

AGENDA

MAYOR AND BOROUGH COUNCIL

MEETING NO. 3

DATE: 1/25/21

Time: 7:P.M.

REGULAR (X)

SPECIAL ()

OTHER _____

ROLL CALL: Mayor Krenzel ()

Clw. Balazs ()

Clm. Ciulla ()

Clm. Guindi ()

()

Clm. Gurchensky ()

Clw. Meira ()

Clm. Eppinger ()

()

()

()

Atty: _____

Eng: _____

Adm: _____

: _____

MEETING CALLED TO ORDER BY PRESIDING OFFICER

STATEMENT OF NOTICE OF PUBLICATION - CHAPTER 231, P. L. 1975

CALL OF THE ROLL

SALUTE TO THE FLAG / MOMENT OF SILENCE

PROCLAMATIONS, HONOR, AWARDS & PRESENTATIONS

EXECUTIVE SESSION –

64. Authorize Executive Session – Personnel – Recreation Department

*The Borough Council may take formal action after the Executive Session meeting concludes.

AGENDA SESSION – NJ Dep Model Stormwater Ordinance

ORDINANCES - SECOND READING/PUBLIC HEARING

2021-01 AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 350 OF THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER ENTITLED “ZONING”

ORDINANCES – FIRST READING BY TITLE ONLY

2020-02 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021

REPORTS:

Professionals /Departments

Governing Body

PUBLIC COMMENT (10 min per speaker)

CONSENT RESOLUTIONS:

65. Authorize 2020 Budget Transfers

66. Authorize Waiving Late Pet Licensing Fees for 2021

67. Appoint Bernard Mackiel to Sergeant in the SRPD

68. Award Contract for Engineering Services to Kleinfelder – Water System Hydraulic Model

69. Approve Utility Consumer Refunds

70. Authorize Tax Refund

71. Approve 1.11.21 Minutes

72. Rescind Res. 2021-14 and Appoint Borough Prosecutor – The Lenti Law Firm

73 Authorize Abatement of Certain Nuisance Conditions

74. Approve Bills

NEW BUSINESS

GOVERNING BODY COMMENTS (For the Good of and Welfare of the Borough)

ADJOURNMENT

RESOLUTION

WHEREAS, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and Council of the Borough of South River are of the opinion such circumstances presently exist.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex of the State of New Jersey, that the public be excluded upon the hereinafter specific subject matter and that such subject matter to be so discussed is as follows:

Personnel – South River Recreation Department

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when confidentiality is no longer required.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk



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

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

January 19, 2021

Mr. Arthur Londensky, Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882

Re: N.J. DEP Model Stormwater Ordinance for Municipalities
South River, New Jersey
Our File No.: PSR00051.15

Dear Mr. Londensky:

The N.J. DEP has forwarded a sample ordinance to assist municipalities in revising their stormwater control ordinances to reflect amendments to the Stormwater Management rules per the N.J. Administrative Code 7:8. The deadline for the adoption of the ordinance is March 2, 2020. We have enclosed a copy of Appendix D: Model Stormwater Control Ordinance for Municipalities to be forwarded to the Borough Attorney for review and adoption.

The ordinance can be adopted as provided by the DEP unless the Borough would elect to make any of the regulations more stringent for development. The Borough shall also identify which "Major Development" definition it would like to adopt, and forward their recommendation to the Borough Attorney to be included in the review and adoption. "Major Development" can be defined in one of the following two ways:

(1) Major Development means an individual "development," as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004.

or

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

- o (a) The disturbance of one or more acres of land since February 2, 2004;
- o (b) The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;



Mr. Arthur Londensky
Borough of South River
Re: **N.J. DEP Model Stormwater Ordinance for Municipalities**
South River, New Jersey

January 19, 2021
Our File No. PSR00051.15
Page 2

- (c) The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
- (d) A combination of (b) and (c) 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.

Our office has reviewed the Boroughs current definition of "Major Development," and it more closely represents option (1) above. We note that should the Borough elect option (2) above, it may impact future Municipal capital development and roadway projects, which would have to be designed and constructed with the more stringent regulations and would likely result in an increase in cost.

Please review the options above with the Governing Body and forward their recommendations to the Borough Attorney for review, amendment of the ordinance, and then adoption.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

CME Associates

Bruce M. Koch, PE, PP, CME
Borough Engineer's Office

BMK/mdp
Enclosures

cc: Mayor John Krenzel
All Council Members
Borough Clerk
Borough Attorney (w/ enclosures)
Chief Financial Officer
Director of Public Works

APPENDIX D: MODEL STORMWATER CONTROL ORDINANCE FOR MUNICIPALITIES

Important Notes: This sample ordinance is provided to assist municipalities in revising their municipal stormwater control ordinances to reflect amendments to the Stormwater Management rules at N.J.A.C. 7:8, adopted March 2, 2020. It is provided for information purposes only. It is important that amended rules are carefully reviewed before any portion of this draft ordinance is adopted.

This sample ordinance represents the minimum standards and expectations, except where noted otherwise. It is the goal of stormwater management to minimize pollution caused by stormwater in order to restore, enhance and maintain the integrity of waters of the State. Federal, as well as, State water pollution laws permit municipalities to undertake additional actions including ordinances with standards stronger than the statewide minimum requirements. Under New Jersey Municipal Separate Storm Sewer System Permits (MS4), the stormwater program may also include Optional Measures (OMs), that prevent or reduce the pollution of the waters of the State. A municipality may choose these stronger or additional measures in order to address local water quality and flooding conditions as well as other environmental and community needs. For example, municipalities may choose to define “major development” with a smaller area of disturbance and/or smaller area of regulated impervious cover or regulated motor vehicle surface; apply stormwater requirements to both major and minor development; and/or require groundwater recharge, when feasible, in urban redevelopment areas.

Although this model ordinance does include a section on penalties, it is entirely optional for a municipality to include this section and therefore, this section does not establish any monetary values. The Department expects that the review of development applications under this ordinance would be an integral part of the municipal review of developments. As a result, the costs to municipalities of reviewing development applications under this ordinance could be defrayed by fees charged for review under N.J.S.A. 40:55D-8.b.

Notes are provided in italics throughout this model stormwater control ordinance and are not intended to be adopted as part of the ordinance. Where non-italicized text is bounded in a rectangular border, the text inside that boundary is the sample ordinance language.

An editable Word version of this model ordinance is available online at:

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

Sample Municipal Stormwater Control Ordinance

Ordinance #[insert number] – Stormwater Control

Section I. Scope and Purpose:

A. Policy Statement

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

B. Purpose

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

C. Applicability

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

D. Compatibility with Other Permit and Ordinance Requirements

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

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any

(continued on the next page)

Ordinance #*[insert number]* – Stormwater Control *(continued)*

other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

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

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

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

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

"Compaction" means the increase in soil bulk density.

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

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

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

1. A county planning agency or

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

“Environmentally 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.

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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

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

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

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

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

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

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

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

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

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

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 *{or the effective date of this ordinance, whichever is*

(continued on the next page)

Ordinance #[insert number] – Stormwater Control

earlier); or

4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

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

NOTE: The definition of major development above aligns with the definition at N.J.A.C. 7:8-1.2 and is recommended for consistency. Alternatively, a municipality may adopt the following definition, which is the minimum standard required. Municipalities that have already adopted the definition at N.J.A.C. 7:8-1.2 or another definition that goes beyond the minimum requirement should not reduce the stringency of their definition by adopting the minimum standard.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004.

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

Additionally, individual municipalities may define major development with a smaller area of disturbance, a smaller area of regulated impervious or motor vehicle surface, or both.

“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.

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Ordinance #[insert number] – Stormwater Control

“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 IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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Ordinance #[insert number] – Stormwater Control

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

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

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

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

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

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

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

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

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

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

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Ordinance #[insert number] – Stormwater Control

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

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

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

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

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

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

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

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

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

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;

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Ordinance #[insert number] – Stormwater Control (continued)

2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

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

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

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

Section III. 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.

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

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Ordinance #[insert number] – Stormwater Control *(continued)*

Section IV. 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 X.
- 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 IV.P, Q and R:
 - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management

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Ordinance #[insert number] – Stormwater Control *(continued)*

Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

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

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

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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 on Page D-15)

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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 on Page D-15)

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Ordinance #[insert number] – Stormwater Control *(continued)*

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

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Ordinance #[insert number] – Stormwater Control *(continued)*

- 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 VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have

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Ordinance #[insert number] – Stormwater Control *(continued)*

parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the {insert Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality}. A form of deed notice shall be submitted to the municipality for approval prior to filing.

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Ordinance #[insert number] – Stormwater Control *(continued)*

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 Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.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 IV 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 *{insert appropriate Office of the County Clerk or the registrar of deeds and mortgages, as applies}* 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 Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

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

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

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Ordinance #[insert number] – Stormwater Control *(continued)*

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

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Ordinance #[insert number] – Stormwater Control (continued)

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

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Ordinance #[insert number] – Stormwater Control *(continued)*

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 IV.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 V, complete one of the following:

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Ordinance #[insert number] – Stormwater Control *(continued)*

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

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986,

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Ordinance #[insert number] – Stormwater Control *(continued)*

incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

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

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

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

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

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section V.A.1.i and the Rational and Modified Rational Methods at Section V.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of

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Ordinance #[insert number] – Stormwater Control *(continued)*

stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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

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

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

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

Section VI. 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.

