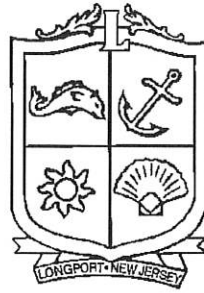


Posted: 2/16/2024  
Revised: 2/21/2024

**DRAFT**



**BOROUGH OF LONGPORT  
COMMISSION WORKSHOP MEETING  
February 21, 2024  
4:00 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 February 16, 2024. 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.

Members of the public will have the option to listen to meeting audio only. *Remote public participation is not permitted.* The public can access meeting audio by:

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1. Meeting called to order/OPMA notice announced
2. Roll call taken
3. Emergency Exits
4. Proclamation – Carl N. Tripician, Esq., Retirement After 25 Years of Service as Municipal Court Prosecutor
5. Municipal Administrator
6. Borough Solicitor
7. Borough Engineer
8. Mayor Russo
9. Commissioner Leeds
10. Commissioner Lawler
11. Municipal Clerk
12. Miscellaneous
13. Adjournment

Posted: 2/16/2024

Revised: 2/21/2024

**THE FOLLOWING ITEMS ARE SCHEDULED FOR ACTION AT THE FEBRUARY 21, 2024, REGULAR COMMISSION MEETING:**

**BOROUGH OF LONGPORT  
COMMISSION MEETING AGENDA  
FEBRUARY 21, 2024**

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 February 16, 2024. 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.

Members of the public will have the option to listen to meeting audio only. *Remote public participation is not permitted.* The public can access meeting audio by:

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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 – January 17, 2024, Board of Commissioners Workshop and Regular Meeting. Minutes have been previously distributed for Commissioners' Review.
6. **ORDINANCES – Second Reading/ Public Hearing:**

Public Comment – Limited to 3 minutes per person, please state your name and if you are a Longport resident for the record.

- **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
- **O2024-04** – An Ordinance Amending Article I Chapter 61-2

**7. ORDINANCES – Introduction and First Reading.** A Second Reading and Public Hearing is scheduled to be held on March 20, 2024, following the 4 pm workshop meeting for the following ordinances:

- **O2024-05** – An Ordinance Authorizing the Salaries, Wages and Compensation in Year 2024 for Employees Not Covered by Previous Ordinance or Union Contracts
- **O2024-06** – An Ordinance Amending Part II Chapter 75-5 Fees

**8. RESOLUTIONS – CONSENT AGENDA – Resolutions R2024-09 and R2024-12 through R2024-24**

Public Comment – Limited to 3 minutes per person, please state your name and if you are a Longport resident for the record.

- **R2024-09** – A Resolution Accepting the Properties Willed to the Borough of Longport by Dorothy McGee
- **R2024-12** - A Resolution Setting Dates and Hours for Beach Picnicking and Barbecuing 2024
- **R2024-13** – A Resolution Authorizing Adoption of Written Indoor Air Quality Program
- **R2024-14** – A Resolution Approving the Application of the Longport Volunteer Fire Department for Conducting a Coin Drop on Ventnor Avenue, A County Road
- **R2024-15** – Resolution Recognizing Carl N. Tripician, Esq., for Years of Service on the Longport Board of Education
- **R2024-16** – Establishment of an Emergency ‘No Parking’ Area South Side of Atlantic Avenue from the Margate City Line to the South Easterly Corner of 24<sup>th</sup> Avenue; Also on the North Side of Atlantic Avenue from the Westerly Side of 35<sup>th</sup> Avenue to the Easterly Side of 33<sup>rd</sup> Avenue
- **R2024-17** – Approval of Final Change Order – Amherst Avenue Raised Crosswalk
- **R2024-18** – Approval of Change Order Number 1 – Supply and Installation of New Pump at 33<sup>rd</sup> Avenue Pump Station
- **R2024-19** – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”
- **R2024-20** – A Resolution Rescinding and Voiding Resolution 2023-120
- **R2024-21**- Award of Contract to Cirignano Contracting, Inc., - 750 W. California Avenue – Absecon, NJ 08201 – for the Painting of Interior of Firehouse at the Longport Firehouse

- **R2024-22** – Authorizing Execution of Shared Services Agreement Rider with the Atlantic County Utilities Authority for Solid Waste, Bulky Waste, and Recycling Collection Services
- **R2024-23** – Authorizing a Non Fair and Open Professional Services Contract with James M. Rutala Associates, LLC, of Linwood, NJ, for Planning and Grant Assistance
- **R2024-24** – A Resolution Authorizing the Disposal of Surplus Property

**9. Bill List/ Financial Summary Report**

**10. Municipal Administrator's Report**

**11. Borough Solicitor's Report**

**12. Borough Engineer's Report**

**13. Commissioners' Reports**

**14. Public Comment**

**15. 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 15<sup>th</sup> and April 15<sup>th</sup>:
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 16<sup>th</sup> and October 14<sup>th</sup>.

