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Revised: 1/3/2024

DRAFT

**BOROUGH OF LONGPORT
COMMISSION MEETING AGENDA
January 3, 2024
4 pm**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Ocean City Sentinel, The Press of Atlantic City, the Star Ledger and the Courier Post on December 28, 2023. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk. Notices on the bulletin board have remained continuously posted. Official Action May be Taken at this Meeting.

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1. Flag Salute
2. Meeting called to order- OPMA notice announced
3. Roll Call
4. Emergency exit announcement/Public Speaking time limit
5. Approval of Minutes – December 20, 2023, Workshop Meeting and Regular Commission Meetings. Minutes have been previously distributed for Commissioners’ Review.
6. **ORDINANCES - Introduction and First Reading.** A Second Reading and Public Hearing is scheduled to be held on February 21, 2024, following the 4 pm workshop meeting.
 - **O2024-01** – An Ordinance Creating Chapter 132.1 Privately-Owned Salt Storage
 - **O2024-02** – An Ordinance Amending the Code of the Borough of Longport, Chapter 167-33 Stormwater Management
 - **O2024-03** – An Ordinance Amending Chapter 20 – Fire Department of the Code of the Borough of Longport, Atlantic County, New Jersey

7. RESOLUTIONS – CONSENT AGENDA – Resolutions R2024-01 through R2024-05

Public Comment – Limited to 3 Minutes per Person, please state name and address.

- **R2024-01** – Resolution Designating Depository Banks for Funds of the Borough of Longport and Authorizing Officials of the Borough to Sign Necessary Banking Documents
- **R2024-02** – A Resolution Authorizing a Cash Management Plan
- **R2024-03** – A Resolution Authorizing the Borough of Longport through the Longport Police Department to Participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the Longport Police Department to Request and Acquire Excess Department of Defense Equipment
- **R2024-04** – Approval of Final Change Order – Water Tank Rehabilitation
- **R2024-05** – Temporary Budget for Year 2024

8. Bill List/ Financial Summary Report

9. Municipal Administrator’s Report

10. Borough Solicitor’s Report

11. Borough Engineer’s Report

12. Commissioners’ Reports

13. Public Comment

14. Adjournment

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC**

ORDINANCE #O2024-01

AN ORDINANCE CREATING CHAPTER 132.1 PRIVATELY-OWNED SALT STORAGE

BE IT ORDAINED by the Commissioners of the Borough of Longport, in the County of Atlantic and State of New Jersey that the Borough of Longport Code shall be amended to create Chapter 132.1 as follows:

§ 132.1-1. Purpose:

The purpose of this chapter is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This chapter establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in The Borough of Longport to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 132.1-2 Definitions:

For the purpose of this chapter, 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 consistent 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.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 3. The structure shall be erected on an impermeable slab;
 4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

§ 132.1-3. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and

- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

- (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

- 5. Containers must be sealed when not in use; and

- 6. The site shall be free of all de-icing materials between April 16th and October 14th.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.

- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.

- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

- 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 132.1-4. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § 132.1-3 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This chapter does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 132.1-5. Enforcement:

This chapter shall be enforced by the Municipal Officials of the Borough of Longport during the course of ordinary enforcement duties.

§ 132.1-6. Penalties:

Any person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: a fine not to exceed \$100 per day.

§ 132.1-7. Severability:

Each section, subsection, sentence, clause, and phrase of this Chapter is declared to be an independent section, subsection, sentence, clause, and phrase, and 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.

§ 132.1-8. When Effective:

Sections 132.1.1 through 132.1.8 shall be in full force and effect from and after its adoption and any publication as required by law.

Vote on First Reading: 1/3/2024

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 ST Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB-Absent						

Vote on Second Reading/Public Hearing: 2/21/2024

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB-Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office

Passed First Reading:

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle, RMC

Nicholas M. Russo, Mayor

James P. Leeds, Sr., Commissioner

Daniel Lawler, Commissioner

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC**

ORDINANCE 2024-02

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF LONGPORT,
§ 167-33 STORMWATER MANAGEMENT**

BE IT ORDAINED by the Commissioners of the Borough of Longport, in the County of Atlantic and State of New Jersey that the Borough of Longport Code Chapter 167 Zoning Article VII Design Standards §167-33 Stormwater Management shall be amended as follows:

§ 167-33.1. 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 §§ 167-33 through 167-33.14 is to establish minimum stormwater management requirements and controls for "major development," as defined below in § 167-33.22.

C. Applicability

1. §§ 167-33 through 167-33.14 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. §§ 167-33 through 167-33.14 shall also be applicable to all major developments undertaken by the Borough of Longport.
3. An application required by §§ 167-33 through 167-33.14 pursuant to (b)1 above that has been submitted prior to **December 20, 2023**, shall be subject to the stormwater management requirements in effect on December 19, 2023.

4. An application required by §§ 167-33 through 167-33.14 for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to December 14, 2023, shall be subject to the stormwater management requirements in effect on December 13, 2023.
5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to §§ 167-33 through 167-33.14 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 §§ 167-33 through 167-33.14 shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

§§ 167-33 through 167-33.14 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 §§ 167-33 through 167-33.14 imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 167-33.2. Definitions:

For the purpose of §§ 167-33 through 167-33.14, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of §§ 167-33 through 167-33.14 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 §§ 167-33 through 167-33.14.

