

MEETING OF MAYOR AND COUNCIL  
FEBRUARY 17, 2021  
7:00 PM

\* MEETING CALLED TO ORDER – SALUTE TO THE FLAG - MOMENT OF SILENCE

\* CALLING OF THE ROLL

Mayor Slavicek  
Councilman Dzingleski  
Councilwoman Carolan-Genthe  
Councilman Duffy  
Councilman Karczewski  
Councilman Perez  
Councilman Reid

\* OPEN PUBLIC MEETINGS ACT STATEMENT

Adequate notice of this meeting has been provided as is required under Chapter 231 Public Law 19 by posting a copy on the bulletin board in the Municipal Building outside of the meeting room and providing a copy to the Home News Tribune and Sentinel newspaper the certification which will be entered in the minutes of this meeting.

\*PUBLIC PORTION

During the Public Portion of any Council Meeting members of the Public may only speak on topics of concern to the residents of the Borough. Each individual will be given five minutes to speak as per the Rules to Govern adopted January 2, 2020. During the Public Portion of any meeting, the members of the Public as well as the Governing Body shall be courteous and respectful to one another. No comments and/or behavior that are considered disrespectful, ill-willed or with the intent to harass will be tolerated. If such behavior occurs, then that individual member of the Public will be asked to sit down and his or her turn to speak will be over, even if the five minutes is not. There was no one present in the Audience.

ACCEPTANCE OF MINUTES:

January 20, 2021

\* CONSENT AGENDA - RESOLUTON #2021 - 67

Report of Municipal Clerk, Tax Collector,  
Resolutions:

- 2021 – 60 Resolution Authorizing Reimbursement to Regency Walk Homeowners Association
- 61 Resolution Authorizing Reimbursement to Lofts at Helmetta
- 62 Temporary Emergency Appropriation #1
- 63 Filing of Tonnage Grant Application
- 64 Tax Identification Statement
- 65 Payment of Bills
- 66 Reimbursement to Heather Glen

\* REPORTS – Mayor, Committees. Attorney, Administrator

\* ORDINANCE #2021 – 01 (Second Reading)

An Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a cap bank

\*ORDINANCE #2021-02 (First Reading)  
Municipal Stormwater Control Ordinance for the Borough of Helmetta

\* CLOSED (if needed)

\* ADJOURNMENT

REPORT OF MUNICIPAL CLERK

JAN.

2021

SANDRA BOHINSKI

	Copies	Marr Lic	Plng Bd	Recycle	Marr Cer	Peddler
Byrne	\$10.00	\$10.00				
Shtivelm	\$10.00	<u>\$10.00</u>				
an						
Fiorello	\$10.00			<u>\$10.00</u>		
Wright	\$750.00		<u>\$750.00</u>			
Stanzion	<u>\$35.00</u>					<u>\$35.00</u>
e						
	\$815.00	\$20.00	\$750.00	\$10.00		\$35.00
Cat & Dog Licenses	\$1,155.00					

BOROUGH OF HELMETTA

REPORT OF THE TAX COLLECTOR

MONTH OF: JANUARY 2021

DATED: 2/11/2021

*Tina McDermott*  
 TINA MCDERMOTT  
 TAX COLLECTOR

TAXES 2020 10,373.62  
 TAXES 2021 375,028.69  
 TAXES 2022 0.00

ADJUSTMENTS  
 2021 w/1pp fee credit-tax (1.95) \*  
 2020 overpayments 50.70  
 2021 transfer overpayments (85.80)

DISBURSEMENTS 433.27

(37.05)

COSTS FOR TAX SALE  
 LIEN REDEMPTION + INT  
 RECORDING FEES  
 DUPLICATE CERT  
 DUPLICATE BILL  
 TAX SALE PREMIUMS

35.00

TOTAL 385,870.58

TAX COLLECTORS TRUST

CLOSING BALANCES		DEBIT	CREDIT	NET
2019		0.00	(45,497.78)	(45,497.78) Kaplan
2020		55,586.36	0.00	55,586.36
2021		2,390,120.63	(14.92)	2,390,105.71
Ledger Bal			38,071.10	KAPLAN OVERPAY FROM 2018
				CARRIED INTO 2019

PRIOR BALANCE

12,449.84

12/31/2020

DEPOSITS

\$8.04 Int

DISBURSEMENTS

12,457.88

0.00

BANK BALANCE

12,457.88

Statement Bal  
 1/29/2021

LEDGER BALANCE

12,457.88



Range: Block: First to Last      Range of Util Accounts: First to Last  
 Lot:  
 Qual:  
 Range of Codes: First to Last      Range of Years: First to 2022      Range of Periods: 1 to 12  
 Range of Batch Ids: First to Last      Range of Dates: 01/01/21 to 01/31/21  
 Range of Sections: First to Last      Name to Print: Bill To  
 Range of Spec Tax Codes: First to Last      Print Ref Num: N      Print Utility w/Block/Lot/Qual: N  
 Payment Type Includes:      Tax: Y      Sp Charges: Y      Lien: Y      Sp Assmnt: Y      Water: N      Sewer: N  
    Voucher Agency: N      Animal: N      Misc: Y  
 Payment Method Includes:      Cash: Y      Check: Y      Credit: Y      Voucher: N  
 Range of Installment Due Dates: First to Last  
 Print Miscellaneous w/Block/Lot/Qual: N      Print Only Miscellaneous w/Block/Lot/Qual: N

Code Description	Count	Arrears/other	Principal			Interest	Total
			2019	2020	2021		
001 Property Taxes	268	0.00	0.00	10,373.62	375,028.69	433.27	385,835.58
Tax Payments	268	0.00	0.00	10,373.62	375,028.69	433.27	385,835.58
022 DUPLICATE BILL TAXES	7	35.00	0.00	0.00	0.00	0.00	35.00
Misc Payments	7	35.00	0.00	0.00	0.00	0.00	35.00
Payments Total:	275	35.00	0.00	10,373.62	375,028.69	433.27	385,870.58
Cash o/s Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
Total:	275	35.00	0.00	10,373.62	375,028.69	433.27	385,870.58

Total Cash: 1,817.28  
 Total Check: 381,101.15  
 Total Credit: 2,952.15

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BOROUGH OF HELMETTA  
Adjustment Report By Block/Lot/Qual

Page No: 1

Range: Block: First to Last      Bill Year Range: 2020 to 2021      Adjust Code Range: 071 to 071  
Lot:      Bill Period Range: 1 to 4      Name/Location To Print: Owner Name  
Qual:      Date Range: First to 01/31/21      Page Break After Totals: N  
System Date Range: 01/01/21 to 02/11/21      Include Adjustment Type: All  
Include: Tax: Y Sp Charges: Y Lien: Y Special Assessment: Y

Block/Lot/Qual Yr/Prd/Instl Date	Type Code Ded Description	Acct Id Owner Name Principal	Instal Int	Interest	Sp. Assmnt Total User Id Batch Id
16, 10. 2021 1 01/29/21 071	Tax WIPP FEE CREDIT	HERNER, KAREN A 1.95-	0.00	0.00	1.95- MC MC01