- 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: 1/11/2024

<u>DO NOT USE SPACE BELOW</u>						
<u>OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1<sup>ST</sup> 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>		X	X			
<u>Leeds</u>	X		X			
<u>Lawler</u>						X
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						

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.

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

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Monica A. Kyle, RMC

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Nicholas M. Russo, Mayor

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James P. Leeds, Sr., Commissioner

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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.

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

*(Notes corresponding to annotations <sup>(a)</sup> through <sup>(g)</sup> are found on Page D-14)*

<b>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)</b>
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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 <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Infiltration Basin	80	Yes	Yes	2
Sand Filter <sup>(b)</sup>	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond <sup>(d)</sup>	50-90	Yes	No	N/A

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on Page D-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 <sup>(h)</sup>	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> 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:



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

3. To satisfy the stormwater runoff quantity standards at § 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](#), 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](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	100-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.

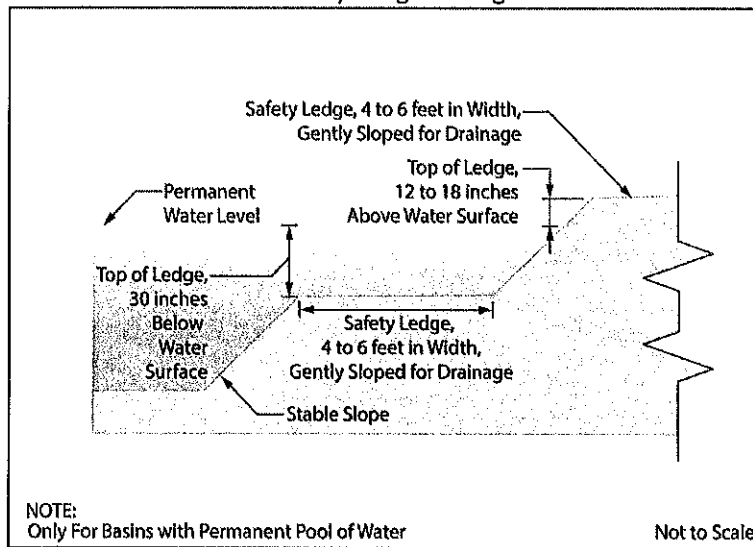
- ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
  - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
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: 1/11/2024

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 <sup>ST</sup> Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo	X		X			
Leeds		X	X			
Lawler						X
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.

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

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Monica A. Kyle, RMC

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Nicholas M. Russo, Mayor

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James P. Leeds, Sr., Commissioner

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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 Lieutenant/Director
20-3	Duties of Fire Chief	20-8	Removal from Office
20-4	Duties of Assistant Chiefs	20-9	Compensation
20-5	Duties of Fire Captains	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 Office 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: 1/11/2024

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

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

publication:

<b>DO NOT USE SPACE BELOW</b>						
<b>OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE</b>						
<b>COMMISSIONERS</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>NV</b>	<b>AB</b>
<u>Russo</u>						
<u>Leeds</u>						
<u>Lawler</u>						
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.

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

---

Monica A. Kyle, RMC

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Nicholas M. Russo, Mayor

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James P. Leeds, Sr., Commissioner

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Daniel Lawler, Commissioner



**BOROUGH OF LONGPORT  
COUNTY OF ATLANTIC**

**ORDINANCE 2024-04  
AN ORDINANCE AMENDING ARTICLE I CHAPTER 61-2**

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

**Article I CHAPTER 61-2 is hereby amended as follows:**

**§ 61-2 Beach fees.**

[Amended 3-7-1979; 3-18-1981; 3-19-1985; 2-19-1997 by Ord. No. 97-04; 3-2-2005 by Ord. No. 2005-02; 3-15-2023 by Ord. No 2023-05]

In order to provide the necessary funds to improve, maintain and police the beaches, the following fees shall be charged for such facilities:

**A.** No fees shall be charged to or collected from any person under the age of 12 years.

**B.** Preseason purchase: \$20.00 per person, per bathing season, provided that application is made to the proper authorities on or before the first Friday in the month of June; \$5 **[\$10.00]** per person for senior citizens 65 years of age or older, per bathing season, provided that application is made to the proper authorities on or before the first Friday in the month of June.