“Compaction” means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The disturbance of one or more acres of land since February 2, 2004;

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

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.”

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

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race-tracks, 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 §§ 167-33 through 167-33.14. 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 §§ 167-33 through 167-33.14. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in §§ 167-33 through 167-33.14, provided the design engineer demonstrates to the municipality, in accordance with § 167-33.4.F. of §§ 167-33 through 167-33.14 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 §§ 167-33 through 167-33.14.

“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.

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 *et seq.*), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§167-33.3. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in §§ 167-33 through 167-33.14 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. The stormwater management requirements within §§ 167-33 through 167-33.14, as

they relate to "major development," supersede other design requirements stipulated in Chapter 167, the Zoning Ordinance of the Borough Code, including but not limited to the following sections:

1. Chapter 167, Article VII, Design Standards §167-33 Stormwater Management

§ 167-33.4. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 167-33.10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 167-33.4.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 § 167-33.4.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 § 167-33.4.O, P, Q and R to the maximum extent practicable;
 - 3. The applicant demonstrates that, in order to meet the requirements of § 167-33.4.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
 - 5. § 167-33.4.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 167-33.4.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 Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in § 167-33.4.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://dep.nj.gov/stormwater/bmp-manual/>.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in §§ 167-33 through 167-33.14 the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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

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

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)
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Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-14)

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

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-14)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at § 167-33.4.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 § 167-33.2;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at § 167-33.2.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 167-33.4.B. Alternative stormwater management measures may be used to satisfy the requirements at § 167-33.4.O only if the measures meet the definition of green infrastructure at § 167-33.2. Alternative stormwater management measures that function in a similar manner to a BMP listed at § 167-33.4. O.2 are subject to the contributory drainage area limitation specified at § 167-33.4. 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 § 167-33.4.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 § 167-33.4.D is granted from § 167-33.4.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 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 § 167-33.8.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 § 167-33.8; 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 §§ 167-33 through 167-33.14, 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 § 167-33.2 may be used only under the circumstances described at § 167-33.4.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at § 167-33.2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at § 167-33.4.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 § 167-33.4.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 Atlantic County Clerk's office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 167-33.4.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 § 167-33.10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete

recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 167-33.4 of §§ 167-33 through 167-33.14 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 Atlantic County Clerk's office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at § 167-33.4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at § 167-33.4.F. and/or an alternative stormwater management measure approved in accordance with § 167-33.4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. To satisfy the stormwater runoff quantity standards at § 167-33.4.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 § 167-33.4.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 § 167-33.4.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 § 167-33.4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 167-33.4.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 § 167-33.4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with § 167-33.4.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 § 167-33.5, either:
 - 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 projected 2-year storm, as defined and determined pursuant to § 167-33.5.D of §§ 167-33 through 167-33.14 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 approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; 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.
 - 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.

Table 4 - Water Quality Design Storm Distribution

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

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

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

Where

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

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

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in § 167-33.4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The 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 § 167-33.5, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in § 167-33.5.C and D, respectively, of §§ 167-33 through 167-33.14, 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 current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to § 167-33.5.C and D, respectively, of §§ 167-33 through 167-33.14, 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 current and projected 2-, 10-, and 100-year storm events, as defined and determined in § 167-33.4.C and D, respectively, of §§ 167-33 through 167-33.14, 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.

§ 167-33.5. Calculation of Stormwater Runoff and Groundwater Recharge:

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

1. The design engineer shall calculate runoff using the following method:

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

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers 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 “curve number” applies to the NRCS methodology above at § 167-33.5.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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

The New Jersey Geological Survey Report [GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey](https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf), 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.

- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
 1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service’s Atlas 14 Point Precipitation

Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in §§ 167-33 through 167-33.14, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39

§ 167-33.6. Sources for Technical Guidance:

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

<https://dep.nj.gov/stormwater/bmp-manual/>.

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://dep.nj.gov/stormwater/maintenance-guidance/>.

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

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

§ 167-33.7. Solids and Floatable Materials Control Standards:

A. Site design features identified under § 167-33.4.F above, or alternative designs in accordance with § 167-33.4.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 § 167-33.7.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 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.

§ 167-33.8. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management 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 § 167-33.8.C.1, § 167-33.8.C.2, and § 167-33.8.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;
 - 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.