*Mrs: credit  
2021*

Range: Block: First to Last      Bill Year Range: 2020 to 2021      Adjust Code Range: 063 to 063  
 Lot:      Bill Period Range: 1 to 4      Name/Location To Print: Owner Name  
 Qual:      Date Range: First to 01/31/21      Page Break After Totals: N  
 System Date Range: 01/01/21 to 02/11/21      Include Adjustment Type: All  
 Include: Tax: Y Sp Charges: Y Lien: Y Special Assessment: Y

Code	Description	Count	Principal	Instal Int	Interest	Total	Ded Count
Total for Year 2020							
063	Transfer Overpayment	<u>63</u>	<u>50.70</u>	<u>0.00</u>	<u>0.00</u>	<u>50.70</u>	<u>0</u>
		63	50.70	0.00	0.00	50.70	0
Total for Year 2021							
063	Transfer Overpayment	<u>110</u>	<u>85.80</u>	<u>0.00</u>	<u>0.00</u>	<u>85.80</u>	<u>0</u>
		110	85.80	0.00	0.00	85.80	0
Totals for All Years:							
063	Transfer Overpayment	<u>173</u>	<u>35.10</u>	<u>0.00</u>	<u>0.00</u>	<u>35.10</u>	<u>0</u>
		173	35.10	0.00	0.00	35.10	0



Range: Block: First to Last      Property Class Range: First to Last      Include Zero Balances: Y  
 Lot:      Bill Year Range: 2021 to 2021      Include Prior Yr/Prd In Balance: Y  
 Qual:      Bill Period Range: 1 to 4      Direct Withdraw Accounts Only: N  
 As of Date: 01/31/21      Assessed Value/SPTX Code Year: 2021

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Original Billed	1,417,606.78	1,417,601.72	0.00	0.00	2,835,208.50
Added/Omitted	735.70	735.64	0.00	0.00	1,471.34
Other Billing	750.00	0.00	500.00-	0.00	250.00
Balance Adjustments (Prin)	2,158.34	6,259.42-	1,375.47	1,091.32-	3,816.93-
Payments (Prin)	427,969.72	15,037.48	0.00	0.00	443,007.20
Payments (Pnlt)	0.00	0.00	0.00	0.00	0.00
NSF (Prin)	0.00	0.00	0.00	0.00	0.00
NSF (Pnlt)	0.00	0.00	0.00	0.00	0.00
Tax Balance (Prin + Pnlt)	993,281.10	1,397,040.46	875.47	1,091.32-	2,390,105.71
Misc.Charge Adjustments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge Payments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge NSF (Prin)	0.00	0.00	0.00	0.00	0.00
Total Balance (Prin + Pnlt)	993,281.10	1,397,040.46	875.47	1,091.32-	2,390,105.71
Payments (Intr)	0.00	0.00	0.00	0.00	0.00
NSF (Intr)	0.00	0.00	0.00	0.00	0.00
Balance Adjustments (Intr)	0.00	0.00	0.00	0.00	0.00

Prior Yr/Prd Balance: 10,088.58  
 Current Balance: 2,390,105.71  
 Total Balance: 2,400,194.29

2021 DEDUCTIONS

Number of Accts:	1021	Senior Citizen	4
Land Value:	83,927,480	Disabled Person	4
Improvement Value:	139,930,447	Surviving Spouse	0
Limited Exemptions:	0	Veteran	38
Net Taxable Value:	223,808,418	Widow of Veteran	3

NOTE: zero balance accounts ARE included on the total pages.

TAX YEAR 2021/1 - 2021/4

TAX LEVY

Original (Original Billed + Deduction Amounts)	2,847,458.50	
Added	1,471.34	
Omitted	0.00	
Omitted/Added	0.00	
Rollback	0.00	
Prelim Adjustments		
089 Billing Adjustment	<u>0.00</u>	
TOTAL LEVY		2,848,929.84

2021 DEDUCTIONS

Senior Citizen ( 4 ) x 250.00	1,000.00	
Disabled Person ( 4 ) x 250.00	1,000.00	
Surviving Spouse ( 0 ) x 250.00	0.00	
Veteran ( 38 ) x 250.00	9,500.00	
Widow of Veteran ( 3 ) x 250.00	<u>750.00</u>	
TOTAL DEDUCTION AMOUNTS 2021/1 - 2021/4		( 12,250.00 )

TOTAL LEVY TO BE COLLECTED

2,836,679.84

COLLECTIONS

Prepaid from Prior Year (before 01/01/21)		
001 Property Taxes	<u>67,978.51</u>	67,978.51
Total from Prior Year		
Current Year (01/01/21 - 12/31/21)		
001 Property Taxes	<u>375,028.69</u>	375,028.69
Total Current Year		
Subsequent Year (after 12/31/21)		
Total Subsequent Year	<u>0.00</u>	0.00
TOTAL COLLECTIONS		443,007.20

NSF REVERSALS

TOTAL NSF REVERSALS	<u>0.00</u>	0.00
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TOTAL COLLECTIONS less NSF REVERSALS

( 443,007.20 )

COLLECTOR ADJUSTMENTS	Debit	Credit	Net	Allow/Disallow
051 Src Allowed	0.00	250.00-	250.00-	0
052 Src Disallowed	0.00	0.00	0.00	0
053 Vet Allowed	0.00	250.00-	250.00-	1
054 Vet Disallowed	750.00	0.00	750.00	3
055 Dis Allowed	0.00	0.00	0.00	0
056 Dis Disallowed	0.00	0.00	0.00	0
057 Ssp Allowed	0.00	0.00	0.00	0
058 Ssp Disallowed	0.00	0.00	0.00	0
059 wid Allowed	0.00	250.00-	250.00-	1
060 wid Disallowed	0.00	0.00	0.00	0
061 Lien - Transfer Exst	0.00	0.00	0.00	
062 Foreclosure	0.00	0.00	0.00	
063 Transfer Overpayment	7,266.89	10,831.87-	3,564.98-	
064 Refund Overpayment	0.00	0.00	0.00	
069 Cancelled - Resolutn	0.00	0.00	0.00	
070 County Board Judgmt	0.00	0.00	0.00	
071 Miscellaneous	0.00	1.95-	1.95-	

072 State Tax Appeal	0.00	0.00	0.00	
073 Lien - Establish New	0.00	0.00	0.00	
074 Lien - Transfer O.B.	0.00	0.00	0.00	
075 Arrears - Transfer	0.00	0.00	0.00	
076 6% Penalty	0.00	0.00	0.00	
077 Lien Estab New Pnlty	0.00	0.00	0.00	
078 Lien Trnf Exst Pnlty	0.00	0.00	0.00	
079 Arrears Trnsfr Pnlty	0.00	0.00	0.00	
080 Credit Interest	0.00	0.00	0.00	
081 POST WRONG PROP	0.00	0.00	0.00	
082 TRANSFER PAYMENT	0.00	0.00	0.00	
083 Charge Interest	0.00	0.00	0.00	
084 Disabled Vet Exempt	0.00	0.00	0.00	
085 Transf to Water/Sewr	0.00	0.00	0.00	
086 NSF CHECK	0.00	0.00	0.00	
087 Transfer Balance	0.00	0.00	0.00	
088 LIENHOLDER PAYMENT	0.00	0.00	0.00	
090 SPECIAL CHARGE	0.00	0.00	0.00	
091 LIEN - SP CHR G MISC	0.00	0.00	0.00	
152 Senior Chargeback	0.00	0.00	0.00	0
156 Disabled Chargeback	0.00	0.00	0.00	0
158 SSP Chargeback	0.00	0.00	0.00	0
HB HOMESTEAD BENEFIT	0.00	0.00	0.00	
HR HOMESTEAD REBATE	0.00	0.00	0.00	
MIS MISC	0.00	0.00	0.00	
RVR RVRSL ADJ	0.00	0.00	0.00	
	<u>8,016.89</u>	<u>11,583.82-</u>	<u>3,566.93-</u>	<u>5</u>
TOTAL ADJUSTMENTS			<u>3,566.93-</u>	
BALANCE 2021/1 - 2021/4				
Credit Balances			14.92-	
Debit Balances			<u>2,390,120.63</u>	
TOTAL BALANCE 2021/1 - 2021/4			<u>2,390,105.71</u>	