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Ordinance #[insert number] – Stormwater Control *(continued)*

Section VII. Solids and Floatable Materials Control Standards:

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

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

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

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

prevent delivery of all solid and floatable materials that could not pass through one of the following:

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- b. A bar screen having a bar spacing of 0.5 inches.

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

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

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

- iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

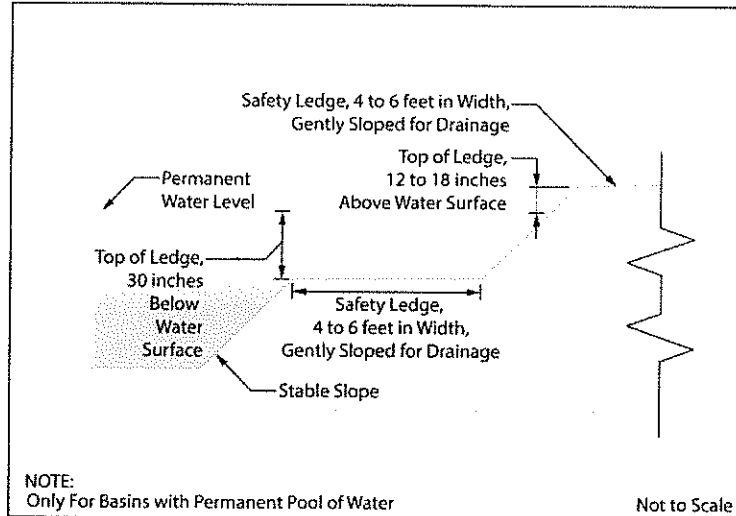
A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

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

B. Site Development Stormwater Plan Approval

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

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

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

2. Environmental Site Analysis

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

3. Project Description and Site Plans

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

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V 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.

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

5. Stormwater Management Facilities Map

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

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

6. Calculations

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

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.

8. Waiver from Submission Requirements

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

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

Section X. Maintenance and Repair:

A. Applicability

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

B. General Maintenance

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

(continued on the next page)

Ordinance #[insert number] – Stormwater Control (continued)

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

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

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

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

(continued on the next page)

Ordinance #[insert number] – Stormwater Control *(continued)*

Section XI. Penalties:

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

{Municipality to specify}

Section XII. Severability:

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

Section XIII. Effective Date:

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

ALL OF WHICH IS ADOPTED THIS _____ day of _____, 20____, by the

_____.

ORDINANCE NO. 2021 -1

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AMENDING CHAPTER 350 OF THE BOROUGH CODE OF
THE BOROUGH OF SOUTH RIVER ENTITLED "ZONING"**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. Chapter 350 of the Borough Code of the Borough of South River, entitled "Zoning" is hereby amended so as to amend Section 350-7 entitled "Definitions and Word Usage" so as to amend subsection C to add the definition of RETAIL as set forth as follows:

§350-7 B-2 Definition and Word Usage.

C. Unless otherwise expressly stated the following words and phrases are defined as follows:

...

RETAIL

Any use or establishment, generally open to the public, primarily engaged in the sale, resale, or rental of merchandise, or provision of personal services, most often to individuals or households. The term **RETAIL** shall be broadly defined to contain all types of retail stores serving a widely distributed clientele and shall include, but shall not be limited to the following: sale of any type of merchandise, convenience stores, supermarkets, discount stores, warehouse clubs, food stores, drug stores, liquor stores, hardware stores, bakeries, jewelry stores, clothing stores, department stores, automotive sales, lumber and building materials, office supplies or furniture; OR provision of personal services involving the care of a person or of his/her property, including, but not limited to: laundry services, dry cleaning, tailors, household item repair shops, beauty salons, barber shops, auto washing and detailing, drive-through auto care, urgent-care facilities, veterinary care, pet grooming salons, pet boarding, hotel/motels, extended-stay facilities, self-storage facilities, rental of vehicles, rental of clothing, rental of equipment, home improvement product showrooms, museums, theatres, amusement and recreation, spas, health clubs, gyms, personal training, dance/karate/yoga/art/music studios, professional training schools, bank branches, real estate sales, and sales of personal financial/insurance/investment products and services.

Retail sales shall include by definition and permit incidental assembly, repair, service, or provision of similar services which are generally accessory to the sale of goods, and which are necessary to provide a finished good for sale, or to maintain personal property.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the Borough Planning Board for its review and comment pursuant to N.J.S.A. 40:55D-64. The Borough shall send a copy of the ordinance to the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

JOHN M. KRENZEL, Mayor, Borough of South River

Dated: _____

ATTEST:

WILIAM BRAY, RMC

Borough Clerk, Borough of South River

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on January 1, 2021. The said Ordinance will be further considered for Final Passage on its Second Reading and Public Hearing at a meeting of the Mayor and Borough Council to be held on January 25, 2021 at 7 p.m. via video teleconference provided by Zoom due to the ongoing COVID-19 pandemic or in the Council Chambers in the Criminal Justice Building at 61 Main Street in South River, New Jersey, if permitted, at which time and place all interested persons and/or parties will be given ample opportunity to be heard on the said proposed Ordinance.

A copy of this ordinance has been posted on the municipal website, at the front entrance of the Borough Administration Building located at 48 Washington Street and the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Borough during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies at the office of the Borough Clerk in said Borough of South River, in the County of Middlesex, New Jersey.

The public can attend the Borough Council Meeting via Zoom Video Conferencing. Visit:

<https://us02web.zoom.us/j/85002054030?pwd=Tm83WjhHMkZRVnV2WWhPSi9PS05Ldz09>

at 7 pm January 25, 2021 to join the meeting. You will need to have the Zoom software or App installed before you can join the meeting. If you already have Zoom software, use meeting code 850 0205 4030

IF PROMPTED, USE PASSWORD: 000000

You may also participate via Telephone by calling any of the following numbers:

One tap mobile: +13017158592,,85002054030#,,,,*000000# US (Washington D.C);

+13126266799,,85002054030#,,,,*000000# US (Chicago)

Dial by your location: +1 301 715 8592 US (Washington D.C); +1 312 626 6799 US

(Chicago); +1 646 876 9923 US (New York); +1 408 638 0968 US (San Jose); +1 669 900

6833 US (San Jose); +1 253 215 8782 US (Tacoma); +1 346 248 7799 US (Houston)

Find your local number: <https://us02web.zoom.us/j/85002054030?pwd=Tm83WjhHMkZRVnV2WWhPSi9PS05Ldz09>

To receive an invitation link to the meeting, email the Borough Clerk at bbray@southrivernj.org, before 4 pm, January 25, 2021.

The public may participate via audio or audio and video during any public comment period by utilizing the methods of attending the meeting described above. In advance of the public meeting, the public may provide public comment to be read in record by the Borough Clerk. The public can email public comments in advance to the Borough Clerk at bbray@southrivernj.org, or in written letter form, with name and address clearly stated. All comments must be received by 3 pm on the day of the meeting to be read into the record. All public comments are limited to 10 minutes.

First Reading: 1/XX/2021
Final Reading: X/XX/2021

ORDINANCE 2021-2

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021

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

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

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

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$454,530.27 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Mayor and Borough Council shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$454,530.27 and that the CY 2021 municipal budget for the Borough of South River be approved and adopted in accordance with this ordinance.

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

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

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

This Ordinance shall take effect after final passage, adoption, and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on **January XX, 2021**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **Xth day of February, 2021**, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

AYES:
NAYES:
ABSTAIN:
ABSENT:

JOHN M. KRENZEL, Mayor, Borough of South River

Dated: _____

ATTEST:

WILLIAM BRAY, RMC
Borough Clerk, Borough of South River



CONSULTING AND MUNICIPAL ENGINEERS
3141 BORDENTOWN AVENUE, PARLIN, NEW JERSEY 08859
732-727-8000

MEMO TO: Mayor and Borough Council, Borough of South River

FROM: Bruce M. Koch, P.E., P.P., C.M.E., Borough Engineer's Office

DATE: January 21, 2021

RE: Capital Project Status Report
South River, New Jersey
Our File No.: PSR00046.01

- ☐ Improvements to Albourne Street /2019 Curb and Sidewalk Program
 - The Contractor has one remaining punch-list item to complete.
- ☐ Well No. 2 Replacement
 - We should be receiving the executed contracts back from the Contractor in the next few days.
- ☐ George Street Firehouse
 - The Contractor has completed the site restoration. We are working with the Contractor and our environmental division to submit all documents required prior to closing out the project.
- ☐ NJDOT FY 2020 Local Aid Programs
 - The Borough received a \$580,000 grant from the NJDOT for the 2020 Roadway Improvements. We have scheduled the field survey work and are beginning the design.
 - First Street (New Street to Leonardine Avenue);
 - Claremont Avenue (James Street to David Street);
 - Obert Street (Main Street to Jackson Avenue);
 - Gordon Street (Main Street to Washington Street);
 - Clayton Court;
 - Wilcox Street Drainage Repairs (Darrow Street to Edgewood Street).
- ☐ NJDOT FY 2021 State Aid Programs
 - The Borough received a \$475,575 grant from the NJDOT for the 2021 Roadway Improvements.
 - Albourne Street (Cleveland Ave. to Wilbur St.);
 - Clayton Court (should it's deletion item be utilized);
 - Ferris Street (Cleveland Avenue to Darrow Street).
 - We have forwarded the prior Curb and Sidewalk Program's standard application and template to the Borough Administrator. Once applications are received, we can provide a proposal to provide Engineering Services for same.