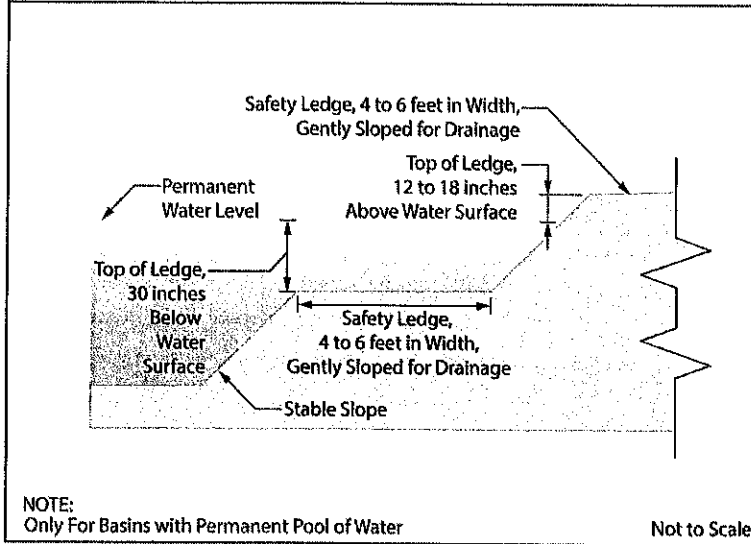
- ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
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 § 167-33.8.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.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§ 167-33.9. 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 §§ 167-33 through 167-33.14, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 167-33.9.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 §§ 167-33 through 167-33.14.
3. The applicant shall submit 12 copies of the materials listed in the checklist for site development stormwater plans in accordance with § 167-33.9.C of §§ 167-33 through 167-33.14

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 §§ 167-33 through 167-33.14.

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 § 167-33.4.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.

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 § 167-33.4 of §§ 167-33 through 167-33.14.
- 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 § 167-33.10.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under §§ 167-33 through 167-33.14 may, in consultation with the municipality's review engineer, waive submission of any of the requirements in § 167-33.9.C.1 through § 167-33.9.C.6 of §§ 167-33 through 167-33.14 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.

§ 167-33.10. Maintenance and Repair:

A. Applicability

Projects subject to review as in § 167-33.1.C of §§ 167-33 through 167-33.14 shall comply with the requirements of § 167-33.10.B and § 167-33.9.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 § 167-33.10.B.3 above is not a public agency, the maintenance plan and any future revisions based on § 167-33.10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under § 167-33.10.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 § 167-33.10.B.6 and B.7 above.
8. The requirements of § 167-33.10.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

§167-33.11. Grading of lots – stormwater management:

All lots, whether part of a major development or not, shall be graded and maintained in such a manner that all surface water runs away from the structure and towards the street gutters. No on-site ponding of water will be permitted and no runoff shall be directed to an adjoining property.

§ 167-33.12. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of §§167-33 through 167-33.14 or found to be in violation of the provisions of §§ 167-33 through 167-33.14 shall be subject to the penalties contained in § 1-15 of the Borough Code.

§ 167-33.13. When effective – stormwater management

Sections 167-33 through 167-33.14 shall be in full force and effect from and after its adoption and any publication as required by law.

§ 167-33.14 Severability:

Each section, subsection, sentence, clause and phrase of §§167-33 through 167-33.14 is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of §§167-33 through 167-33.14 to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of §§167-33 through 167-33.14.

Vote on First Reading: 1/03/2024

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 ST Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB-Absent						

Vote on Second Reading/Public Hearing: 2/21/2024

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB-Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office

Passed First Reading:

/s/ MONICA A. KYLE, RMC, CMR
MUNICIPAL CLERK

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle, RMC

Nicholas M. Russo, Mayor

James P. Leeds, Sr., Commissioner

Daniel Lawler, Commissioner

**BOROUGH OF LONGPORT
AN ORDINANCE AMENDING CHAPTER 20-FIRE DEPARTMENT
OF THE CODE OF THE BOROUGH OF LONGPORT
ATLANTIC COUNTY NEW JERSEY**

ORDINANCE NO. 2024-03

BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT
that:

SECTION I: The full Chapter 20-Fire Department is hereby deleted and replaced with the following:

FIRE DEPARTMENT

20-1	Department established; control; services provided	20-6	Duties of Fire Lieutenants
20-2	Officers; terms of office; qualifications	20-7	Duties of EMS
20-3	Duties of Fire Chief		Lieutenant/Director
20-4	Duties of Assistant Chiefs	20-8	Removal from Office
20-5	Duties of Fire Captains	20-9	Compensation
		20-10	Department limited

20-1; Department established;

- A. There is hereby established in the Department of Public Safety in the Borough of Longport, Atlantic County, New Jersey a Fire Department to be known and designated as "Longport Fire Department". The Fire Department shall be under the supervision of the Director of Public Safety, except at a fire scene, drill or disaster at which time the Fire Chief or other superior officer of the Fire Department in charge shall have complete control and supervision of the Fire Department. The Fire Department shall consist of the Longport Volunteer Fire Department and its members. The Fire Department shall provide life safety, incident stabilization and property and environmental conservation. In accordance with, and not in conflict with, the laws of the State of New Jersey, the Fire Department shall be responsible to respond to fires and explosions, hazardous material incidents, technical rescue incidents, emergency medical incidents and provide ambulance services.
- B. The Fire Department shall take part in and comply with mutual aid plans as required by Atlantic County or the State of New Jersey.

20-2; Officers; term of office; vacancies (Amended 2-18-1998 by Ord. # 98-1)

- A. There shall be appointed by the Director of Public Safety one member of the

Longport Fire Department to the position of Fire Chief. The Fire Chief shall be appointed for a term of four years. No member of the Fire Department shall be eligible for the position of Fire Chief unless they have held the office of Assistant Fire Chief for at least one term, at least two years prior to appointment.