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BOROUGH OF HELMETTA  
Tax Account Status Audit Totals

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	<u>Debit</u>	<u>Credit</u>	<u>Net</u>
COLLECTOR INTEREST ADJUSTMENTS	0.00	0.00	0.00
TOTAL INTEREST ADJUSTMENTS			<u>0.00</u>

**BOROUGH OF HELMETTA**  
**2020**  
**DELINQUENT TAXES**

as of 1/31/21

	TOTAL	Penalty		<u>2020</u>
			Transfer overpay 1/29/21	<u>50.70</u>
new lien				
				<u><u></u></u>
				<u><u></u></u>
	<b>Cash Recpts</b>	<b>adj</b>		
JANUARY	65,909.28	(10,373.62)	50.70	55,586.36
FEBRUARY				0.00
MARCH				0.00
APRIL				0.00
MAY				0.00
JUNE				0.00
JULY				0.00
AUGUST				0.00
SEPTEMBER				0.00
OCTOBER				0.00
NOVEMBER				0.00
<b>BALANCE</b>				<u><u>\$ 55,586.36</u></u>

Range: Block: First to Last Property Class Range: First to Last Print Balances Greater Than: 0.00  
 Lot: Bill Year Range: 2020 to 2020 Include Prior Yr/Prd In Balance: N  
 Qual: Bill Period Range: 1 to 4 Include Interest Through: 01/31/21  
 As Of Date: 01/31/21 Assessed Value/SPTX Code Year: 2020 Include Tax Sp Charges: N  
 Include Utility Due As Of 01/31/21: N Include Other Special Charges: N

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Original Billed	94,741.76	94,741.41	94,217.89	92,737.49	376,438.55
Added/Omitted	0.00	0.00	0.00	232.72	232.72
Other Billing	250.00	0.00	500.00	639.37	1,389.37
Balance Adjustments (Prin)	1,146.80	32.95	1,159.35	21.12	0.72
Payments (Prin)	89,405.39	85,138.05	79,019.89	68,910.23	322,473.56
Payments (Pnlt)	0.00	0.00	0.00	0.00	0.00
NSF (Prin)	0.00	0.00	0.00	0.00	0.00
NSF (Pnlt)	0.00	0.00	0.00	0.00	0.00
Tax Balance (Prin + Pnlt)	6,733.17	9,636.31	14,538.65	24,678.23	55,586.36
Misc.Charge Adjustments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge Payments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge NSF (Prin)	0.00	0.00	0.00	0.00	0.00
Total Balance (Prin + Pnlt)	6,733.17	9,636.31	14,538.65	24,678.23	55,586.36
Payments (Intr)	1,724.79	1,119.04	640.15	303.06	3,787.04
NSF (Intr)	0.00	0.00	0.00	0.00	0.00
Balance Adjustments (Intr)	0.00	0.00	0.00	0.00	0.00

Prior Yr/Prd Balance: 0.00  
 Current Balance: 55,586.36  
 Total Per Diem Interest: 2,702.29  
 Total Balance: 58,288.65

2020 DEDUCTIONS

Number of Accts:	61	Senior Citizen	2
Land Value:	5,460,100	Disabled Person	0
Improvement Value:	6,874,600	Surviving Spouse	0
Limited Exemptions:	0	Veteran	2
Net Taxable Value:	12,334,700	widow of Veteran	1

NOTE: Balance includes Bill Year/Period Range Only.  
 NOTE: Per Diem Interest is included for Bill Year/Period Range Only.

Range: Block: First to Last Property Class Range: First to Last Include Zero Balances: Y  
 Lot: Bill Year Range: 2020 to 2020 Include Prior Yr/Prd In Balance: Y  
 Qual: Bill Period Range: 1 to 4 Direct Withdraw Accounts Only: N  
 As Of Date: 01/31/21 Assessed Value/SPTX Code Year: 2020

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Original Billed	1,429,965.73	1,429,960.52	1,415,191.50	1,392,916.48	5,668,034.23
Added/Omitted	1,188.51	1,188.49	0.00	2,615.46	4,992.46
Other Billing	750.00	0.00	1,500.00	139.37	2,389.37
Balance Adjustments (Prin)	3,001.38	4,900.41	2,501.87	13,946.61-	3,542.95-
Payments (Prin)	1,428,172.45	1,426,413.11	1,404,654.72	1,357,046.47	5,616,286.75
Payments (Pnlt)	0.00	0.00	0.00	0.00	0.00
NSF (Prin)	0.00	0.00	0.00	0.00	0.00
NSF (Pnlt)	0.00	0.00	0.00	0.00	0.00
Tax Balance (Prin + Pnlt)	6,733.17	9,636.31	14,538.65	24,678.23	55,586.36
Misc.Charge Adjustments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge Payments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge NSF (Prin)	0.00	0.00	0.00	0.00	0.00
Total Balance (Prin + Pnlt)	6,733.17	9,636.31	14,538.65	24,678.23	55,586.36
Payments (Intr)	2,888.54	1,962.85	1,309.96	947.58	7,108.93
NSF (Intr)	0.00	0.00	0.00	0.00	0.00
Balance Adjustments (Intr)	0.00	0.00	0.00	0.00	0.00
Prior Yr/Prd Balance:	45,497.78-				
Current Balance:	55,586.36				
Total Balance:	10,088.58				

2020 DEDUCTIONS

Number of Accts:	1021	Senior Citizen	4
Land Value:	83,843,084	Disabled Person	4
Improvement Value:	139,152,346	Surviving Spouse	0
Limited Exemptions:	0	Veteran	38
Net Taxable Value:	222,955,658	Widow of Veteran	3

NOTE: Zero balance accounts ARE included on the total pages.