RES: 2021-65

JANUARY 25, 2021

RESOLUTION

APPROPRIATION RESERVE TRANSFERS WITHIN THE 2020 BUDGET
DURING THE FIRST THREE MONTHS OF THE FOLLOWING YEAR

WHEREAS, 2020 bills and claims have been presented for payment this year, which was more than was anticipated on the financial records at year end; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments, or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, State of New Jersey that the transfers be made between the 2020 Budget Appropriation Reserves as follows:

WATER UTILITY OPERATING FUND

	Amount From:	Amount to:
Salaries & Wages	\$18,000.00	
Purchase of Water	\$ 4,000.00	
Capital Outlay	\$23,000.00	
Public Employees Retirement System	\$ 3,500.00	
Other Expenses- Professional Services		\$48,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Auditor of the Borough of South River.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk

RESOLUTION

WHEREAS, on March 9, 2020, Governor Phil Murphy issued Executive Order 103 declaring a State of Emergency in response to the COVID-19 viral outbreak; and

WHEREAS, on March 13, 2020, the President of the United States declared COVID-19 a national emergency; and

WHEREAS, on March 17, 2020, the Mayor, in conjunction with the Emergency Management Coordinator, declared a State of Emergency exists within the Borough due to the spread of COVID-19 viral outbreak; and

WHEREAS, since the declaration of the State of Emergency, the number of cases in New Jersey has significantly risen; and

WHEREAS, the Borough is working with federal, state and local officials and authorities on a daily basis on prevention and mitigation activities that include providing critical information to the public about COVID-19 to provide facts and avoid unnecessary fear; training emergency responders; and modifying municipal operations in response to the pandemic; and

WHEREAS, on April 6, 2020, the Borough Council of the Borough of South River affirmed a State of Emergency exists within the Borough; and

WHEREAS, The Borough has cancelled its annual Free Rabies Clinic in an effort to mitigate transmission of COVID-19 at public events; and

WHEREAS, state law and Borough Code 108-22 require rabies vaccination of dogs and cats before a license may be issued.

WHEREAS, in an effort to aid the Borough's residents the Borough Council desires to waive the late registration fees set forth in Borough Code § 155-6(A-C) until July 1, 2021.

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

1. That late registration fees imposed by Borough Code § 155-6(A-C) are hereby waived until July 1, 2021.
2. That a certified copy of this resolution be forwarded to the Borough CFO.

DATED: JANUARY 25, 2021

Moved:
Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk

RESOLUTION

WHEREAS, the position of Sergeant became available due to retirements/promotions; and

WHEREAS, Bernard Mackiel has participated, successfully completed and passed all aspects of the promotional testing procedures pursuant to Chapter 72-24 of the Borough Code; and

WHEREAS, Chief of Police Mark E. Tinitigan recommended to the Mayor and Borough Council that Bernard Mackiel be promoted to the position of Sergeant in the Police Department of the Borough of South River;

NOW, THEREFORE BE IT RESOLVED that I, John M. Krenzel, Mayor, with the advice and consent of the Borough Council of the Borough of South River, appoint Bernard Mackiel to the position of Sergeant in the South River Police Department, effective January 25, 201.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk



SOUTH RIVER POLICE DEPARTMENT

Mark E. Tinitigan
Chief of Police
61 Main Street
South River, NJ 08882
Phone: (732) 238-1000
Fax: (732) 613-6103

TO: John Krenzel, Mayor
Borough Council

FROM: Mark E. Tinitigan
Chief of Police

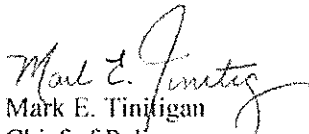
DATE: January 20, 2021

SUBJECT: Promotional Process Recommendation

Based on the completion and results of the entire promotional testing process, I am recommending the following police officer for the promotion to the rank of Sergeant:

- Bernard Mackiel

If you have any questions regarding this matter, please do not hesitate to contact me.


Mark E. Tinitigan
Chief of Police

RESOLUTION

**RESOLUTION AWARDING A CONTRACT TO KLEINFELDER FOR
ENGINEERING SERVICES RELATED TO THE DEVELOPMENT OF A WATER
DISTRIBUTION SYSTEM HYDRAULIC MODEL**

WHEREAS, there exists a need for engineering services related to the development of water distribution system hydraulic model; and

WHEREAS, the Borough has solicited a proposal for engineering services related to the development of water distribution system hydraulic model; and

WHEREAS, Kleinfelder has submitted an advantageous proposal in accordance with the Borough request, attached hereto as Schedule A; and

WHEREAS, the Borough Council desires to award a contract to Kleinfelder for engineering services related to the development of water distribution system hydraulic model pursuant to the provisions of N.J.S.A. 19:44A-20.5 in an amount not to exceed \$42,000.00; and

WHEREAS, Kleinfelder has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has made any reportable contributions to a political or candidate committee in the Borough of South River in the previous one year, and that the contract will prohibit Kleinfelder from making any reportable contributions to a political or candidate committee in the Borough of South River through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey as follows:

1. That the governing body does hereby award a contract for engineering services related to the development of water distribution system hydraulic model to Kleinfelder, in an amount not to exceed \$42,000.00, in accordance with the attached Schedule A, an advantageous proposal.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Kleinfelder in a form acceptable to the Borough Attorney.
3. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification be placed on file with this resolution.
5. That a notice of this action shall be printed in the official newspaper of the as required by law.

6. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 1-02-55-502-205.

7. A certified copy of this Resolution shall be provided to the Chief Finance Officer and Kleinfelder.

DATED: JANUARY 25, 2021

Moved:
Seconded:

ROLL CALL VOTE:
YEAS:
NAYS:

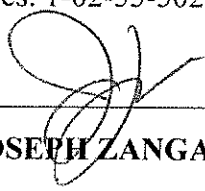
CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021

William Bray, RMC
Borough Clerk

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **JOSEPH ZANGA**, Chief Financial Officer for the Borough of South River, do hereby certify that adequate funds are available for a contract with Kleinfleder for engineering services related to the development of water distribution system hydraulic model in an amount not to exceed \$42,000.00, The funds which are available for this contract are found in the following line item appropriations or ordinances: 1-02-55-502-205.



JOSEPH ZANGA, Chief Financial Officer
Borough of South River



September 10, 2020

VIA EMAIL

Arthur Londesky
Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882

**RE: PROPOSAL – WATER DISTRIBUTION SYSTEM HYDRAULIC MODEL
BOROUGH OF SOUTH RIVER, MIDDLESEX COUNTY**

Dear Mr. Londesky:

Kleinfelder is pleased to submit this proposal to develop a hydraulic model of the water distribution system for the Borough. This proposal includes a brief description of Kleinfelder's key personnel, the Scope of Services, and Cost Estimate.

Kleinfelder's Key Personnel

Kleinfelder, Inc. has 59 years of experience serving water clients with a foundation in engineering design and extensive experience in hydraulic modeling. We will provide a team of leading experts in hydraulic modeling.

I have been developing, calibrating, and validating hydraulic models since 1999. My undergraduate dissertation was the development and implementation of a visualization tool to model a District Metered Area's (DMA's) pressure plan for the City of Bogota, Colombia, which allowed Bogota to optimize the water pressure in the DMA. Reducing the water pressure in the DMA by 30%, the billed water remained constant, water losses were reduced by 40%, and the number of pipe breaks were reduced by 20%. Since then, I have developed full hydraulic models for Little Egg Harbor, Seaside Park, Stafford Township, and the Borough of Point Pleasant. These models were used to determine Stage 2 disinfectant byproduct (DBP) sampling locations, network redundancy, elevated tank shutdowns, emergency operations and leakage control.

Michael Sanders, a Senior Modeler with Kleinfelder, brings extensive experience in hydraulic modeling of water, stormwater, and sanitary systems. He is an expert in WaterGEMS, InfoWater, Synergi Water and EPANET. Mr Sanders has presented at several water association conferences since 2011 on water distribution system hydraulic modeling projects. He has built and calibrated dozens of water system hydraulic models to support master planning, water quality investigations, operational optimization, firefighting improvements, and litigation projects. He regularly conducts training on water system hydraulic modeling using WaterGEMS for municipal clients and engineering students at Northeastern University in Boston, MA.

James Cosgrove, our proposed Principal-in-Charge for this project, has over 30 years of experience delivering water, wastewater and stormwater projects in New Jersey and is intimately familiar with delivering successful projects to our clients. Mr. Cosgrove is a nationally known expert in water distribution system modeling having managed complex water quality and hydraulic modeling projects for the cities of Denver, CO; Scottsdale, AZ; Redlands, CA and Charleston, WV.