- B. There shall be no more than two Assistant Fire Chiefs. The Assistant Chiefs shall be recommended by the Fire Chief for appointment by the Director of Public Safety. The Assistant Fire Chiefs shall be appointed for a term of three years. No member of the Fire Department shall be eligible for the position of Assistant Fire Chief unless they have held the office of Fire Captain for at least **two terms**, at least two years prior to appointment.
- C. There shall be no more than four Fire Captains. They shall be recommended by the Fire Chief and Assistant Fire Chiefs for appointment by the Director of Public Safety. The Fire Captains shall serve for a term of two years. No member of the Fire Department shall be eligible for the position of Fire Captain unless they have held the office of Fire Lieutenant for at least **two terms**, at least two years prior to appointment.
- D. The membership of the Longport Volunteer Fire Department shall provide the Fire Chief with no more than four candidates to be considered for appointment to the rank of Fire Lieutenant. The names shall be submitted no later than December 7. The Fire Chief shall then forward the names to the Director of Public Safety for consideration for appointment to the position of Fire Lieutenant. No member of the Fire Department shall be eligible for the position of Fire Lieutenant unless they have been a member of the Fire Department for at least **three** years.
- E. **The membership of the Longport Volunteer Fire Department shall provide the Fire Chief with a candidate to be considered for appointment to the rank of EMS Lieutenant/Director. The name shall be submitted no later than December 7. The Fire Chief shall then forward the name to the Director of Public Safety for consideration for appointment to the position of EMS Lieutenant/Director. No member of the Fire Department shall be eligible for the position of EMS Lieutenant/Director unless they have been a member of the Fire Department for at least three years and they must hold and maintain an EMT (Emergency Medical Technician) Certification during their time in office.**
- F. Every candidate for an officer position and every officer shall be and shall remain a member in good standing of the Longport Volunteer Fire Department. "Good Standing" is defined by the Rules and Regulations of the Longport Volunteer Fire Department.

20-3; Duties of the Fire Chief;

- A. The Fire Chief shall be the ranking officer in the Fire Department.
- B. The Fire Chief shall have sole authority within the fire lines established by the Fire Chief or other superior fire officer with respect to all firefighting operations relating to the protection of lives and property endangered by such fire.
- C. The Fire Chief shall be responsible for the control, efficiency and management of the Fire Department and for the enforcement of the rules and regulations governing the same and for carrying out the lawful orders of the Director of Public Safety.
- D. The Fire Chief shall establish the Rules and Regulations for governing the Fire Department, and such Department Orders, Directives, Procedures and Guides as needed.
- E. The Fire Chief shall maintain any and all qualifications as required by the Division of Fire Safety of the State of New Jersey and in the Rules and Regulations of the Longport Fire Department.

20-4; Duties of the Assistant Chiefs;

The Assistant Chiefs shall be subject to the orders of the Fire Chief and in the absence of the Fire Chief shall perform the all the duties of the Fire Chief in order of seniority. The Assistant Chiefs shall maintain any and all qualifications required by the Division of Fire Safety of the State of New Jersey and in the Rules and Regulations of the Longport Fire Department.

20-5; Duties of the Fire Captains;

The Fire Captains shall be subject to the orders of the Fire Chief and the Assistant Fire Chiefs and in the absence of both the Fire Chief and Assistant Fire Chiefs, the Fire Captain in order of seniority of appointment shall perform the duties of the Fire Chief. The Fire Captains shall maintain any and all qualifications required by the Division of Fire Safety of the State of New Jersey and in the Rules and Regulations of the Longport Fire Department.

20-6; Duties of Fire Lieutenants;

The Fire Lieutenants shall be subject to the orders of the Fire Chief, Assistant Fire Chiefs and Fire Captains. **In the absence of the Fire Captains, the Fire Lieutenants in order of seniority of appointment shall perform the duties of the Fire Captain.** The Fire

Lieutenants shall maintain any and all qualifications as required by the Division of Fire Safety of the State of New Jersey and in the Rules and Regulations of the Longport Fire Department.

20-7; Duties of EMS Lieutenant/Director;

The EMS Lieutenant/Director shall be subject to the orders of the Fire Chief, Assistant Fire Chiefs and Fire Captains. The EMS Lieutenant/Director shall maintain their EMT (Emergency Medical Technician) and maintain any and all qualifications of the Department of Health Officer of Emergency Medical Services of the State of New Jersey and in the Rules and Regulations of the Longport Fire Department. In addition, the EMS Lieutenant/Director shall be responsible for the EMS duties and responsibilities as delegated by the Fire Chief and/or Assistant Fire Chiefs.

20-8; Removal from Office:

The Fire Chief, Assistant Fire Chiefs and Fire Captains shall be subject to removal from office for just cause. Each Officer shall be afforded an opportunity to a hearing before the Director of Public Safety or a designated hearing officer. The Officer shall be notified in writing at least 15 days prior to such hearing.

20-9; Compensation

The Officers of the Longport Fire Department shall receive such compensation from the Borough as the Board of Commissioners may fix by ordinance.

20-10; Department Limited

The Longport Fire Department shall, after the adoption of this chapter, consist of the Longport Fire Department and Longport Volunteer Fire Company, and no additional fire companies shall hereafter be organized in the Borough of Longport, New Jersey.