TAX YEAR 2020/1 - 2020/4  
TAX LEVY

Original (Original Billed + Deduction Amounts)	5,680,284.23	
Added	4,992.46	
Omitted	0.00	
Omitted/Added	0.00	
Rollback	0.00	
Prelim Adjustments		
089 Billing Adjustment	<u>0.00</u>	
TOTAL LEVY		5,685,276.69

2020 DEDUCTIONS

Senior Citizen	( 4 ) x 250.00	1,000.00	
Disabled Person	( 4 ) x 250.00	1,000.00	
Surviving spouse	( 0 ) x 250.00	0.00	
Veteran	( 38 ) x 250.00	9,500.00	
Widow of Veteran	( 3 ) x 250.00	<u>750.00</u>	
TOTAL DEDUCTION AMOUNTS 2020/1 - 2020/4			( <u>12,250.00</u> )

TOTAL LEVY TO BE COLLECTED

5,673,026.69

COLLECTIONS

Prepaid from Prior Year (before 01/01/20)			
001 Property Taxes	<u>58,978.33</u>		
Total from Prior Year		58,978.33	
Current Year (01/01/20 - 12/31/20)			
001 Property Taxes	5,544,052.71		
006 LIENHOLDER TAXES	<u>2,882.09</u>		
Total Current Year		5,546,934.80	
Subsequent Year (after 12/31/20)			
001 Property Taxes	<u>10,373.62</u>		
Total Subsequent Year		<u>10,373.62</u>	

TOTAL COLLECTIONS

5,616,286.75

NSF REVERSALS

TOTAL NSF REVERSALS 0.00

TOTAL COLLECTIONS less NSF REVERSALS

( 5,616,286.75 )

COLLECTOR ADJUSTMENTS	Debit	Credit	Net	Allow/Disallow
051 Src Allowed	0.00	250.00-	250.00-	1
052 Src Disallowed	250.00	0.00	250.00	1
053 Vet Allowed	3.15	253.15-	250.00-	1
054 Vet Disallowed	1,750.00	0.00	1,750.00	6
055 Dis Allowed	0.00	0.00	0.00	0
056 Dis Disallowed	250.00	0.00	250.00	1
057 Ssp Allowed	0.00	0.00	0.00	0
058 Ssp Disallowed	0.00	0.00	0.00	0
059 wid Allowed	0.00	250.00-	250.00-	1
060 wid Disallowed	0.00	0.00	0.00	0
061 Lien - Transfer Exst	0.00	2,461.85-	2,461.85-	
062 Forclosure	0.00	0.00	0.00	
063 Transfer Overpayment	26,504.58	27,335.68-	831.10-	
064 Refund Overpayment	0.00	0.00	0.00	
069 Cancelled - Resolutn	0.00	0.00	0.00	



070	County Board Judgment	0.00	0.00	0.00	
071	Miscellaneous	0.00	0.00	0.00	
072	State Tax Appeal	0.00	0.00	0.00	
073	Lien - Establish New	0.00	0.00	0.00	
074	Lien - Transfer O.B.	0.00	0.00	0.00	
075	Arrears - Transfer	0.00	0.00	0.00	
076	6% Penalty	639.37	0.00	639.37	
077	Lien Estab New Pnlty	0.00	0.00	0.00	
078	Lien Trnf Exst Pnlty	0.00	0.00	0.00	
079	Arrears Trnsfr Pnlty	0.00	0.00	0.00	
080	Credit Interest	0.00	0.00	0.00	
081	POST WRONG PROP	0.00	0.00	0.00	
082	TRANSFER PAYMENT	0.00	0.00	0.00	
083	Charge Interest	0.00	0.00	0.00	
084	Disabled Vet Exempt	0.00	0.00	0.00	
085	Transf to Water/Sewr	0.00	0.00	0.00	
086	NSF CHECK	0.00	0.00	0.00	
087	Transfer Balance	0.00	0.00	0.00	
088	LIENHOLDER PAYMENT	0.00	0.00	0.00	
090	SPECIAL CHARGE	0.00	0.00	0.00	
091	LIEN - SP CHRG MISC	0.00	0.00	0.00	
152	Senior Chargeback	0.00	0.00	0.00	0
156	Disabled Chargeback	0.00	0.00	0.00	0
158	SSP Chargeback	0.00	0.00	0.00	0
HB	HOMESTEAD BENEFIT	0.00	0.00	0.00	
HR	HOMESTEAD REBATE	0.00	0.00	0.00	
MIS	MISC	0.00	0.00	0.00	
RVR	RVRSL ADJ	0.00	0.00	0.00	
		<u>29,397.10</u>	<u>30,550.68</u>	<u>1,153.58</u>	<u>11</u>
	TOTAL ADJUSTMENTS			<u>1,153.58</u>	
	BALANCE 2020/1 - 2020/4			0.00	
	Credit Balances			<u>55,586.36</u>	
	Debit Balances				
	TOTAL BALANCE 2020/1 - 2020/4			<u>55,586.36</u>	

February 11, 2021  
06:24 PM

BOROUGH OF HELMETTA  
Tax Account Status Audit Totals

Page No: 4

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	<u>Debit</u>	<u>Credit</u>	<u>Net</u>	
COLLECTOR INTEREST ADJUSTMENTS	0.00	0.00	0.00	
TOTAL INTEREST ADJUSTMENTS				<u>0.00</u>





591-595 Avenue C  
Bayonne, NJ 07002

Address Service Requested

Find us on Facebook 1-800-680-6872  
www.bcb.bank

PAGE: 1 of 3  
PRIMARY: XXXXXXXXXXXXX3028  
DATE: 01/29/2021

16180 0.6400 TR 00000  
Borough Of Helmetta  
Helmetta Tax Collection Trust Fund  
51 Main Street  
Helmetta, NJ 08828-1127

**ATTENTION CUSTOMERS**  
OUR LOBBY SERVICES WILL  
BE AVAILABLE BY  
APPOINTMENT ONLY.  
PLEASE CONTACT THE  
CALL CENTER AT  
201-823-0700 TO SCHEDULE  
AN APPOINTMENT.  
THANKS! OUI  
**BCB Bank**

LOCAL GOVERNMENT TIERED		ACCOUNT: XXXXXXXXXXXXX3028	
BOROUGH OF HELMETTA HELMETTA TAX COLLECTION TRUST FUND			
ACCOUNT SUMMARY			
LOCAL GOVERNMENT TIERED		IMAGES	0
ACCOUNT NUMBER	XXXXXXXXXXXX3028	STATEMENT DATES	1/01/21 THRU 1/31/21
PREVIOUS BALANCE	12,449.84	DAYS IN THIS STATEMENT PERIOD	31
DEPOSITS/CREDITS	0.00	AVERAGE LEDGER	12,449.84
CHECKS/DEBITS	0.00	AVERAGE COLLECTED	12,449.84
SERVICE CHARGE	0.00	INTEREST EARNED	8.04
INTEREST PAID	8.04	ANNUAL PERCENTAGE YIELD EARNED	0.76 %
CURRENT BALANCE	12,457.88	2021 INTEREST PAID	8.04

**PLAN FOR THE FUTURE WITH AN INDIVIDUAL RETIREMENT ACCOUNT (IRA)**

IRAs are a great way to fund your retirement savings plan. Whether you decide on a Traditional, Roth, or Educational IRA, BCB will help you plan successfully while maximizing your savings.

