severability:

If the provisions of any section, subsection, sentence, clause and phrase paragraph, 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.

25-16.13 Effective Date:

This ordinance 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, and publication as required by law.

Hon. Harry Robbins Mayor

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at the regular meeting of the governing body of the Borough of Lakehurst, County of Ocean, and State of New Jersey, held on the fourth day of February, 2021 and that said ordinance will be considered for final passage at the meeting of said governing body to be held at the Community Center, Center Street, Lakehurst, New Jersey on the fourth day of March at 7:30 p.m. or as soon thereafter as said matter may be reached, at which time and place any person desiring to be heard shall be given an opportunity to be so heard.

Maryanne Capasso, RMC
Municipal Clerk

ORDINANCE NO. 2021-04

**ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN,
STATE OF NEW JERSEY, REPEALING ORDINANCE 25-27.41 TITLED
“STORM DRAINAGE” AND ORDINANCE 25-27.48 TITLED “WATER
QUALITY” CONTAINED WITHIN CHAPTER XXV ENTITLED LAND
DEVELOPMENT.**

WHEREAS, the Borough of Lakehurst has adopted an Ordinance repealing ordinance 25-27.41 titled “storm drainage” contained within Chapter XXV of the Land Development section of the Borough of Lakehurst General Ordinances adopted in 2006 as this conflicts with the new amended ordinance 25-16 titled “Stormwater Control”; and

WHEREAS, the Borough of Lakehurst has adopted an Ordinance repealing ordinance 25-27.48 titled “water quality” contained within Chapter XXV of the Land Development section of the Borough of Lakehurst General Ordinances adopted in 2006 as this conflicts with the new amended ordinance 25-16 titled “Stormwater Control”; and

NOW, THEREFORE, BE IT ORDAINED, by the Lakehurst Borough Council, County of Ocean, and State of New Jersey, that Chapter XXV of the of the Land Development Ordinances be amended as follows:

(1) Ordinance 25-27.41 and 25-27.48 are hereby repealed;

Severability

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency. If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

Effective date

This ordinance shall take effect immediately upon final passage and publication as required by law.

Hon. Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at the regular meeting of the governing body of the Borough of Lakehurst, County of Ocean, and State of New Jersey, held on the fourth day of February, 2021 and that said ordinance will be considered for final passage at the meeting of said governing body to be held at the Community Center, Center Street, Lakehurst, New Jersey on the fourth day of March, 2021 at 7:30 p.m. or as soon thereafter as said matter may be reached, at which time and place any person desiring to be heard shall be given an opportunity to be so heard.

Maryanne Capaso, RMC
Municipal Clerk

BOROUGH OF LAKEHURST

ORDINANCE NO. 2021-01

AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED "TRAFFIC"

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

SECTION 1. Purpose and Intent. The amendment(s) set forth herein shall serve the purpose of establishing reasonable and impartial regulations with regard to vehicular traffic within the Borough of Lakehurst.

SECTION 2. Amendment(s). The Revised General Ordinances of the Borough of Lakehurst at Chapter VII, entitled "Traffic," Section 7-22, entitled "One-Way Streets," is hereby amended so as to delete Lilac Street as one of the streets subject to the restrictions of such Section, thereby permitting the entire length of Lilac Street to hereafter be designated and operated as a two-way street.

SECTION 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION 5. Effective Date. This ordinance shall take effect upon final passage and publication as provided by law.

Harry Robbins, Mayor

NOTICE IS HEREBY GIVEN that an ordinance #2021-01 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED "TRAFFIC" was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the fourth day of February, 2021.