SECTION II: All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION III: This Ordinance shall take effect immediately upon passage and publication as required by Law.

Vote on First Reading: 1/03/2024

publication:

<u>DO NOT USE SPACE BELOW</u>						
<u>OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1ST Reading/Introduction</u>						
<u>COMMISSIONERS</u>	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>NV</u>	<u>AB</u>
<u>Russo</u>						
<u>Leeds</u>						
<u>Lawler</u>						
XX-indicates vote NV-not voting AB-Absent						

Vote on Second Reading/Public Hearing: 2/21/2024

publication:

<u>DO NOT USE SPACE BELOW</u>						
<u>OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE</u>						
<u>COMMISSIONERS</u>	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>NV</u>	<u>AB</u>
<u>Russo</u>						
<u>Leeds</u>						
<u>Lawler</u>						
XX-indicates vote NV-not voting AB-Absent						

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Passed First Reading:

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

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/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle, RMC

Nicholas M. Russo, Mayor

James P. Leeds, Sr., Commissioner

Daniel Lawler, Commissioner

BOROUGH OF LONGPORT

RESOLUTION #2024-01

RESOLUTION DESIGNATING DEPOSITORY BANKS FOR FUNDS OF THE BOROUGH OF LONGPORT AND AUTHORIZING OFFICIALS OF THE BOROUGH TO SIGN NECESSARY BANKING DOCUMENTS

WHEREAS, it is necessary for the efficient conduct of the business of the Borough of Longport that suitable banks and institutions be designated as official investment\depositories of the Borough; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Longport as follows:

That the banks and institutions listed below, any branches of same whether or not specifically listed by location, and/or their successors in the event of merger or acquisition of any such institution by another, be and hereby are designated as official depositories or investment banks of the funds of the Borough of Longport

NAME	ADDRESS
<i>OCEAN FIRST BANK</i>	7806 Ventnor Avenue, Margate, NJ
<i>NEW JERSEY ASSET & REBATE MANAGEMENT PROGRAM</i>	821 Alexander Road, Princeton, NJ
<i>MERRILL LYNCH WEALTH MANAGEMENT</i>	3100 Hingston Ave, Egg Harbor Twp, NJ
<i>UBS FINANCIAL SERVICES</i>	1337 Tilton Road, Northfield, NJ

New Jersey Asset & Rebate Management Program (NJ/ARM), to the extent authorized pursuant to applicable bond resolutions and the provisions of the New Jersey Arbitrage Rebate Management Trust Agreement associated therewith.

New Jersey Class Program (CLASS), to the extent authorized pursuant to applicable bond resolutions and the provisions of the New Jersey CLASS program.

State of New Jersey Cash Management Fund

That checks drawn on any account in which the Borough's funds are deposited hereunder be negotiable only upon signature by each of the following duly appointed or elected officials of the Borough for their terms of office. Chief Financial Officer; Clerk of the Borough; Mayor of the Borough, and Commissioners of the Borough. Each of said officials of the Borough be and hereby is authorized to execute checks drawn on such accounts, provided that at all times, one of the required signatures for signing checks consist of the Chief Financial Officer or the Borough Clerk.

The Chief Financial Officer of the Borough be and hereby is authorized to execute such documents as may be necessary to open accounts in such institutions on the Borough's behalf. The Chief Financial Officer of his or her designee is authorized to effectuate any transfer of funds as required for the payment of debt service, immediate need payments, payroll, health benefits, pension payments and regular payments approved by Commissioners at their formal commission meeting.

4. This resolution shall take effect only upon review and approval by the Borough of Longport Commissioners.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V.	AB	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:
01/3/2024

MONICA KYLE, RMC, MUNICIPAL CLERK

**BOROUGH OF LONGPORT
RESOLUTION #2024-02**

A RESOLUTION AUTHORIZING A CASH MANAGEMENT PLAN

WHEREAS, it is the desire of the governing body to adopt a cash management plan to comply with the requirements of NJSA 40A:5-14 and to provide a guide to municipal officials and employees in carrying out their duties concerning the receipt and disbursement of all funds of the municipality.

WHEREAS, the following requirement shall be adhered to:

I. Statement of Purpose

The Cash Management Plan is prepared pursuant to the provisions of NJSA 40A:5-14 in order to set forth the basis for the deposit and investment of certain public funds of the Borough of Longport, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits, Transfers and the Permitted Investments will be done to insure the safety, liquidity, and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Authorized Depositories

The Municipality shall annually designate the legal depositories, funds in certificates of deposits, and other time deposits in banks by resolution in accordance with NJSA 40A: 5-15.1, that must be covered by the Governmental Unit Depository Protection Act, NJSA 17:9-14 et seq. (GUDPA). The Municipality is also authorized to invest its assets in the New Jersey Cash Management Fund and the New Jersey Asset and Rebate Management program. This resolution may be amended or supplemented from time to time, as the Municipality deems necessary. Such resolution shall be deemed a part of the Cash Management Plan.

III. Authorized Signatures

The Municipality shall annually establish by resolution and adopted at its annual reorganization meeting the required signatories to all bank accounts.