Contact your local branch representative for more information!

www.BCB.Bank | 1.800.680.6872

f w in @

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**LOCAL GOVERNMENT TIERED**

**ACCOUNT: XXXXXXXXXXXX3028**

TRANSACTIONS			
DATE	DESCRIPTION	DEBITS	CREDITS
01/31	INTEREST DEPOSIT		8,04

INTEREST RATE	
DATE	RATE
12/31	0.750000%

**RESOLUTION  
2021-60**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO REGENCY  
WALK HOMEOWNERS ASSOCIATION PURSUANT TO N.J.S.A. 40:67-  
23.2 et seq., AS AMENDED, FOR THE YEAR 2020**

**WHEREAS**, Regency Walk Homeowners Association (the "Association") is a qualified private community pursuant to Chapter 299, Public Law 1989, as amended (the "Law"); and

**WHEREAS**, the Borough of Helmetta is required to reimburse the Association for certain municipal services pursuant to the Law; and

**WHEREAS**, if the Borough provides reimbursement to the Association for certain municipal services, the reimbursement shall not exceed the amount that the Borough would have expended to provide the equivalent services; and

**WHEREAS**, the Borough and the Association entered into an Agreement around March 17, 2004 establishing the reimbursement procedure for covered municipal services; and

**WHEREAS**, the Public Works Supervisor has determined that, under the Borough's agreements in place for 2020, it would have cost the Borough \$275.40 to provide snow removal services to Regency Walk; and

**WHEREAS**, the Association submitted bills from Jersey Central Power & Light for street lighting for the year 2020 in the amount of \$2,895.26; and

**WHEREAS**, the Public Works Supervisor has determined that, under the Borough's agreements in place for 2020, it would have cost the Borough \$1,053.12 to perform comparable leaf recycling services.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Helmetta that the Chief Financial Officer be and is hereby authorized to issue a check in the amount of \$4,223.78 to Regency Walk Homeowners Association representing 2020 snow removal reimbursement of \$275.40, 2020 street light reimbursement of \$2,895.26 and leaf recycling reimbursement of \$1,053.12.

	<u>Motion</u>		<u>Aye</u>	<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>		<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

---

SANDRA BOHINSKI, RMC  
Municipal Clerk

**RESOLUTION  
2021-61**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO LOFTS AT  
HELMETTA PURSUANT TO N.J.S.A. 40:67-23.2 et seq., AS AMENDED,  
FOR THE YEAR 2020**

**WHEREAS**, Lofts at Helmetta (the "Lofts") is a qualified private community pursuant to Chapter 299, Public Law 1989, as amended (the "Law"); and

**WHEREAS**, the Borough of Helmetta is required to reimburse the Lofts for certain municipal services pursuant to the Law; and

**WHEREAS**, if the Borough provides reimbursement to the Lofts for certain municipal services, the reimbursement shall not exceed the amount that the Borough would have expended to provide the equivalent services; and

**WHEREAS**, Kaplan Companies, submitted bills from Central Jersey Waste for garbage and recycling services for the year 2020 in the amount of \$27,600.00, which represents garbage and recycling pickup at twice the frequency of the Borough pickup; and

**WHEREAS**, the Borough agrees to the amount in the Solid Waste Collection Agreement in the amount of \$22,908.00

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Helmetta that the Chief Financial Officer be and is hereby authorized to issue a check in the amount of twenty-two thousand nine hundred eight dollars (22,908) to Lofts at Helmetta representing 2020 garbage reimbursement.

	<u>Motion</u>		<u>Aye</u>	<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>		<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

\_\_\_\_\_  
SANDRA BOHINSKI, RMC  
Municipal Clerk



**BOROUGH OF HELMETTA**

**RESOLUTION  
#2021-62**

**TEMPORARY EMERGENCY APPROPRIATION #1**

**WHEREAS**, an emergency condition has arisen in the 2021 Operating Budgets with respect to additional cost prior to the adoption of the budget, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation, and;

**WHEREAS**, the total Emergency Temporary Resolutions adopted in the year 2021 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution totals \$361,882.00 (three hundred sixty-one thousand eight hundred and eighty-two dollars), and;

**Now, therefore, be it resolved** that in accordance with N.J.S.A. 40A:4-20:

1. An Emergency Temporary Appropriation be and the same is hereby made for:

<b>Current Fund</b>		
<b>Mayor &amp; Council-Website</b>		
1-01-20-110-023		1,650.00
<b>Municipal Clerk</b>		
1-01-20-120-010	Salaries & Wages	10,000.00
1-01-20-120-020	Other Expenses	2,000.00
<b>Administrator</b>		
1-01-20-701-010	Salaries & Wages	10,000.00
<b>Finance</b>		
1-01-20-705-010	Salaries & Wages	5,000.00
1-01-20-705-021	Other Expenses	5,000.00
<b>Revenue Admin Tax Collector</b>		
1-01-20-708-010	Salaries & Wages	3,000.00
<b>Tax Assessor</b>		
1-01-20-710-010	Salaries & Wages	3,000.00
<b>Legal</b>		
1-01-20-712-020	Other Expenses	15,000.00
<b>Planning Board</b>		
1-01-21-720-010	Salaries & Wages	1,500.00
<b>Uniform Construction</b>		
1-01-22-725-010	Salaries & Wages	1,500.00
1-01-22-725-020	Other Expenses	1,000.00
<b>Liability Insurance</b>		
1-01-23-730-020	Other Expenses	11,500.00
<b>Worker's Comp Insurance</b>		
1-01-23-732-020	Other Expenses	11,500.00
<b>Health Insurance Employee</b>		

1-01-23-733-020	Other Expenses	25,000.00
<b>Fire Prevention Bureau</b>		
1-01-25-752-010	Salaries & Wages	1,000.00
1-01-25-752-020	Other Expenses	500.00
<b>Municipal Prosecutor</b>		
1-01-25-757-020	Other Expenses	2,000.00
<b>Vehicle Maintenance -DPW</b>		
1-01-26-315-020	Other Expenses	5,000.00
<b>Streets &amp; Roads</b>		
1-01-26-765-020	Other Expenses	5,000.00
<b>Building &amp; Grounds</b>		
1-01-26-772-020	Other Expenses	15,000.00
<b>Animal Control</b>		
1-01-27-788-010	Salaries & Wages	1,000.00
<b>Electricity</b>		
1-01-31-825-020	Other Expenses	6,000.00
<b>Street Lighting</b>		
1-01-31-826-020	Other Expenses	5,000.00
<b>Telephone Costs</b>		
1-01-31-827-020	Other Expenses	2,000.00
<b>Natural Gas</b>		
1-01-31-829-020	Other Expenses	5,000.00
<b>Landfill/Disposal Solid Waste</b>		
1-01-32-837-020	Other Expenses	10,000.00
<b>PERS Contribution</b>		
1-01-36-844-020		24,700.00
<b>Early Retirement Incentive Program</b>		
1-01-36-848-020		7,176.00
<b>Social Security</b>		
1-01-36-845-015		10,000.00
<b>Municipal Court</b>		
1-01-42-855-010	Salaries & Wages	10,000.00
<b>Total Current Fund</b>		
		216,026.00
<b>Water Operating Fund</b>		
1-05-55-500-010	Salaries & Wages	20,000.00
1-05-55-500-021	Other Expenses	25,000.00
<b>Payment of USDA Loan</b>		
1-05-53-525-025		39,256.00
<b>PERS Contribution</b>		
1-05-55-511-023		8,300.00
<b>Total Water Fund</b>		
		92,556.00

<b>Sewer Operating Fund</b>		
1-07-55-500-010	Salaries & Wages	20,000.00
1-07-55-500-021	Other Expenses	25,000.00
<b>PERS Contribution</b>		
1-07-55-511-025		8,300.00
<b>Total Sewer Fund</b>		53,300.00
<b>Grand Total</b>		361,882.00

	<u>Motion</u>		<u>Aye</u>	<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2nd</u>		<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

\_\_\_\_\_  
SANDRA BOHINSKI, RMC  
Municipal Clerk

**RESOLUTION  
#2021-63**

**FILING OF TONNAGE GRANT APPLICATION**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987m c102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act.