Maryanne Capasso, Clerk

BOROUGH OF LAKEHURST

ORDINANCE #2021-02

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER X, TITLED PARKS, LAKES AND RECREATION AREAS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST”

WHEREAS, the Borough of Lakehurst has adopted an Ordinance to enhance the quality of life for residents, making their municipality a better home; and

WHEREAS, the Borough of Lakehurst seeks to modify the Parks, Lakes and Recreation area Ordinance by Supplementing Chapter X of its General Ordinances; and

NOW, THEREFORE, BE IT ORDAINED, by the Lakehurst Borough Council, County of Ocean, and State of New Jersey, that Chapter X of the of the Parks, Lakes and Recreation areas be amended and supplemented as follows:

SECTION 10-1 USE OF LAKE HORICON AREA

10-1.1 Purpose: The waters of Lake Horicon and the lands adjoining the same are used by the public for their enjoyment, health and entertainment, and in the interests of the public health, safety and general welfare, certain restrictions, prohibitions and safeguards must be made and enforced with reference to the use and enjoyment thereof.

SECTION 1.2 is hereby amended to state:

10-1.2 Prohibitions. It shall be unlawful for any person to use the waters of Lake Horicon for the following purposes:

- a. The washing of any automobile or vehicle of any kind.
- b. The bathing or washing of any dog, cat or other animal.
- c. No person shall disrobe or dress or undress or robe in any public place in, near or around the lake.
- d. Children under the age of eight (8) years are required to be accompanied by an adult.
- e. No tents, cabanas or any other temporary structures are permitted on the beach.

SECTION 1.3 Alcoholic Beverages. No personal shall be permitted to consume or have in their possession for consumption any alcoholic beverage of any kind whatsoever either while on the waters of Lake Horicon or on the adjacent lands used in connection therewith. (1973 Code § 3-5.3)

SECTION 1.4 Cooking. It is unlawful for any person to use or operate any cooking grill or other cooking device or apparatus except on grills owned by the municipality. (1973 Code § 3-5.4)

SECTION 1.5 Littering. It shall be unlawful to litter any of the bathing beaches or the lands adjoining the lake with paper, refuse, bottles, cans or debris of any kind or to throw any of such objects into the waters of the lake. (1973 Code §3-5.5)

SECTION 1.6 is hereby amended to state:

10-1.6. Boating. In connection with the operation of boats upon the waters of Lake Horicon, the following acts are prohibited and shall be deemed unlawful:

- a. To use or operate any motorboat which is fueled by gasoline. Additionally, to use or operate any electric motorboat having an electric motor in excess of five (5) horsepower.
- b. It shall be unlawful to operate any boat or canoe in the bathing beach areas.
- c. For any person to use the lifeboat provided for any purpose other than an emergency, or as shall be directed and authorized by the Council.

SECTION 1.7 is hereby amended to state:

10-1.7. Parking. With respect to the operation, parking and control of automobiles and motor vehicles in the lake area, the followings acts are prohibited and shall be deemed unlawful:

- a. Parking for Lake Street is permitted in designated areas only.
- b. To park or stop any truck, bus or commercial vehicle in the bathing areas or approaches to the lake area for a period of time in excess of ten minutes.

SECTION 1.8 is repealed in its entirety.

SECTION 1.9. Fishing

- a. No person shall bait, fish or cast from the shores within any protected bathing beach located in the Borough.
- b. No person fishing in the waters within the Borough shall leave any dead fish, crabs, or other waste material along the shore. (1973 Code §3-1.6)

SECTION 1.10 is hereby amended to state:

10-1.10. Dogs. No person shall take any dog or other animal on any protected bathing beach located in the Borough from Memorial Day to Labor Day. (1973 Code §3-1.18)

SECTION 1.11 is hereby amended to state:

10-1.11. Fires.

- a. All ground or bonfires, personal grills, and use of Borough grills are prohibited unless authorized by permit.
- b. No person shall drop, throw, or otherwise deposit lighted matches, burning cigarettes, or cigars, or otherwise flammable material within any park property.

WHEREAS all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

WHEREAS if any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

BE IT ORDAINED this ordinance shall take effect immediately upon final passage and publication as required by law.

Harry Robbins
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #2021-02 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER X, TITLED PARKS, LAKES AND RECREATION AREAS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the fourth day of February, 2021.

Maryanne Capasso, RMC
Borough Clerk