IV. Identification of Funds and Accounts to be Covered by the Plan

The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough of Longport:

Current Fund
Utility Fund

The following funds shall not be required to be maintained in interest bearing accounts:

Change Funds

Petty Cash Funds

Payroll Funds

Trust Funds – to the extent that the deposit of such funds to an interest bearing account would require by law the payment of interest to the provider of funds.

Checking Accounts – established for the express purpose of paying bills approved by the governing body. The balances in these funds shall be kept at the minimum amount required for the orderly operation of the account.

Compensating Balances – maintained for the purpose of obtaining specific services from financial institutions. Such accounts shall be established only under terms of written agreements approved by the governing body.

V. Designation of Officials of the Borough of Longport Authorized to Make Deposits, Transfers and Investments Under the Plan.

The Chief Financial Officer of The Borough of Longport and the CFO's designee are hereby authorized and directed to deposit, transfer and/or invest the funds referred to in the Plan. The CFO or CFO designee shall each have the authority to transfer and invest funds in excess of requirement in accordance with this plan in insured obligations, overnight repurchase agreements, collateralized repurchase agreements and certificates of deposit with eligible public depositories qualified by this plan.

In the absence of the Chief Finance Officer, the CFO's designee is authorized to transfer required funds to the payroll and checking accounts for the purposes of, and to the extent necessary for, issuance of required payroll and payment of claims and payables.

Prior to making any such Deposits, Transfers, or any Permitted Investments, such officials of the Borough of Longport are directed to supply to all active depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan.

No municipal funds shall be disbursed by any municipal official prior to approval of the governing body except for:

Debt Service payments
Investments and/or Transfers to/from Longport Current, Utility or Trust Funds.
Payroll turnovers to agencies
Discount vouchers or immediate needs
Pension Payments
Health Benefit Payments

Debt Service payments, health benefit payments, discount vouchers and immediate needs must be ratified after payment.

VI. Responsibilities

The Chief Finance Officer or Designee of the Chief Finance Officer:

- a. Shall ensure that all funds held by the Borough are safeguarded in accordance with these procedures and applicable law.

- b. Shall maximize the Borough’s interest income by prudently investing funds in excess of immediate needs in assets providing a high level of security for both principal and interest earnings, and in accordance with the rules and regulations of the State of New Jersey and the Borough’s Bond Documents.
- c. Shall maintain records of all Borough bank accounts, investments, and certificate of deposits.
- d. Shall insure adequate separation of duties between authority to transfer or invest funds and the responsibility for recording in, accounting for and reconciling the Borough’s ledgers and other books of account.
- e. Shall provide a monthly report that provides the summary of financial balances for revenues and appropriations.
- f. Shall provide a report that summarizes investment made or redeemed in the past month, each organization holding local unit funds, and the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments as of the report date, and any other information that the governing body may request or the CFO deems prudent to report.

VII. Liability

Provided that local unit funds are deposited or invested as designated or authorized by this cash management plan, the Chief Financial Officer and the CFO designee is relieved of any liability for any loss of such moneys due to the insolvency or closing of any depository designated by, or for the decrease in value of any investment authorized by, the cash management plan.

VIII. Audit

This plan, and all matters pertaining to the implementation of it, shall be subject to the Municipality’s annual audit.

NOW, THEREFORE, BE IT RESOLVED, that the above cash management plan be adopted by the governing body of the Borough of Longport, effective for the 2024 calendar year.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V.	AB	MOT.	SEC.
RUSSO						
LEBDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION:
01/3/2024

MONICA KYLE, RMC, MUNICIPAL CLERK

**BOROUGH OF LONGPORT
RESOLUTION 2024-03**

A RESOLUTION AUTHORIZING THE BOROUGH OF LONGPORT THROUGH THE LONGPORT POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE LONGPORT POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPEMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAS); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAS to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW THEREFORE BE IT RESOLVED by the Mayor and Commissioners of the Borough of Longport, County of Atlantic, that the Longport Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Longport Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include: office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Longport Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Longport Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FUTHER RESOLVED that the "DEMIL B through Q" controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RESOLVED that the Longport Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Longport Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE It FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2024 to December 31, 2024.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	AB	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION: 1-3-2024

/s/ Monica A. Kyle, RMC

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2024-04

APPROVAL OF FINAL CHANGE ORDER
WATER TANK REHABILITATION

WHEREAS, the Borough of Longport previously awarded a Contract to **Allied Painting Inc. of Cherry Hill, New Jersey** in the amount of **\$827,700.00** for the **Water Tank Rehabilitation**; and

WHEREAS, the Municipal Engineer has prepared Change Order #1 to decrease said Contract in the amount of **\$12,200.00** resulting in an amended contract amount of **\$815,500.00**; and

WHEREAS, the reason for Change Order #1 is final as-built quantities for said project. and

WHEREAS, Change Order #1 does not include a request for a time extension; and

WHEREAS, the Contactor, **Allied Painting Company**, has reviewed and accepted Change Order #1 as prepared by the Municipal Engineer; and

WHEREAS, the Municipal Engineer recommends Change Order #1 for approval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Longport that it hereby approves and authorizes the Final Change Order for a contract decrease in the amount of **\$12,200.00** for the **Water Tank Rehabilitation** resulting in a total amended contract amount of **\$815,500.00**.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEEDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAWLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION: _____