**WHEREAS**, the recycling act imposes on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough of Helmetta to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Helmetta that the Borough of Helmetta hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Paul Reed as Recycling Coordinator, to ensure that the said application is properly filed; and

**BE IT FUTHER RESOLVED**, that the monies from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling

	Motion	Second	Aye	Nay	Abstain	Absent
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

SANDRA BOHINSKI, RMC  
Municipal Clerk

**RESOLUTION  
#2021-64**

**TAX IDENTIFICATION STATEMENT**

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfers at the solid waste facility.

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Helmetta that the Borough of Helmetta hereby endorses the submission of expenditures for taxes paid pursuant to P.L. 2007, Chapter 311, in 2020

2020 Solid Waste Tonnage

Month	Tonnage
January	71.00
February	52.53
March	66.12
April	71.82
May	95.66
June	76.21
July	84.74
August	80.20
September	76.82
October	86.76
November	77.14
December	58.02
Total	897.02

	<u>Motion</u>			<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

\_\_\_\_\_  
SANDRA BOHINSKI, RMC  
Municipal Clerk

**RESOLUTION  
#2021-65  
PAYMENT OF BILLS**

All bills shall be paid per list.

	<u>Motion</u>		<u>Aye</u>	<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2nd</u>		<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

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\_\_\_\_\_  
Sandra Bohinski, RMC  
Municipal Clerk



P.O. Type: All  
 Range: First to Last  
 Format: Detail without Line Item Notes  
 Open: N Paid: N Void: N  
 Rcvd: Y Held: Y Aprv: N  
 Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00644	11/04/20	GAR02	GARDEN STATE HIGHWAY, INC.										
		1	U CHANNEL BREAKAWAY POSTS	36.16	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
		2	LAPSPLICE BREAKAWAY SYSTEM	52.00	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
		3	SIGN BOLTS	6.12	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
		4	SIGN NUTS	5.40	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
		5	SIGN WASHERS	2.40	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
		6	FREIGHT	40.00	0-01-26-765-020	B	STREETS & ROADS	OE	R	11/04/20	02/11/21		
				142.08									
20-00709	12/02/20	RIL10	RILEIGHS OUTDOOR DECOR										
		1	C-9 COOL WHITE BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		2	C-9 BLUE BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		3	C-9 GREEN BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		4	C-9 ORANGE BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		5	C-9 PINK BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		6	C-9 PURPLE BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		7	C-9 RED BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		8	C-9 YELLOW BULBS	54.50	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
		9	CORD SET	156.00	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/02/20	02/11/21		
				592.00									
20-00728	12/07/20	EAS03	EAST BRUNSWICK TOWNSHIP										
		1	11/24/2020 SALT	516.90	0-01-26-765-020	B	STREETS & ROADS	OE	R	12/07/20	02/11/21		
		2	11/24/2020 ADMIN FEE	25.85	0-01-26-765-020	B	STREETS & ROADS	OE	R	12/07/20	02/11/21		
				542.75									
20-00731	12/08/20	W00005	WOODBIDGE DEPT OF HEALTH										
		1	ANIMAL CONTROL JULY-DEC 2020	1,750.00	0-01-43-772-020	B	WOODBIDGE ANIMAL CONTROL		R	12/08/20	02/11/21		
20-00772	12/28/20	ENF01	ENFORSYS, INC.										
		1	ENFORSYS INSPECTION PROGRAM	1,075.00	0-01-25-752-020	B	FIRE PREVENTION BUREAU	OE	R	12/28/20	02/11/21		
20-00783	12/30/20	DOGWA005	Dog Waste Depot										
		1	DOG WASTE DEPOT	229.99	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/30/20	02/11/21		
		2	BAG DISPENSER	179.97	0-01-26-772-020	B	BUILDINGS & GROUNDS	OE	R	12/30/20	02/11/21		

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00783	12/30/20	DOGWA005	Dog Waste Depot		Continued							
			3 30 ROLL CASE OF BAGS	132.99	0-01-26-772-020		B BUILDINGS & GROUNDS OE	R	12/30/20	02/11/21		
			4 TARIFF	48.32	0-01-26-772-020		B BUILDINGS & GROUNDS OE	R	12/30/20	02/11/21		
				591.27								
20-00793	12/30/20	NOR01	NORCIA CORPORATION									
			1 AUGER AND PARTS	1,162.40	0-01-26-765-020		B STREETS & ROADS OE	R	12/30/20	02/11/21		
20-00794	12/30/20	FIR04	FIRE & SAFETY SERVICES CORP.									
			1 REPAIR HEATER CORE 36-1	1,125.00	0-01-25-749-020		B FIRE DEPARTMENT OE	R	12/30/20	02/11/21		
21-00005	01/05/21	MAX	MAXIMUM SECURITY SYSTEMS									
			1 COMMUNITY CENTER MONITORING	112.50	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/05/21	02/11/21		
21-00016	01/07/21	AUTOZ005	AUTOZONE STORES LLC									
			1 HEADLIGHT WIRING HARNESS	7.75	1-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	01/07/21	02/11/21		
			2 HEADLAMP SOCKET	15.19	1-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	01/07/21	02/11/21		
			3 BULBS FOR 550 TURN SIGNALS	20.42	1-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	01/07/21	02/11/21		
				43.36								
21-00044	01/20/21	HOME02	HOME DEPOT									
			1 SUPPLIES FOR INSTALL PD TOILET	227.95	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
21-00045	01/20/21	ALLO9	ALLEGIANCE LAWN & GARDEN									
			1 TOP SOIL	145.80	1-01-26-765-020		B STREETS & ROADS OE	R	01/20/21	02/11/21		
21-00046	01/20/21	BRI01	BRIAN'S LAWN MOWER									
			1 BAR FOR POLE SAW	52.99	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
			2 SHARPEN CHAIN	7.00	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
			3 STUD	1.25	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
			4 LABOR	31.99	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
				93.23								
21-00047	01/20/21	BET01	BETTER LIVING									
			1 SUPPLIES TO INSTALL PD TOILET	91.64	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
21-00050	01/20/21	BRI01	BRIAN'S LAWN MOWER									
			1 NEW CHAIN FOR CHAINSAW	21.99	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		
			2 NEW CHAIN FOR CHAINSAW	28.99	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/20/21	02/11/21		



PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract PO Type	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Invoice
									Date	Date	Date	
21-00070	01/27/21	CIR01	CIRCLE JANITORIAL SUPPLIES									
			1 C-FOLDS	21.50	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/27/21	02/11/21		
			2 WHITE PAPER TOWEL	28.50	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/27/21	02/11/21		
			3 SHOP PAPER TOWELS	23.75	1-01-26-772-020		B BUILDINGS & GROUNDS OE	R	01/27/21	02/11/21		
				73.75								
21-00071	01/27/21	NEW23	NJ LEAGUE OF MUNICIPALITIES									
			1 2021 MEMBERSHIP DUES	356.00	1-01-20-120-020		B MUNICIPAL CLERK OE	R	01/27/21	02/11/21		
21-00072	01/27/21	MARR0005	MARRIOTT CALLAHAN & BLAIR									
			1 15 HIGH STREET-FILE 78.78392	1,020.00	1-01-20-712-020		B LEGAL SERVICES OE	R	01/27/21	02/11/21		
21-00075	02/03/21	HEA01	HEATHER GLEN CONDO ASSOCIATES									
			1 STREET LIGHTING REIMBURSEMENT	2,427.55	0-01-26-325-002		B CONDO ACT / STREET LIGHTS	R	02/03/21	02/11/21		
			2 TRASH/RECYCLING REIMBURSEMENT	31,680.00	0-01-26-325-020		B CONDO ACT / TRASH RWVL	R	02/03/21	02/11/21		
				34,107.55								
21-00077	02/03/21	PEN03	PENGUIN MANAGEMENT, INC.									
			1 E-DISPATCH MARCH-AUGUST 2021	474.00	1-01-25-749-020		B FIRE DEPARTMENT OE	R	02/03/21	02/11/21		
21-00078	02/03/21	HOM03	HOME NEWS & TRIBUNE									
			1 COUNCIL MEETINGS	55.90	1-01-20-120-020		B MUNICIPAL CLERK OE	R	02/03/21	02/11/21		
			2 PLANNING BOARD SPECIAL MEETING	7.31	1-01-20-120-020		B MUNICIPAL CLERK OE	R	02/03/21	02/11/21		
			3 PLANNING BOARD MEETING DATES	23.22	1-01-20-120-020		B MUNICIPAL CLERK OE	R	02/03/21	02/11/21		
			4 ORDINANCE 2021-01	22.36	1-01-20-120-020		B MUNICIPAL CLERK OE	R	02/03/21	02/11/21		
				108.79								
21-00079	02/03/21	REM01	REMINGTON & VERNICK ENGINEERS									
			1 INVOICE#1206P025-2	336.65	T-14-57-000-024		B COLONIAL GARDENS BL 31 LOT 1	R	02/03/21	02/11/21		
			2 INVOICE#1206T082-8	1,957.24	C-04-55-700-100		B 20-02 ROAD IMPROVEMENTS OLD FORGE RD	R	02/03/21	02/11/21		
				2,293.89								
21-00086	02/05/21	XTE01	XTEL COMMUNICATIONS									
			1 FAX/PHONE LINES- FEBRUARY	488.39	1-01-31-827-020		B TELEPHONE COSTS	R	02/05/21	02/11/21		
21-00087	02/05/21	CLA01	CLARKIN & VIGNUOLO, P.C.									
			1 1QTR 2021 RETAINER	1,062.50	1-01-21-720-020		B PLANNING BOARD OE	R	02/05/21	02/11/21		

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice
21-00088	02/08/21	HIGHWAY EQUIPMENT COMPANY	1 REPLACE THROTTLE SPRING	411.12	1-01-26-315-020	B	VEHICLE MAINT-PUBLIC WORKS		R	02/08/21	02/11/21		
21-00089	02/08/21	Middlesex Cty Utilities Auth	1 DUMPING CHARGES-JANUARY	4,263.21	1-01-32-837-020	B	LANDFILL/DISPOSAL SOLID WASTE		R	02/08/21	02/11/21		
21-00090	02/08/21	ACTION DATA SVC, INC	1 PAYROLL INVOICE # 71923	51.68	1-01-20-705-021	B	FINANCE OE		R	02/08/21	02/11/21		
			2 PAYROLL INVOICE # 71923	17.22	1-05-55-500-021	B	WATER OPERATING OE		R	02/08/21	02/11/21		
			3 PAYROLL INVOICE # 71923	17.22	1-07-55-500-021	B	SEWER OPERATING OE		R	02/08/21	02/11/21		
				86.12									
21-00091	02/09/21	RILEIGHS OUTDOOR DECOR	1 LED BULB/sockets	402.50	1-01-26-765-020	B	STREETS & ROADS OE		R	02/09/21	02/11/21		
21-00092	02/09/21	STAR2STAR COMMUNICATIONS	1 TELEPHONE-FEBRUARY (FD)	236.24	1-01-31-827-020	B	TELEPHONE COSTS		R	02/09/21	02/11/21		
			2 TELEPHONE-FEBRUARY (MUNICIPAL)	350.69	1-01-31-827-020	B	TELEPHONE COSTS		R	02/09/21	02/11/21		
				586.93									
21-00093	02/09/21	AUTOZONE STORES LLC	1 HYDRAULIC FLUID	97.98	1-01-26-315-020	B	VEHICLE MAINT-PUBLIC WORKS		R	02/09/21	02/11/21		
21-00095	02/09/21	HOME DEPOT	1 CIRCUIT BREAKER FINDER	39.97	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			2 SHEET SCREWS	1.18	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			3 PAN HEAD SCREWS	6.87	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			4 CONER BRACES	3.22	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			5 SPRING FOR JOHN DEERE	6.74	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			6 SPRING FOR JOHN DEERE	6.98	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			7 ORGANIZER FOR SMALL PARTS	11.97	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			8 STORAGE BINS	49.94	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
			9 SHELF SUPPORT	1.62	1-01-26-772-020	B	BUILDINGS & GROUNDS OE		R	02/09/21	02/11/21		
				128.49									
21-00098	02/10/21	KELSO & BURGESS	1 COURT SESSION 2/9/21	600.00	1-01-25-757-020	B	MUNICIPAL PROSECUTOR OE		R	02/10/21	02/11/21		

February 11, 2021  
03:22 PM

BOROUGH OF HELMETTA  
Bill List By P.O. Number

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract PO Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice
21-00100	02/10/21	REG04	REGENCY WALK HOMEOWNERS ASSOC									
1	2020	CONDO ACT REIMBURSEMENT	2,895.26	0-01-26-325-002	B	CONDO ACT / STREET LIGHTS	R	02/10/21	02/11/21			
2	2020	CONDO ACT REIM-LEAF	1,308.00	0-01-26-325-021	B	CONDO ACT/SNOW & LEAF REMOVAL	R	02/10/21	02/11/21			
3	2020	CONDO ACT REIM-SNOW	275.40	0-01-26-325-021	B	CONDO ACT/SNOW & LEAF REMOVAL	R	02/10/21	02/11/21			
			<u>4,478.66</u>									
21-00101	02/10/21	KAP01	KAPLAN AT HELMETTA LLC									
1	2020	TRASH/RECYCLING REIMBURSE	22,908.00	0-01-26-325-020	B	CONDO ACT / TRASH RWL	R	02/10/21	02/11/21			
21-00102	02/11/21	ROS02	THOMAS C. ROSELLI, ESQ.									
1	PUBLIC DEFENDER-FEBRUARY		300.00	1-01-20-712-020	B	LEGAL SERVICES OE	R	02/11/21	02/11/21			
21-00103	02/11/21	REM01	REMINGTON & VERNICK ENGINEERS									
1	INVOICE#12061077-19		254.00	C-04-55-900-100	B	20-03 GIS	R	02/11/21	02/11/21			
Total Purchase Orders:				43	Total P.O. Line Items:	98	Total List Amount:	85,516.40	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	68,756.25	0.00	68,756.25	0.00	0.00	68,756.25
CURRENT FUND	1-01	14,089.22	0.00	14,089.22	0.00	0.00	14,089.22
WATER OPERATING FUND	1-05	17.22	0.00	17.22	0.00	0.00	17.22
SEWER OPERATING FUND	1-07	17.22	0.00	17.22	0.00	0.00	17.22
Year Total:		14,123.66	0.00	14,123.66	0.00	0.00	14,123.66
GENERAL CAPITAL FUND	C-04	2,211.24	0.00	2,211.24	0.00	0.00	2,211.24
GRANT FUND	G-02	88.60	0.00	88.60	0.00	0.00	88.60
BUILDERS' ESCROW FUND	T-14	336.65	0.00	336.65	0.00	0.00	336.65
Total of All Funds:		85,516.40	0.00	85,516.40	0.00	0.00	85,516.40