Scope of Services

Kleinfelder will provide the following Scope of Services to the Borough to develop the hydraulic model:

Task 1 – Water Hydraulic Model Development

Kleinfelder will develop a hydraulic model as described in detail below:

1. Update the water system GIS or existing map system. This will consist of a desktop review of the existing maps along with the Borough's staff to add newly constructed mains, main reconfiguration, or major changes.
2. Incorporate current pump curves with updated available data provided by the Borough from recent well maintenance work.
3. Develop the water distribution system network as per the Data Request Form (attached). Kleinfelder understands that all the information is not going to be available; at a minimum, we will require the map of the system that shows the network connectivity, pipe diameters, pipe material, entry and exit interconnection to others systems, water usage, and finally well pumping operation.
4. Create and calibrate the hydraulic model using EPANET 2.0 or WaterGEMS:
 - Kleinfelder will guide the Borough to select the software based on the existing water distribution network current information and future use of the model.
 - Along with the Borough's operations representative, Kleinfelder will perform hydrant flow and pressure tests (static and residual) to determine flow characteristics of the existing pipe network at select locations, with a particular emphasis on areas of the system with known pressure and fire flow concerns. The budget assumes up to two (2) days of hydrant flow and pressure tests will be completed at various locations throughout the system (locations to be determined).
 - Based on available flow test data, calibrate the model to simulate existing system conditions. The calibration effort will focus on areas of the system where known or suspected pressure and/or fire flow deficiencies may exist. Fire flow calibration will be limited to 40 hours and a comparison table of observed and simulated flow and pressure will be provided to show quality of calibration.

- Conduct simulations with model to provide updated operating pressures and available fire flows at all system nodes.
- 5. Define demand allocations by using the top ten (10) water consumers based on billing data usage provided by the Borough to Kleinfelder.
- 6. Kleinfelder will attend up to four (4) meetings with the Borough to collect data, review project progress, and to present the results.

Task 1 Deliverables:

- Provide a hydraulic model file in EPANET 2.0 or WaterGEMS compatible format.
- Prepare a Technical Memorandum describing methodology and results and presenting the Water Distribution System Maps.

Task 1 Assumptions & Exclusions:

- Assumptions: The Borough will provide data and assistance as described above.
- Exclusions: Services or analyses not specifically described above.

Cost Estimate and Schedule

Since the exact level of our involvement is unknown at this point, it is not possible to establish an exact cost for our work. Kleinfelder's work would be invoiced on a time-plus-expenses basis, in accordance with the attached Billing Rates and Client Professional Services Agreement. Our recommendation is to establish a budget of \$42,000, which would not be exceeded without your prior approval.

If you would like to retain Kleinfelder for these services, please indicate acceptance of this proposal by signing the Client Professional Services Agreement and returning a copy to us.

We are prepared to begin work immediately upon your authorization to proceed and look forward to working with you on this endeavor. Please do not hesitate to contact me to further discuss this matter. You can reach me at (609) 454-4568 or FSContreras@Kleinfelder.com.

Sincerely,



Felipe S. Contreras, P.E., C.M.E., C.F.M.
Principal Engineer

Enclosures



HOURLY BILLING RATES

<u>Category</u>	<u>Rate</u>
Vice President / Director	\$235 - \$295
Program Manager	\$200 - \$250
Principal Engineer / Scientist	\$185 - \$225
Senior Project Manager	\$185 - \$200
Project Manager	\$150 - \$190
Senior Construction Manager	\$175 - \$195
Construction Manager	\$140 - \$175
Senior Project Engineer / Scientist	\$140 - \$165
Project Engineer / Scientist	\$130 - \$150
Senior Staff Engineer / Scientist	\$105 - \$130
GIS Analyst	\$115 - \$125
Senior CADD Designer	\$105 - \$115
Staff Engineer / Scientist	\$ 90 - \$110
Technical / Project Assistant	\$ 90 - \$105

Billing rates are subject to increase during each year. Project related expenses including travel, rental vehicles and equipment, computer charges, safety equipment, disposal of waste materials, telephone charges, messenger and delivery charges, printing, and expendable supplies acquired specifically for the project will be billed at cost. Use of Kleinfelder owned vehicles or personal vehicles will be billed at the current IRS Standard Mileage Rate. Fees for subcontractors retained by Kleinfelder specifically for the project and on behalf of the client will be billed at cost plus ten percent.

CLIENT PROFESSIONAL SERVICES AGREEMENT

This Agreement is made on: _____ between Borough of South River (**Client**) and Kleinfelder (**Kleinfelder**). The Client hereby appoints Kleinfelder to provide certain Services (as defined below), and Kleinfelder hereby agrees to perform the Services, on the following terms and conditions:

1. SCOPE OF SERVICES

Client engages Kleinfelder to provide, and Kleinfelder agrees to provide, the professional services as set forth in Kleinfelder's Proposal dated September 10, 2020 (**Proposal**), and as follows (collectively the **Services**):

Develop a hydraulic model of the water distribution system for the Borough.

2. SCHEDULE AND PAYMENT

Kleinfelder shall perform the Services, and Client shall pay Kleinfelder, in accordance with the schedule and payment basis set forth in the Proposal, and as follows:

Work invoiced on a time -plus-expenses basis, with monthly invoices provided to client. Not to exceed \$42,000.

3. GENERAL CONDITIONS AND ADDENDA

THE GENERAL CONDITIONS ON PAGE 2 CONTAIN INDEMNIFICATION, LIMITATION OF LIABILITY AND OTHER IMPORTANT PROVISIONS AFFECTING THE PARTIES' LEGAL RIGHTS AND OBLIGATIONS.

Client and Kleinfelder have read, understand and agree to this Agreement, the General Conditions, the Indemnity and Limitation of Liability provisions located on Page 2, and all Proposal, Fee Schedule and addenda identified herein.

This Agreement includes the terms herein, General Conditions and any Proposal, Fee Schedule and addenda identified herein, which taken together apply to all services undertaken pursuant to this Agreement, represent the parties' entire agreement of and supersedes all agreements on the same subjects between the parties, either oral or in writing, including any Client work or purchase order.

EXECUTED by the parties as of the date first written above:

CLIENT:

KLEINFELDER:



Title: Borough Administrator

Title: Principal Engineer

Printed Name: Arthur Londesky

Printed Name: Felipe S. Contreras, P.E., C.M.E., C.F.M.

CLIENT PROFESSIONAL SERVICES AGREEMENT – GENERAL CONDITIONS

1. **Standard of Care.** Kleinfelder will perform its Services in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the Services are provided. Kleinfelder makes no representation, guarantee or warranty, express or implied, regarding the Services, or any communication (oral or written), certification, report, opinion, or Instrument of Service provided under or pursuant to this Agreement.
2. **Insurance.** Kleinfelder will maintain worker's compensation, commercial general liability, automobile liability and professional indemnity insurance coverage. Client will maintain adequate insurance coverage and will require and verify any contractors or parties it hires to have adequate insurance coverage. Client agrees that its failure to comply with this clause invalidates any indemnity by Kleinfelder hereunder.
3. **Payment.** Except as otherwise provided in the first page of this agreement or Proposal, Client shall pay invoices upon receipt. Invoices not paid within thirty (30) days of invoice date incur a fee of 1½ % per month from the date of invoice and suspension by Kleinfelder of all Services.
4. **Prevailing Wages.** It is Client's legal responsibility to determine whether the Project is covered under prevailing wage regulations. Unless Client specifically informs Consultant in writing that the Project is a prevailing wage project and is identified as such in Consultant's Scope of Services, Client agrees to defend, indemnify and hold harmless Consultant from and against all liabilities, losses, claims, costs and damages (including reasonable costs and attorneys fees), resulting from a determination that the Project was covered under prevailing wage regulations.
5. **Termination.** Either party may terminate this Agreement at any time upon written notice, whether for cause or for convenience, in which event Client shall pay Kleinfelder for such portion of the Services performed and materials provided up to the date of termination.
6. **Performance.** Kleinfelder will perform the Services as an independent contractor and will not act as Client's agent or employee. The parties do not intend to create, and nothing in this Agreement will be construed to create, any special relationship or fiduciary duty. Kleinfelder will be subject to and operate in compliance with all federal, state and local laws and regulations. Client agrees that Kleinfelder will not be responsible for the means, methods, techniques, sequences or procedures of construction, for constant or exhaustive inspection of construction work, or for the safety procedures employed by any party other than its own employees and subcontractors. Kleinfelder will only sign certifications relating to the Services if Kleinfelder agreed in writing prior to the commencement of the Services to provide them. Such certifications are statements of professional opinion only. Kleinfelder will not be liable for delay or failure to perform its Services caused directly or indirectly by circumstances beyond its control, including but not limited to, acts of God, fire, flood, war, sabotage, accident, labor dispute, shortage, government action or inaction, changed conditions, site inaccessibility, or delays due to actions or inactions of Client or others.
7. **Client Responsibilities.** Client agrees to provide all available material, data, and information pertaining to the Services, including, without limitation, (i) composition, quantity, toxicity, or potentially hazardous properties of any material known or believed to be present at any site, (ii) hazards that may be present, (iii) nature and location of underground or otherwise not readily apparent utilities, (iv) summaries and assessments of site past and present compliance status, (v) status of any judicial or administrative action concerning the site or Project, and (vi) Client's relevant benchmarks, plans, maps, and property ownership records. Client will ensure the cooperation of Client's employees, contractors and consultants ("Client Parties") with Kleinfelder. Kleinfelder is entitled to rely upon the accuracy and completeness of all information given by Client Parties.
8. **INDEMNITY; LIMITATION OF LIABILITY.** Client will defend, indemnify and hold harmless Kleinfelder, its officers, directors, parent, affiliates, shareholders and employees, from and against any all claims, demands, causes of action, damages or other liabilities, including but not limited to attorney's fees and other legal expenses reasonably incurred by Kleinfelder (collectively, "Claims"), that arise from performance of the Services or from Kleinfelder's acts, errors or omissions in connection with the Project or this Agreement, excepting Claims arising from the sole negligence or willful misconduct of Kleinfelder. The maximum aggregate liability of Kleinfelder in connection with this Agreement and all amendments thereto, whether based in contract or tort or otherwise in law or equity, will be limited to the greater of the compensation actually paid to Kleinfelder for the Services hereunder or \$50,000, and Client hereby releases Kleinfelder from any liability above such amount. Upon Client's written request, the parties may negotiate and enter a written amendment in accordance with clause 11 herein to increase the amount of this limitation of liability in exchange for an increased payment to Kleinfelder. As used in this clause 8, "Kleinfelder" includes Kleinfelder, its affiliates, subcontractors, and each of their respective partners, officers, directors, shareholders and employees. Neither party will be liable to the other for any special, incidental, indirect, exemplary, punitive or consequential damages however arising incurred by either Kleinfelder or Client or for which either may be liable to a third party.
9. **Reliance.** The documents provided by Kleinfelder to Client under this Agreement may be based on information obtained from sources outside Kleinfelder's control. Other than the application of prudent professional care in their evaluation, Kleinfelder does not warrant, expressed or implied the accuracy thereof. All documentation furnished to Client is intended for the benefit of the Client for the purpose stated herein and is not intended or represented to be suited for reuse by Client or others. Any reuse or provision of the documents to others without the specific written consent of Kleinfelder for the specific purposes intended will be at user's sole risk and without liability and legal exposure to Kleinfelder.
10. **Hazardous Materials; Samples.** Kleinfelder will not take title to or be liable for any hazardous materials found at any project site. Any risk of loss with respect to all materials remains with the Client or the site owner, who will be considered the generator of such materials, execute all manifests as the generator of them, and be liable for the arrangement, transportation, treatment, and disposal of all material. All samples remain the Client's property. Client agrees to promptly, at its cost, remove and lawfully dispose of samples, cuttings, and hazardous materials.
11. **Amendments, Changes, Assignment, Waiver.** This Agreement represents the entire agreement of the parties, and may be modified only in a writing signed by both parties. To the extent of any inconsistency between this Agreement and any other document, the provisions of this Agreement will always prevail. Any preprinted terms and conditions on forms used by either party in the administration of this Agreement are void and shall not act to supplement or replace these Terms and Conditions. Neither party may assign this Agreement without the other's prior written consent. Waiver of any term, condition or breach of this Agreement will not operate as a waiver of any other term, condition or breach.
12. **Governing Law.** This Agreement is governed and construed in accordance with the laws of the state where the Services are performed. The parties irrevocably and unconditionally submit to the non-exclusive jurisdiction of the courts of such state and waive any right to object to any proceedings being brought in those courts. The parties hereby expressly waive any and all rights to trial by jury.