1/3/2024

/s/MONICA KYLE, RMC

**BOROUGH OF LONGPORT
RESOLUTION #2024-05
TEMPORARY BUDGET FOR YEAR 2024**

WHEREAS, the total appropriations in the 2023 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of \$8,969,467.82 in the Current Fund and \$952,000.00 in the Water/Sewer Utility Fund;

WHEREAS, twenty six and one quarter percent (26.25%) of the total appropriations in the 2023 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2023 budget is the sum of \$2,354,485.30 for the Current Fund and \$249,900.00 for the Water/Sewer Utility Fund;

THEREFORE, BE IT RESOLVED that the following appropriations shall constitute the temporary current and water and sewer budgets of the Borough of Longport for 2024:

CURRENT FUND

General Admin	SW	33,000
General Admin	OE	10,000
Human Resources	SW	15,000
Human Resources	OE	4,500
Mayor & Commissioners	SW	12,500
Mayor & Commissioners	OE	4,500
Clerk	SW	35,000
Clerk	OE	15,000
Finance	SW	20,000
Finance	OE	4,700
Audit		35,000
Data Processing		20,000
Tax Collection	SW	25,000
Tax Collection	OE	4,000
Tax Assessment	SW	8,000
Tax Assessment	OE	3,500
Legal	OE	90,000
Engineer	OE	45,000
Land Use	SW	26,000
Land Use	OE	6,500
Uniform Construction	SW	35,000
Uniform Construction	OE	50,000

Other Code Enforcement	SW	22,000
Other Code Enforcement	OE	1000
Liability Insurance		120,000
Joint Insurance Fund		3,600
Workers Compensation		112,000
Group Insurance		230,000
Health Benefit Waiver		6800
Police	SW	505,385.30
Police	OE	85,000
Dispatch	OE	76,100
Emergency Mgmt	SW	5000
Emergency Mgmt	OE	5000
Community Rating System	SW	3000
Community Rating System	OE	5500
Fire	SW	15,000
Fire	OE	20,000
Prosecutor	SW	4,000
Public Works	SW	130,000
Public Works	OE	38,000
Solid Waste Collection		50,000
Solid Waste Tip Fees		25,000
Buildings & Grounds	OE	55,000
Animal Control	OE	5,700
Recreation	SW	4,000
Recreation	OE	9,000
Parks	OE	10,000
Beach	SW	15,000
Beach	OE	15,000
Beach Control	OE	9,500
Celebration of Sp Events	OE	1,000
Electric		60,000
Street Lights		30,000
Telephone		15,000
Natural Gas		20,000
Fuel		25,000
Social Security		80,000
Municipal Court	SW	15,000
Municipal Court	OE	15,000
Public Defender	SW	1,500
DCRP		2200
Disability		2000
		<hr/>
Subtotal Current Fund		2,354,485.30

Debt Service	
Bond Payment	875,000.00
Bond Interest	<u>185,256.26</u>
Note Interest	<u> </u>
Note Principal	<u> </u>
Subtotal Debt Service	<u>1,060,256.26</u>

Total Current Fund 3,414,741.56

UTILITY FUND

Utility	SW	105,000.00
Utility	OE	118,900.00
Social Security		<u>26,000.00</u>

Subtotal Utility Fund 249,900.00

Debt Service	
Note Principal	
Note Interest	
Bond Payment	175,000.00
Bond Interest	<u>79,362.50</u>

Subtotal Debt Service 254,362.50

Total Utility 504,262.50

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE: 1/4/2023						
COMMISSION	AYE	NAY	N.V	AB	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:
1/3/2024

MONICA KYLE, Municipal Clerk

**Longport Borough Financial Report
Current and Utility Fund-Summary Only**

December-23

(Misc. revenues and manual checks may not be included. Figures may not have been reconciled to bank or financial reports as of the reading date of this report. The previous monthly bank statements are reconciled and on file in the Finance Office)

Current Fund		
Beginning Balance	11/30/2023	\$6,553,004.39
Revenues		
Taxes		321,178.50
Fees and Permits		750.00
Construction Fees		22,144.00
Beach Fees		4,680.00
Municipal Court		1,500.50
Interest on Investments		13,620.93
Miscellaneous		97,075.31
Ice Cream Vendor		2,000.00
State Aid/Grants		6,740.43
Due from Utility		125,000.00
Surplus Recognized		1,205,000.00
Total Revenues	12/31/2023	\$1,799,689.67
Disbursements		
Checks/payroll/debt/ due to capital/grants		\$1,171,096.87
Non-cash Surplus		0.00
Total Disbursements	12/31/2023	\$1,171,096.87
Ending Balance	12/31/2023	\$7,181,597.19

Utility Fund		
Beginning Balance	11/30/2023	\$984,613.35
Revenues		
Water/Sewer Rents		\$21,987.70
Interest		1,523.24
Miscellaneous		74.99
Surplus		83,562.50
Total Revenues	12/31/2023	\$107,148.43
Disbursements		
Checks/Payroll/Debt		\$272,473.49
Total Disbursements	12/31/2023	\$272,473.49
Ending Balance	12/31/2023	\$819,288.29