**RESOLUTION**  
**#2021-~~50~~ 66**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO HEATHER GLEN  
CONDOMINIUM ASSOCIATION PURSUANT TO CHAPTER 299, PUBLIC  
LAW 1989, AS AMENDED, FOR THE YEAR 2020**

**WHEREAS**, Heather Glen Condominium Association (the "Association") is a qualified private community pursuant to Chapter 299, Public Law 1989, as amended (the "Law"); and

**WHEREAS**, the Borough of Helmetta is required to provide to reimburse the Association for certain municipal services pursuant to the Law; and

**WHEREAS**, if the Borough provides reimbursement to the Association for certain municipal services, the reimbursement shall not exceed the amount that the Borough would have expended to provide the equivalent services; and

**WHEREAS**, the Borough and the Association entered into an Agreement dated June 23, 1994 providing for the reimbursement procedure for covered municipal services; and

**WHEREAS**, RCP Management Company, on behalf of the Association, submitted bills from Solterra Recycling Solutions for garbage and recycling services for the year 2020 in the amount of \$63,360.00, which represents garbage and recycling pickup at twice the frequency of the Borough pickup; and

**WHEREAS**, the Chief Finance Officer has determined that the cost that would have been paid by the Association if they had the same level of service provided by the Borough to be \$31,680.00; and

**WHEREAS**, the Chief Finance Officer has determined that, under the Borough's agreements in place for 2020, it would have cost the Borough approximately \$90,461.81 to provide equivalent services; and

**WHEREAS**, RCP Management Company, on behalf of the Association, submitted bills from Jersey Central Power & Light for street lighting for the year 2020 in the amount of \$6,162.49; and

**WHEREAS** the Borough is responsible for forty percent (40%) of the street lighting bill as certain of the lights illuminate private parking areas.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Helmetta that the Chief Financial Officer be and is hereby authorized to issue a check in the amount of thirty-five thousand four hundred ninety-one dollars and eighty-six cents (\$35,491.86) to Heather Glen Condominium Association representing 2020 garbage reimbursement of thirty-one thousand four hundred ten dollars (\$31,680.00) and 2020 street light reimbursement of two thousand four hundred sixty-six dollars (\$2,427.55).



	<u>Motion</u>			<u>Recorded Vote</u>		
	<u>1<sup>st</sup></u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Dzingleski						
Carolan-Genthe						
Duffy						
Karczewski						
Perez						
Reid						

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on February 17, 2021.

\_\_\_\_\_  
SANDRA BOHINSKI, RMC  
Municipal Clerk

# Municipal Stormwater Control Ordinance – Helmetta Borough Middlesex County, NJ

## Ordinance #[2021-2] – 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 the borough of Helmetta.

#### 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 #[2021-2] – 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 Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or

*(continued on the next page)*

**Ordinance #[2021-2] – 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 #[2021-2] – 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 #[2021-2] – 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.*

“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.

*(continued on the next page)*

## **Ordinance #[2021-2] – 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.

*(continued on the next page)*

## **Ordinance #[2021-2] – 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.

*(continued on the next page)*



## Ordinance #[2021-2] – 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;

*(continued on the next page)*

**Ordinance #[2021-2] – 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.*

*(continued on the next page)*

**Ordinance #[2021-2] – 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) and/or *Zigadenus leimanthoides* (Death-camus) and/or *Aster radula* (Low Rough Aster) and/or *Podilymbus podiceps* (Pied-billed Grebe) and/or *Haliaeetus leucocephalus* (Bald Eagle)
- 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

*(continued on the next page)*

**Ordinance #[2021-2] – 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](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.

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**Ordinance #[2021-2] – Stormwater Control (continued)**

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

(Notes corresponding to annotations <sup>(a)</sup> through <sup>(g)</sup> are found on Page D-15)

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**Ordinance #[2021-2] – Stormwater Control** *(continued)*

<b>Table 2</b> <b>Green Infrastructure BMPs for Stormwater Runoff Quantity</b> <b>(or for Groundwater Recharge and/or Stormwater Runoff Quality</b> <b>with a Waiver or Variance from N.J.A.C. 7:8-5.3)</b>				
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 <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Infiltration Basin	80	Yes	Yes	2
Sand Filter <sup>(b)</sup>	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond <sup>(d)</sup>	50-90	Yes	No	N/A

*(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on Page D-15)*

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**Ordinance #[2021-2] – 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 <sup>(h)</sup>	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>	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 #[2021-2] – 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

*(continued on the next page)*

**Ordinance #[2021-2] – 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 Office of the Middlesex County Clerk. A form of deed notice shall be submitted to the

*(continued on the next page)*

**Ordinance #[2021-2] – Stormwater Control** *(continued)*

A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at 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 Office of the Middlesex County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at 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:

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**Ordinance #[2021-2] – Stormwater Control** *(continued)*

<b>Best Management Practice</b>	<b>Maximum Contributory Drainage Area</b>
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:

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**Ordinance #[2021-2] – 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 #[2021-2] – 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 #[2021-2] – 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 #[2021-2] – 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 #[2021-2] – 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,

*(continued on the next page)*

**Ordinance #[2021-2] – 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/stelordb1044171.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelordb1044171.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 #[2021-2] – 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](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](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 #[2021-2] – 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

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**Ordinance #[2021-2] – 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;

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**Ordinance #[2021-2] – 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.

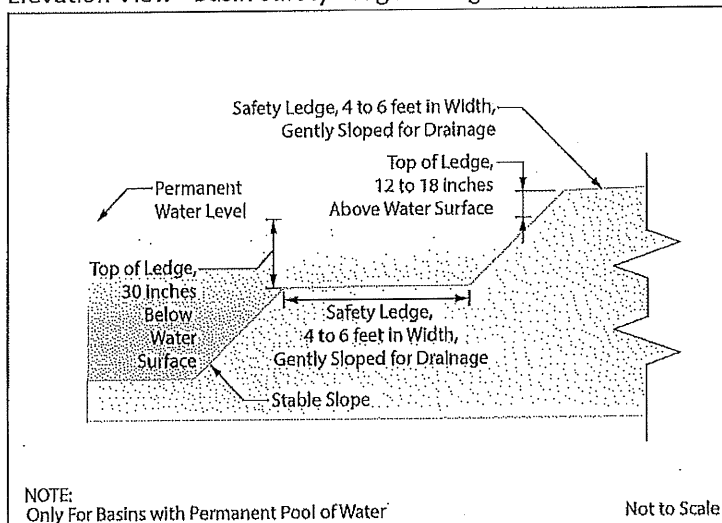
a threat to public safety.

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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 3 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.

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**Ordinance #[2021-2] – 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.

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**Ordinance #[2021-2] – 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.

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**Ordinance #[2021-2] – 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

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**Ordinance #[2021-2] – 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. 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](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.

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

**Ordinance #[2021-2] – 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 may be subject to penalties as permitted by the Code of the Borough of Helmetta.

**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.