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-006-375 ELEC PREVIOUS	ABS INVESTMENT PARTNERS LLC 68 SUMMERFIELD DR HOLTSVILLE, NJ 11742	\$261.54
65-999-002-428 CD	CARLOS ANKUASHA	\$38.90
65-999-002-428 ELEC PREVIOUS	13 MARKS PL SOUTH RIVER, NJ 08882	\$51.83
65-999-004-593 CD	JIMMY BRITO & YISMEI PENA 20 HOLMES ST APT B SOUTH RIVER, NJ 08882	\$115.74
65-999-006-557 CD	WALFIDA DEJESUS 8 WILLIAM ST SOUTH RIVER, NJ 08882	\$26.38
65-999-005-785 CD	EDUARDO DOSANTOS &	\$88.34
65-999-005-785 ELEC PREVIOUS	JANINE SILVA 135 WILLIAM ST SOUTH RIVER, NJ 08882	\$88.34
65-999-002-125 CD	FERRY CLEANERS & TAILORS 18 DAYTON ST, 2 ND FLR ELIZABETH, NJ 07202	\$139.22
65-999-985-150 ELEC PREVIOUS	FOUNDATION TITLE	\$108.97
66-999-990-319 WATER PREVIOUS	601 RT 73 N 201 MARLTON, NJ 08053	\$53.13
65-999-005-542 ELEC PREVIOUS	GOLDEN TITLE AGENCY 1818 OLD CUTHBERT RD SUITE 100 CHERRY HILL, NJ 08034	\$13.82
65-999-006-191 CD	MIRYAM MINCHALO 115 MAIN ST APT I SOUTH RIVER, NJ 08882	\$148.10
65-999-006-030 CD	EDSON NASCIMENTO	\$90.68
65-999-006-030 ELEC CURRENT	81 WHITIEHEAD AVE APT 2 SOUTH RIVER, NJ 08882	\$68.99
65-999-004-457 CD	HEATHER NELSON RIVERVIEW DR G3 SOUTH RIVER, NJ 08882	\$136.64
65-999-006-460 CD	CHRISTOPHER OUTMAN	\$149.66

	RIVERVIEW DR B5 SOUTH RIVER, NJ 08882	
65-999-997-503 CD	NIKOLAY PODKUYCHENKO 801 JUSTIN WAY MANALAPAN, NJ 07726	\$136.37
65-999-005-825 CD	PREFERRED CLEANING SOLUTIONS 510 ROUTE 9, SUITE 6C BAYVILLE, NJ 08721	\$374.56
65-999-000-205 CD	KARI PROMUTICO 166 LORING AVE EDISON, NJ 08817	\$353.08
65-999-003-830 CD	SAMANTHA ROVILLOS 33 MERCER ST SOUTH RIVER, NJ 08882	\$157.89
65-999-002-429 ELEC PREVIOUS	GEORGE & GERONIMA SCIENSKI 6 LAKE AVE UNIT 4A EAST BRUNSWICK, NJ 08816	\$39.93
65-999-003-193 CD	GEORGE, NICHOLAS & ZOE SCULLOS 731 BELLEVILLE AVE UNIT C7 BELLEVILLE, NJ 07109	\$61.46
66-999-958-034 WATER PREVIOUS	101 WAKEMAN AVE ASSOCIATES LLC 8 CARMAN ST SOUTH RIVER, NJ 08882	\$130.00

DATED: JANUARY 25, 2021

Moved:
Seconded:

ROLL CALL VOTE:
YEAS:
NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021

William Bray, RMC
Borough Clerk

REQUEST FOR COUNCIL ACTION

DATE : 1/20/21

RESOLUTION : ✓

ORDINANCE : _____

OTHER REASON FOR REQUEST (ATTACH BACK-UP) :

UTILITY REFUNDS

FUNDS APPROPRIATED :

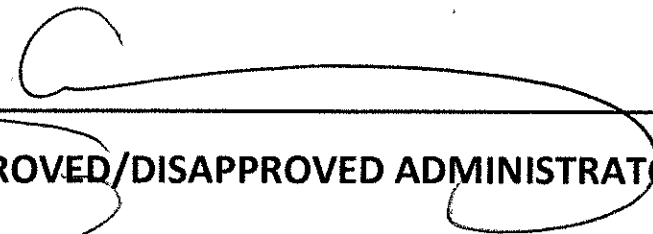
YES

NO



DEPARTMENT HEAD

Russ Dindor



APPROVED/DISAPPROVED ADMINISTRATOR

RESOLUTION

PROPERTY TAX REFUND

WHEREAS, the official tax records of the Borough of South River, New Jersey show certain adjustments, recessions, amendments, cancellations, corrections, refunds, and uncollectible should be made on certain accounts due to various reasons; and

WHEREAS, the Tax Collector recommends these changes as listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED that the Borough Tax Collector be and he is authorized to make the necessary adjustments, indicated below and any attached list.

<u>Block</u>	<u>Lot</u>	<u>Reason</u>	<u>Name& Address</u>	<u>Property Location</u>	<u>Amount</u>
291	5	Bank Error	Columbia Bank 19-01 Route 208 North Fair Lawn NJ 07410 Attn:Rose Mary Bellen	14 Robert Street	\$1391.89

DATED: JANUARY 11, 2021

Moved:
Seconded:

ROLL CALL VOTE:
YEAS:
NAYS:
ABSTAIN:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River at a meeting held on January 25, 2020.

William Bray, RMC
Borough Clerk

REQUEST FOR COUNCIL ACTION

DATE : 1/12/21

RESOLUTION : ✓

ORDINANCE : _____

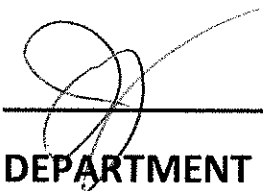
OTHER REASON FOR REQUEST (ATTACH BACK-UP) :

BANK ERROR - COLUMBIA BANK SENT PAYMENT FOR PROPERTY
IN SOUTH PLAINFIELD AS PART OF SOUTH RIVER
PAYMENT BATCH

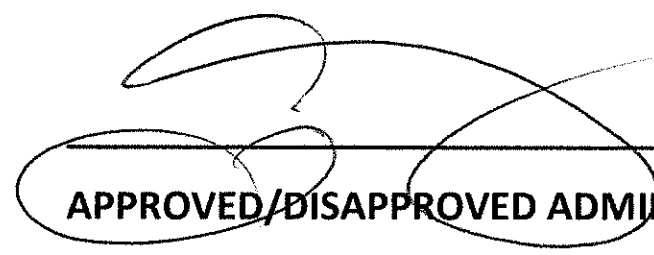
FUNDS APPROPRIATED :

YES

NO



DEPARTMENT HEAD



APPROVED/DISAPPROVED ADMINISTRATOR

RES: 2021-71

JANUARY 25, 2021

8RESOLUTION

WHEREAS, the South River Borough Council held a Meeting on January 11, 2021; and

WHEREAS, minutes for the aforesaid meeting have been prepared by the Borough Clerk and must be approved by a majority of the Borough Council Members in attendance of said meeting.