P.O. Type: All
 Range: First to Last
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last

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

Include Non-Budgeted: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
22-00761	10/20/22	19214	ALLIED PAINTING WATER TANK REHABILITATION	Open	21,114.00	0.00		
22-00866	12/08/22	19064	EMERGENCY VEHICLE SERVICE,LLC REPAIRS TO ENGINE 31	Open	487.50	0.00		
23-00073	01/18/23	GARDE005	GARDEN STATE LABORATORIES, INC WATER TESTING OF WATER SYSTEM	Open	300.00	0.00		
23-00118	02/06/23	19134	PLATINUM CARWASH OIL CHANGES / VEHICLE WASHES	Open	90.96	0.00		
23-00121	02/08/23	00148	SOUTH JERSEY WELDING CYLINDER RENTS	Open	148.80	0.00		
23-00142	02/14/23	00197	STATE OF NEW JERSEY- PWT COMMUNITY WATER SYSTEM TAX	Open	237.00	0.00		
23-00164	02/17/23	18374	OLD CAPE INC. DUMP FEES/MULCH/STONE	Open	124.85	0.00		
23-00208	03/06/23	TIFFA005	TIFFANY CUVIELLO, PP, LLC PLANNER FOR PLANNING BOARD	Open	150.00	0.00		
23-00404	05/23/23	00155	JOHN SCOTT ABBOTT ESQ ATTENDANCE AT PLANNING BOARD	Open	450.00	0.00		
23-00479	06/20/23	00575	CASA PAYROLL SERVICES, LLC PAYROLL SERVICES	Open	1,568.60	0.00		
23-00485	06/21/23	19136	RIGGINS INC. FUEL	Open	1,847.83	0.00		
23-00576	07/18/23	19224	ARAMARK UNIFORM SERVICE PUBLIC WORKS UNIFORMS	Open	314.88	0.00		
23-00803	10/23/23	19005	ACTION UNIFORMS, LLC UNIFORMS - GUERRIERI	Open	395.00	0.00		
23-00806	10/23/23	19046	ATLANTIC TACTICAL FIREARMS/FIREARM SUPPLIES	Open	3,844.08	0.00		
23-00828	11/02/23	COLUM005	COLUMN SOFTWARE PBC PUBLIC NOTICE ADVERTISING	Open	508.65	0.00		
23-00887	12/18/23	18762	W.B. MASON CO., INC. OFFICE SUPPLIES	Open	98.54	0.00		
23-00898	12/13/23	18753	BRT TECHNOLOGIES ASSESSMENT POSTCARDS/POSTAGE	Open	1,094.94	0.00		
23-00900	12/21/23	18767	PEACH COUNTRY TRACTOR, INC MOTOR VEHICLE PARTS	Open	69.46	0.00		
23-00901	12/21/23	18521	CDW GOVERNMENT SYMANTEC ENDPOINT SECURITY	Open	1,163.25	0.00		
23-00902	12/26/23	18762	W.B. MASON CO., INC. OFFICE SUPPLIES	Open	201.71	0.00		
23-00906	12/19/23	18091	SYSTEMS FOR YOU , INC ONSITE COMPUTER SERVICE	Open	90.00	0.00		
23-00907	12/29/23	18109	TREAS.STATE OF NJ/NJ DCA 4TH QTR STATE TRAINING FEES	Open	6,364.00	0.00		
23-00908	01/02/24	18109	TREAS.STATE OF NJ/NJ DCA STATE TRAINING FEES	Open	6,118.00	0.00		
23-00910	12/28/23	18091	SYSTEMS FOR YOU , INC ONSITE COMPUTER SERVICE	Open	90.00	0.00		
23-00911	12/31/23	18591	JENNA KELLY PETTY CASH REIMBURSEMENT	Open	95.91	0.00		
Total Purchase Orders:		25	Total P.O. Line Items:	0	Total List Amount:	46,967.96	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	2-01	487.50	0.00	487.50	0.00	0.00	487.50
CURRENT FUND	3-01	20,670.50	0.00	20,670.50	0.00	0.00	20,670.50
Utility Departmen	3-09	851.88	0.00	851.88	0.00	0.00	851.88
Year Total:		21,522.38	0.00	21,522.38	0.00	0.00	21,522.38
CAPITAL FUND	C-04	3,844.08	0.00	3,844.08	0.00	0.00	3,844.08
WATER AND SEWER C	C-08	6,173.53	0.00	6,173.53	0.00	0.00	6,173.53
Year Total:		10,017.61	0.00	10,017.61	0.00	0.00	10,017.61
GRANT FUND	G-02	14,940.47	0.00	14,940.47	0.00	0.00	14,940.47
Total of All Funds:		46,967.96	0.00	46,967.96	0.00	0.00	46,967.96

Additional Wire Transfers/ Manual Checks:

CURRENT FUND:

UTILITY FUND:

UNEMPLOYMENT FUND:

RECREATION FUND:

Schoppy's (Bench plaque) \$212.99

ANIMAL CONTROL FUND:

TOTAL FOR ALL FUNDS.....\$47,180.95