NOW THEREFORE BE IT AND IT IS HERBY RESOLVED by the Mayor and Council of the Borough of South River that the Meeting Minutes for the January 11, 2021 Meeting are approved.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk

RESOLUTION

**RESOLUTION RESCINDING RESOLUTION 2021-14 AND AWARDING A
CONTRACT FOR BOROUGH PROSECUTOR TO THE LENTI LAW FIRM, LLC**

WHEREAS, there exists a need for the appointment of a Borough Prosecutor;
and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection; and

WHEREAS, the Borough has solicited proposals for the appointment of a Borough Prosecutor using a fair and open process; and

WHEREAS, sealed proposals, due on November 13, 2020 were submitted to the Borough Administrator; and

WHEREAS, the Lenti Law Firm, LLC submitted a proposal to serve as the Borough Prosecutor; and

WHEREAS, the anticipated term for the contract is one year and shall run from January 1, 2021 through December 31, 2021; and

WHEREAS, due to an oversight, Resolution 2021-14 misidentified the appointment to the position of Borough Prosecutor; and

WHEREAS, the Borough Council desires to rescind Resolution 2021-14 and award a contract for the Borough Prosecutor to the Lenti Law Firm, LLC in an amount not to exceed \$14,888.00 which is a reasonable estimate of the services required over the contract term and the Borough is not obligated to spend that amount.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey as follows:

1. That the governing body does hereby rescind Resolution 2021-14.
2. The governing body does hereby award a contract for legal services as the Borough Prosecutor to the Lenti Law Firm, LLC, in an amount not to exceed \$14,888.00, which is a reasonable estimate of the services required over the contract term and the Borough is not obligated to spend that amount, for a term of January 1, 2021 through December 31, 2021.
3. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with the Lenti Law Firm, LLC in a form acceptable to the Borough Attorney.
4. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.

5. That a notice of this action shall be printed in the official newspaper of the as required by law.

6. That a Certificate of Availability of Funds is attached hereto and incorporated herein. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 1-01-25-275-205.

7. A certified copy of this Resolution shall be provided to the Chief Finance Officer, Municipal Court Administrator and the Lenti Law Firm, LLC.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021

William Bray, RMC
Borough Clerk

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **JOSEPH ZANGA**, Chief Financial Officer for the Borough of South River, do hereby certify that adequate funds are available for a contract with the Lenti Law Firm, LLC for legal services as the Borough Prosecutor in an amount not to exceed \$14,888.00, which is a reasonable estimate of the services required over the contract term and the Borough is not obligated to spend that amount. The funds which are available for this contract are found in the following line item appropriations or ordinances: 1-01-25-275-205.



JOSEPH ZANGA, Chief Financial Officer
Borough of South River

RESOLUTION

**RESOLUTION OF THE BOROUGH OF SOUTH RIVER AUTHORIZING THE
BOROUGH TO ABATE CERTAIN NUISANCE CONDITIONS LOCATED AT
PROPERTY AT 188 WHITEHEAD AVENUE**

WHEREAS, the owners of 188 Whitehead Avenue also known as Block 272 and Lot 14 on the Borough's tax map, have failed to maintain the exterior of their property creating a nuisance in violation of Borough of South River Borough Code Article VII entitled Removal of Brush, Weeds, Garage and Debris and Article VI Section 258-1 and 258-2 (to be codified as 258-31, 258-32, 258-33), and Property Maintenance Code Article VI 258-23; and

WHEREAS, based upon such nuisance being created at the property by the owners a notice of violation and order of abatement was issued by the Borough Code Enforcement Officer, which was mailed to the owners via certified mail; and

WHEREAS, the property owners of the above referenced property have failed to respond to the notices and have failed to take any action to abate the nuisances at the property; and

WHEREAS, N.J.S.A. 40:48-2.12f, and N.J.S.A. 40:48-2.13 authorize the Borough to abate a nuisance and remove the debris from private property, upon due notice to the property owner; and

WHEREAS, the Borough Council desires to authorize the Borough to abate the nuisances located at the exterior of property located at 188 Whitehead Ave.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey as follows:

1. That the governing body does hereby authorize the Borough to abate the nuisances located at the exterior of the premises located at 188 Whitehead Ave, Block 272, Lot 14.

2. Pursuant to N.J.S.A. 40:48-2.12f, and N.J.S.A. 40:48-2.13, the Borough has the legal authority to remove debris and abate a nuisance from private property.

3. That the cost of the abatement shall be certified by the Director of Public Works and provided to the Borough Council for approval prior to the cost of abatement being charged against the property.

4. A certified copy of this Resolution shall be provided to the Borough Administrator, Code Enforcement Officer, Director of Public Works and the property owners of 188 Whitehead Avenue

DATED: JANUARY 25, 2021

Moved:
Seconded:

ROLL CALL VOTE:
YEAS:

NAYS:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021

William Bray, RMC
Borough Clerk

RES: 2021-74

JANUARY 25, 2021

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$308,640.06 and previously paid claims in the amount of \$721,257.18 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

DATED: JANUARY 25, 2021

Moved:

Seconded:

ROLL CALL VOTE:

YEAS:

NAYS:

ABSTAIN:

CERTIFICATION

I, William Bray, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River in a meeting held on January 25, 2021.

William Bray, RMC
Borough Clerk

January 22, 2021
02:00 PM

Borough of South River
Bill List By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed

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

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
76039	LONDENSKY, ARTHUR	21-00063	01/12/21	ZOOM-PLAN/ZON 1/12/21-1/11/22	Open	159.83	0.00		
A0233	ALL TRAFFIC SOLUTIONS	21-00099	01/15/21	Billing for 1/31/21-1/31/22	Open	1,500.00	0.00		
A0381	AMERICAN PUBLIC POWER ASSN	21-00076	01/12/21	APPA DUES FOR 2021	Open	6,034.99	0.00		
A0519	ARROW ELEVATOR, INC.	21-00022	01/12/21	Elevator Maint-January 2021	Open	538.00	0.00		
A056	ABS INVESTMENT PARTNERS LLC	21-00170	01/20/21	REFUND OF OVERPAYMENT	Open	261.54	0.00		
A057	CARLOS ANKUASHA	21-00171	01/20/21	REFUND OF CD & OVERPAYMENT	Open	90.73	0.00		
A0576	ATLANTIC TACTICAL OF NJ, INC	20-02887	11/10/20	Supplies	Open	467.78	0.00		
A81226	AMAZON BUSINESS	21-00142	01/20/21	Program supplies	Open	209.86	0.00		
A9012	AGRA ENVIRONMENTAL INC	20-03351	12/30/20	PHONE CONFERENCE W/NJDEP	Open	475.00	0.00		
ALLGU005	ALL GUARD FENCE CO INC	20-03237	12/15/20	Install Guard Rail-willett Ave	Open	7,700.00	0.00		
B056	JIMMY BRITO & YISMEI PENA	21-00172	01/20/21	REFUND OF CD	Open	115.74	0.00		
B0750	B & W CONSTRUCTION CO	20-03107	12/02/20	Broken Sewer Main-Obert Street	Open	17,452.30	0.00		
B0876	KIM BELL	21-00156	01/20/21	REIMBURSEMENT FOR LOGISTIMATIC	Open	238.80	0.00		
B0903	C BENTLEY'S CAR WASH	21-00100	01/15/21	Billing for Dec. 2020	Open	6.00	0.00		
B0952	BIGNELL PLANNING CONSULTANTS	20-03384	12/31/20	PLANNER RETAINER-DEC	Open	400.00	0.00		
		21-00065	01/12/21	QUIROZ-1664	Open	46.25	0.00		
		21-00067	01/12/21	MARQUES-1758	Open	147.50	0.00		
		21-00068	01/12/21	PONDVIEW-1804	Open	248.75	0.00		

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
B0952	BIGNELL PLANNING CONSULTANTS	Continued					
21-00069	01/12/21	SR ORD CHANGES B-2 ZONE	Open	<u>1,295.00</u>	0.00		
				2,137.50			
B0954	43 DPI CREATIVE, LLC.						
21-00119	01/15/21	WEB SUPPORT 1/1-3/31/21	Open	900.00	0.00		
B0955	BIO SHINE, INC.						
20-03220	12/15/20	Premier Ice Melter #BS1398	Open	660.68	0.00		
B0960	BLUE CROSS/BLUE SHIELD OF NJ						
21-00166	01/20/21	DENTAL INSURANCE FOR 2/21	Open	6,486.14	0.00		
B0D002	KEVIN BODEN						
21-00036	01/12/21	2021 Clothing Allowance	Open	650.00	0.00		
BRA002	WILLIAM BRAY						
21-00192	01/22/21	reimbursements	Open	97.98	0.00		
C1268	MARRIOTT, CALLAHAN, BLAIR &						
21-00113	01/15/21	DOMINGUES-1797	Open	422.50	0.00		
21-00114	01/15/21	ZONING BOARD VS GOSTKOWSKI	Open	<u>1,872.00</u>	0.00		
				2,294.50			
C1336	CENCOM T/A CENTRAL JERSEY						
21-00055	01/12/21	Alarm Monitoring-1st Qtr 2021	Open	3,257.02	0.00		
C1482	CME ASSOCIATES						
19-02678	09/13/19	REPLACEMENT OF WELL # 2	Open	1,042.50	0.00		B
20-00755	03/10/20	ENVIRONMENTAL SVCS-GEORGE FH	Open	588.00	0.00		B
21-00158	01/20/21	2 GASZI-SOLAR-1779	Open	385.50	0.00		
21-00159	01/20/21	25 CHESTNUT-SOLAR-1798	Open	385.50	0.00		
21-00160	01/20/21	396 WHITEHEAD-1814	Open	304.50	0.00		
21-00161	01/20/21	BATTERY BANK PROJECT	Open	<u>253.00</u>	0.00		
				2,959.00			
C1510	COMCAST						
21-00071	01/12/21	SERVICE FOR 12/29-1/28/21	Open	57.97	0.00		
21-00095	01/15/21	Billing for Jan. 10-Feb. 9	Open	7.54	0.00		
21-00101	01/15/21	Billing for Jan. 2021	Open	204.38	0.00		
21-00122	01/15/21	SERVICE FOR 1/8-2/7/21	Open	108.76	0.00		
21-00123	01/15/21	SERVICE FOR 1/9-2/8/21	Open	195.47	0.00		
21-00124	01/15/21	SERVICE FOR 1/3-2/2/21	Open	255.98	0.00		
21-00125	01/15/21	SERVICE FOR 1/6-2/5/21	Open	173.94	0.00		
21-00126	01/15/21	SERVICE FOR 1/3-2/2/21	Open	118.40	0.00		
21-00127	01/15/21	SERVICE FOR 1/1-1/31/21	Open	237.97	0.00		
21-00162	01/20/21	SERVICE FOR 1/17-2/16/21	Open	291.56	0.00		
21-00163	01/20/21	SERVICE FOR 1/17-2/16/21	Open	499.84	0.00		
21-00164	01/20/21	SERVICE FOR 1/17-2/16/21	Open	149.51	0.00		
21-00165	01/20/21	SERVICE FOR 1/8-2/7/21	Open	<u>271.92</u>	0.00		
				2,573.24			

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
C1528	CONSOLIDATED RAIL CORP						
21-00194	01/22/21	LEASE OF PIPE 1/1-12/31/21	Open	250.95	0.00		
C1901	COLUMBIA BANK						
21-00070	01/12/21	REFUND OF TAX OVERPAYMENT	Open	1,391.89	0.00		
C2235	CARTRIDGE CENTER INC						
20-03336	12/30/20	toner for Det. Bureau	Open	208.00	0.00		
CA733	CARMENS CORP INC						
20-03041	11/24/20	Pest Control-December 2020	Open	465.00	0.00		
D045	WALFIDA DEJESUS						
21-00173	01/20/21	REFUND OF CD	Open	26.38	0.00		
D046	EDUARDO DOSANTOS						
21-00174	01/20/21	REFUND OF CD & OVERPAYMENT	Open	176.68	0.00		
DSHC001	DSHC ENTERPRISES						
21-00084	01/12/21	REFUND OF TAX PREM 20-00035	Open	900.00	0.00		
E2025	REINA TIRE SERVICE INC						
20-02895	11/10/20	Flat Repairs/Mount Tires	Open	486.64	0.00		
E2122	EDMUNDS & ASSOCIATES						
21-00073	01/12/21	2021 HOSTING SERVICES	Open	2,812.50	0.00		
21-00074	01/12/21	2021 SOFTWARE MAINT	Open	8,270.00	0.00		
21-00075	01/12/21	2021 HARDWARE MAINT.	Open	270.00	0.00		
				11,352.50			
EV155	EVERBRIDGE INC						
21-00080	01/12/21	NIXLE 360-12/28/20-12/27/21	Open	5,000.00	0.00		
F032	FERRY CLEANERS & TAILORS						
21-00175	01/20/21	REFUND OF CD	Open	139.22	0.00		
F033	FOUNDATION TITLE						
21-00176	01/20/21	REFUND OF OVERPAYMENT	Open	162.10	0.00		
F2733	FALLON, RICK						
21-00037	01/12/21	2021 Clothing Allowance	Open	650.00	0.00		
F2881	SIMAO FONSECA						
21-00044	01/12/21	2021 Clothing Allowance	Open	595.00	0.00		
G3024	GLOVES, INC.						
20-03179	12/09/20	Gloves	Open	858.12	0.00		
G3074	GENERAL CODE PUBLISHERS CORP.						
21-00089	01/15/21	Annual eCode Maintenance	Open	1,195.00	0.00		
GK001	GABRIELLI KENWORTH OF NJ LLC						
20-02073	08/10/20	Parts - Bucket #755	Open	750.30	0.00		

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Borough of South River
Bill List By Vendor Id

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GK001	GABRIELLI KENWORTH OF NJ LLC		Continued				
20-03353	12/30/20	TRUCK # 28 SUPPLIES	Open	<u>104.66</u>	0.00		
				854.96			
GOLD03	GOLDEN TITLE AGENCY LLC						
21-00177	01/20/21	REFUND OF OVERPAYMENT	Open	13.82	0.00		
GRE003	STEVEN GREER						
21-00038	01/12/21	2021 clothing Allowance	Open	650.00	0.00		
H3708	HOME DEPOT						
21-00025	01/12/21	Blanket - Supplies	Open	1,184.73	0.00		
H3719	HOME NEWS TRIBUNE						
21-00136	01/20/21	legal ads	Open	254.56	0.00		
H3739	THE HOSE SHOP, INC.						
20-03335	12/23/20	HYDRAULIC HOSE-TRUCK 16	Open	205.94	0.00		
H6552	GEORGE P. HORDOBOY						
20-01585	06/23/20	Charge A/C System - Water Dept	Open	1,269.42	0.00		
20-03048	11/24/20	Repairs to Chipper	Open	1,068.48	0.00		
21-00090	01/15/21	Repairs to Truck #18	Open	<u>1,318.32</u>	0.00		
				3,656.22			
J4539	J & B EQUIPMENT SALES, INC.						
20-03173	12/09/20	Parts-Sewer Jet	Open	270.38	0.00		
JOHN002	MICHAEL JOHNSON						
21-00039	01/12/21	2021 Clothing Allowance	Open	650.00	0.00		
K225	KYOCERA/DUPLITRON						
21-00072	01/12/21	COPTER LEASE 1/8-2/7/21	Open	334.85	0.00		
K4809	K & A EXCAVATING CO., INC.						
20-02503	09/23/20	Recycle Concrete/Asphalt	Open	2,646.00	0.00		
L1850	LAUREL LAWMOWER SERVICE INC						
20-03176	12/09/20	Mower Parts	Open	597.02	0.00		
L5113	ROBERT LAFALCE						
21-00042	01/12/21	2021 Clothing Allowance	Open	595.00	0.00		
L5128	LANGUAGE LINE SERVICES, INC.						
20-03224	12/15/20	interpreting service	Open	110.81	0.00		
20-03414	12/31/20	interpreter services	Open	<u>42.58</u>	0.00		
				153.39			
L5310	LOMBARDI & LOMBARDI PA						
20-03379	12/31/20	PLANNING BOARD RETAINER-DEC	Open	300.00	0.00		
21-00128	01/15/21	ORDINANCE NO 2020-31	Open	159.50	0.00		

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Borough of South River
Bill List By Vendor Id

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
L5310	LOMBARDI & LOMBARDI PA	Continued					
21-00129	01/15/21	CROWNPOINT-1795	Open	<u>116.00</u>	0.00		
				575.50			
L5323	GEORGE LOGAN TOWING, INC.						
20-03337	12/30/20	Towing	Open	1,015.00	0.00		
LB50	L B ELECTRIC CO., INC.						
20-01527	06/16/20	Harmonic Testing-9 Sheinfine	Open	1,400.00	0.00		
20-01986	07/30/20	Harmonic Testing-25 Chestnut	Open	<u>1,400.00</u>	0.00		
				2,800.00			
M085	MITYAM MINCHALO						
21-00178	01/20/21	REFUND OF CD	Open	148.10	0.00		
M153	MOTOROLA SOLUTIONS INC						
20-03135	12/04/20	RADIO CABLE	Open	56.91	0.00		
M5421	W.B.MASON CO.						
20-03178	12/09/20	Supplies-Clean Communities	Open	956.94	0.00		
20-03381	12/31/20	Office Supplies	Open	<u>57.99</u>	0.00		
				1,014.93			
M5473	PEDRO MARQUES						
21-00040	01/12/21	2021 Clothing Allowance	Open	650.00	0.00		
M549	MESSERCOLA EXCAVATING CO INC						
21-00189	01/22/21	BOROUGH'S PORTION-105 MAIN REP	Open	4,440.00	0.00		
M5698	MIDD CTY UTILITY AUTHORITY						
20-03104	12/02/20	Landfill Charges-December 2020	Open	51,677.07	0.00		
M5713	MIDD.CTY.IMPROVEMENT AUTHORITY						
20-03363	12/31/20	Yardwaste Collection-November	Open	3,586.59	0.00		
20-03364	12/31/20	Commingle Collection-November	Open	27,532.59	0.00		
20-03365	12/31/20	Commingle Collection-December	Open	28,262.19	0.00		
20-03366	12/31/20	Yardwaste Collection-December	Open	<u>381.06</u>	0.00		
				59,762.43			
N023	EDSON NASCIMENTO						
21-00179	01/20/21	REFUND OF CD & OVERPAYMENT	Open	159.67	0.00		
N024	HEATHER NELSON						
21-00180	01/20/21	REFUND OF CD	Open	136.64	0.00		
N5003	NATIONAL FUEL OIL, INC.						
20-03095	12/02/20	Fuel Del 11/23/2020	Open	2,781.42	0.00		
20-03101	12/02/20	Fuel Delivered	Open	<u>1,611.94</u>	0.00		
				4,393.36			
N6061	NJ ST LEAGUE OF MUNICIPALITIES						
21-00078	01/12/21	2021 MEMBERSHIP DUES	Open	1,241.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
N6094	NEW JERSEY MOTOR VEHICLE COMM	21-00081	01/12/21	NJMVC-DL CHECKS ONLINE 2021	Open	150.00	0.00		
N6102	NJ STATE ASSN CHIEFS OF POLICE	21-00097	01/15/21	Oral test	Open	3,200.00	0.00		
N6153	NJ PUBLIC SAFETY ACCREDITATION	21-00102	01/15/21	2021 Membership	Open	300.00	0.00		
N6161	ACTION FIRE APPARATUS CO.,INC	20-03329	12/23/20	SCOTT AV3000 W/4 STRAP HARNESS	Open	2,520.00	0.00		
N6180	NORCIA CORP.	20-03332	12/23/20	REWORK DRIVESHAFT-SANIATAION	Open	1,310.00	0.00		
		20-03333	12/23/20	RATCHET STRAPS-TRUCK # 3	Open	33.59	0.00		
						<u>1,343.59</u>			
0017	CHRISTOPHER OUTMAN	21-00181	01/20/21	REFUND OF CD	Open	149.66	0.00		
P045	NIKOLAY PODKUYCHENKO	21-00182	01/20/21	REFUND OF CD	Open	136.37	0.00		
P046	PREFERRED CLEANING SOLUTIONS	21-00183	01/20/21	REFUND OF CD	Open	374.56	0.00		
P047	KARI PROMUTICO	21-00184	01/20/21	REFUND OF CD	Open	353.08	0.00		
P7011	PERTH AMBOY SPRING	20-03331	12/23/20	SPRING REPAIR-TRUCK # 16	Open	401.90	0.00		
P7148	POWERDMS, INC.	21-00098	01/15/21	Billing for 1/29/21-1/28/22	Open	805.00	0.00		
P7232	PUBLIC POWER ASSN OF N.J.	20-03348	12/30/20	NYPA Billing 12/2020	Open	24,271.59	0.00		
		21-00118	01/15/21	PPANJ DUES & ASSESSMENTS 2021	Open	15,359.06	0.00		
						<u>39,630.65</u>			
PA03	PARTS AUTHORITY LLC	20-03040	11/24/20	Blanket - Vehicle Parts	Open	3,020.79	0.00		
PET001A	PETRIK, JAN	21-00041	01/12/21	2021 Clothing Allowance	Open	650.00	0.00		
PETTY-PW	ADRIANO SOARES	21-00133	01/15/21	2021 PETTY CASH START UP-DPW	Open	200.00	0.00		
PRIME01	PRIMEPOINT, LLC	21-00060	01/12/21	P/R PROCESSING 12/20	Open	1,497.70	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
R039	SAMANTHA ROVILLOS	21-00185	01/20/21	REFUND OF CD	Open	157.89	0.00		
R51807	ROSE ENVIRONMENTAL SERVICES	21-00092	01/15/21	Pest Control-January 2021	Open	245.00	0.00		
R7329	V E RALPH & SON INC	20-03033	11/24/20	medical supplies	Open	547.00	0.00		
R7450	RICOH USA, INC.	20-03261	12/16/20	Rec Copier 12/1/20-12/31/20	Open	168.45	0.00		
R7485	POWER SAWS OF AMERICA, INC.	20-02974	11/19/20	Remove Trees-Various Locations	Open	5,900.00	0.00		
R7548	THE RODGERS GROUP, LLC.	20-03418	12/31/20	4th Quarter payment-2020	Open	1,989.75	0.00		
		20-03419	12/31/20	4th quarter training-2020	Open	<u>1,200.00</u>	0.00		
						3,189.75			
S082	GEORGE & GERONIMA SCIENSKI	21-00186	01/20/21	REFUND OF OVERPAYMENT	Open	39.93	0.00		
S083	GEORGE NICHOLAS & ZOE SCULLLOS	21-00187	01/20/21	REFUND OF CD	Open	61.46	0.00		
S7877	SAKER SHOPRITES INC	21-00001	01/08/21	Food Bank/Rec ShopRite	Open	324.60	0.00		
S8126	SOUTH RIVER GLASS, INC.	20-02768	10/28/20	Shield-Covid 19 Protection-PD	Open	8,073.00	0.00		
S8162	STAVOLA COMPANIES	20-02722	10/21/20	Blanket - Asphalt	Open	478.57	0.00		
SAMZ01	GALLS PARENT HOLDING LLC	21-00103	01/15/21	Uniform for M. McCann	Open	958.47	0.00		
SF400	SF MOBILE-VISION INC	21-00108	01/15/21	Remote Access for Bravo 4101	Open	125.00	0.00		
SMIT02	MICHAEL J. SMITH	21-00043	01/12/21	2021 Clothing Allowance	Open	595.00	0.00		
T019	TOTAL PARTY LLC	21-00191	01/22/21	January birthday order	Open	40.00	0.00		
T1735	TARGETED TECHNOLOGIES LLC	21-00064	01/12/21	IT SERVICES-1/21	Open	3,000.00	0.00		
T8299	TLP CLIMATE CONTROL SYSTEMS IN	20-02600	10/06/20	Repairs-Jackson St Firehouse	Open	325.00	0.00		

January 22, 2021
02:00 PM

Borough of South River
Bill List By Vendor Id

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
T8299	TLP CLIMATE CONTROL SYSTEMS IN	Continued					
20-03275	12/23/20	Repairs-Jackson St Firehouse	Open	<u>260.00</u>	0.00		
				585.00			
T8324	TAYLOR OIL CO INC.						
20-03097	12/02/20	Fuel Delivered	Open	818.10	0.00		
20-03098	12/02/20	Fuel Delivered	Open	1,034.05	0.00		
20-03099	12/02/20	Fuel Delivered	Open	883.77	0.00		
20-03100	12/02/20	Fuel Delivered	Open	<u>391.71</u>	0.00		
				3,127.63			
T8539	TRIUS, INC.						
20-03334	12/23/20	PROPORTIONAL COIL-TRUCK # 3	Open	294.06	0.00		
20-03394	12/31/20	Parts - Truck #3	Open	<u>769.34</u>	0.00		
				1,063.40			
T8543	TREASURER, STATE OF NEW JERSEY						
21-00079	01/12/21	TIDELANDS LIC & LEASE FEE	Open	100.00	0.00		
W101	101 WAKEMAN AVE ASSOC LLC						
21-00188	01/20/21	REFUND OF OVERPAYMENT	Open	130.00	0.00		
W9187	WALTER DANLEY ELECTRICAL						
21-00047	01/12/21	Repairs at Treatment Plant	Open	1,911.02	0.00		
W9470	WIRELESS ELECTRONICS, INC.						
21-00096	01/15/21	Billing for Jan. 2021	Open	300.00	0.00		
Y9796	YUHAS PLUMBING & HEATING, INC.						
20-03413	12/31/20	Repairs-Police Dept.	Open	472.00	0.00		
21-00045	01/12/21	Repairs-Food Bank	Open	320.00	0.00		
21-00046	01/12/21	Repairs-Water Treatment Plant	Open	<u>732.00</u>	0.00		
				1,524.00			
Total Purchase Orders:	154	Total P.O. Line Items:	0	Total List Amount:	308,640.06	Total Void Amount:	0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	158,512.91	0.00	158,512.91	0.00	0.00	158,512.91
WATER UTILITY	0-02	3,747.37	0.00	3,747.37	0.00	0.00	3,747.37
ELECTRIC UTILITY	0-03	35,854.43	0.00	35,854.43	0.00	0.00	35,854.43
Year Total:		198,114.71	0.00	198,114.71	0.00	0.00	198,114.71
CURRENT FUND	1-01	35,593.39	0.00	35,593.39	0.00	0.00	35,593.39
WATER UTILITY	1-02	14,459.19	0.00	14,459.19	0.00	0.00	14,459.19
ELECTRIC UTILITY	1-03	33,311.92	0.00	33,311.92	0.00	0.00	33,311.92
	1-15	2,017.02	0.00	2,017.02	0.00	0.00	2,017.02
	1-16	900.00	0.00	900.00	0.00	0.00	900.00
Year Total:		86,281.52	0.00	86,281.52	0.00	0.00	86,281.52
GENERAL CAPITAL	C-06	18,040.30	0.00	18,040.30	0.00	0.00	18,040.30
ESCROW ACCOUNT	E-17	4,856.50	0.00	4,856.50	0.00	0.00	4,856.50
OTHER TRUST ACCOU	T-05	304.53	0.00	304.53	0.00	0.00	304.53
WATER CAPITAL	W-07	1,042.50	0.00	1,042.50	0.00	0.00	1,042.50
Total of All Funds:		308,640.06	0.00	308,640.06	0.00	0.00	308,640.06