[Added 3-11-2009 by Ord. No. 2009-03; amended 2-17-2016 by Ord. No. 2016-02; 3-15-2023 by Ord. No 2023-05]

**C.** Daily: \$5.00 per day for any part of a single calendar day. Daily badges will not carry over to the next calendar day after purchase.

[Added 3-15-2023 by Ord. No 2023-05]

**D.** Weekly: \$15.00 per person per week for any week or fractional part thereof of the bathing season. Weekly badges will be valid from 12:00 noon on Friday until 12:00 noon of the following Friday.

[Amended 3-15-2023 by Ord. No 2023-05]

E. Season: \$35.00 per person, per bathing season; \$10 **[\$15.00]** per person for senior citizens 65 years of age or older, per bathing season.

[Added 3-11-2009 by Ord. No. 2009-03; amended 2-17-2016 by Ord. No. 2016-02; 3-15-2023 by Ord. No 2023-05]

F. Persons in active military service. Though such persons are required to display a badge, no fees shall be charged to or collected from persons in active military service in any of the Armed Forces of the United States or to their spouses or dependent children over the age of 12 years.

[Added 3-19-2014 by Ord. No. 2014-04]

G. Persons who are active members of the New Jersey National Guard. Though such persons are required to display a badge, no fees shall be charged to or collected from persons who are active members of the New Jersey National Guard who have completed initial active duty training and to their spouses or dependent children over the age of 12 years. As used in this subsection, "initial active duty training" means basic military training for members of the New Jersey Air National Guard and basic combat training and advanced individual training for members of the New Jersey Army National Guard.

[Added 3-19-2014 by Ord. No. 2014-04]

H. Persons who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability (veterans). Though such veterans are required to display a badge, no fees shall be charged to or collected from such veterans. In order to obtain a badge with no fee, such veterans shall present to the Beach Supervisor documentation, consistent with law and the rules and regulations promulgated by the Adjutant General of the New Jersey Department of Military and Veterans Affairs, sufficient to establish entitlement to a badge with no fee.

Vote on First Reading: 1/17/2024

publication: 1/25/2024

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

Borough of Longport

Ordinance Page -3-

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

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

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

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

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Monica A. Kyle, RMC

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Nicholas M. Russo, Mayor

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James P. Leeds, Sr., Commissioner

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Daniel Lawler, Commissioner

**BOROUGH OF LONGPORT  
ORDINANCE 2024-05**

***AN ORDINANCE AUTHORIZING THE SALARIES, WAGES AND COMPENSATION IN YEAR 2024 FOR  
EMPLOYEES NOT COVERED BY PREVIOUS ORDINANCE OR UNION CONTRACTS***

Section 1: The within described salaries, wages and compensation paid to the following officials, officers and employees shall be computed from January 1, 2024.

All amounts are annual unless otherwise noted and shall not exceed the following:

**DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY**

COMMISSIONER	14,471
POLICE CHIEF	100,000 to 185,000

**OFFICE OF THE BOROUGH CLERK**

MUNICIPAL ADMINISTRATOR	40,000 TO 100,000 or 20.00 to 55.00
BOROUGH CLERK	45,000 TO 90,000
DEPUTY BOROUGH CLERK	1,000 TO 10,000
REGISTRAR	3,875
DEPUTY REGISTRAR	1,893
ALTERNATE DEPUTY REGISTRAR	602
MUNICIPAL COURT JUDGE	12,000 TO 18,000
PROSECUTOR	12,064
EMERGENCY MANAGEMENT COORDINATOR	3,000 TO 5,000
DEPUTY EMERGENCY MANAGEMENT COORDINATOR	1,500 TO 2,900
PLANNING BOARD ADMINISTRATIVE OFFICER	1,861
PLANNING BOARD RECORDING SECRETARY	1,861
ZONING/CODE OFFICER	45,000 TO 90,000
CLERK TYPIST (HOURLY)	16.00 TO 20.00
COMPLIANCE INSPECTORS (HOURLY)	16.82 to 28.85 or 35,000 to 60,000
CONSTRUCTION CODE OFFICIAL	45,000 TO 85,000
ZONING ASSISTANT	18.00 TO 25.00
BUILDING INSPECTOR	5,000 TO 15,000
BUILDING SUB-CODE OFFICIAL	3,000 TO 6,000
FIRE INSPECTOR	5,000 TO 15,000
FIRE PROTECTION SUB-CODE OFFICIAL	3,000 TO 6,000
ELECTRICAL INSPECTOR	5,000 TO 15,000
ELECTRICAL SUB-CODE OFFICIAL	3,000 TO 6,000
PLUMBING INSPECTOR	5,000 TO 15,000
PLUMBING SUB-CODE OFFICIAL	3,000 TO 6,000
MECHANICAL INSPECTOR	5,000 TO 15,000
MECHANICAL SUB-CODE OFFICIAL	3,000 TO 6,000
TECHNICAL ASSISTANT	40,000 TO 60,000
FIRE CHIEF	7,996
ASSISTANT FIRE CHIEFS	5,352

FIRE CAPTAINS	2,247
FIRE LIEUTENANTS	1,023
UNIFORM FIRE OFFICIAL	1,972
EMS LIEUTENANT/DIRECTOR	1023
UNIFORM FIRE INSPECTOR	328
FIRE DEPT STIPEND	UP TO 2,250
COMMUNITY RATING SYSTEM DIRECTOR	3,000 TO 5,000
SPECIAL LAW ENFORCEMENT OFFICER I & II	17.00 TO 30.00
ADMINISTRATIVE ASSISTANT CLERK-POLICE DEPT	40,000 to 105,000
DOG LICENSE OFFICIAL	1,207
RECREATION SUPERVISOR	18.00 TO 25.00

**BEACH PATROL**

CHIEF	19,000 to 29,000
CAPTAIN (MAXIMUM OF 85 DAYS)	180.00-270.00
BOAT HOUSE MAINTENANCE	186.95 PER DAY **

\*\* THE LIFEGUARD FORCE, INCLUDING THE OFFICERS LIMITED TO 120 BOATHOUSE MAINTENANCE DAYS IN TOTAL.

ANY OFFICERS AND LIFEGUARDS EMT-CERTIFIED MUST USE HIS/HER EMT SKILL AND TRAINING IN EVENT OF A BEACH EMERGENCY, MAY RECEIVED AN ADDITIONAL STIPEND OF \$575, IF THE INDIVIDUAL WORKS A MINIMUM OF 40 DAYS IN THE 2024 SEASON.

**DEPARTMENT OF REVENUE AND FINANCE**

COMMISSIONER	14,471
CHIEF FINANCIAL OFFICER	50,000 TO 100,000
TAX ASSESSOR	12,000 TO 22,000
TAX COLLECTOR	50,000 to 80,000
DEPUTY TAX/UTILITY COLLECTOR	1,000 to 10,000
JIF FUND COMMISSIONER	3,105
SAFETY COORDINATOR	3,105
CLAIMS COORDINATOR	3,105
ALTERNATE PAYROLL CLERK	1,207
QUALIFIED PURCHASING AGENT	3,812
⊗ REASSESSMENT COORDINATOR	9,000 TO 12,360
⊗ FIELD ASSESSOR-REASSESSMENT	5,150

⊗ **NOT REQUIRED EVERY YEAR**

**DEPARTMENT OF PUBLIC WORKS**

COMMISSIONER	14,471
LICENSE HOLDER	16,228
SUPERINTENDENT	34.00-45.00
WATER UTILITY & PUBLIC WORKS (HOURLY)	
ADMINISTRATIVE ASSISTANT	20,800 TO 45,000

Laborer (as needed)	17.00 to 22.00
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SECTION II: The salaries of all officials and employees of the Borough shall be paid on a bi-weekly basis with the exception of those salaries paid *not less than quarterly* so as to conform with pension reporting procedures.

SECTION III: Each full-time employee, except for those employees covered by a collective bargaining agreement or a management contract shall receive longevity pay, according to and in compliance with the Borough of Longport Personnel Policies and Procedures Manual and Employee Handbook, in addition to their regular salary.

SECTION IV: Firefighters and Emergency Medical Technicians (EMT) may receive a stipend. The Fire Chief shall develop criteria for payment of an annual stipend to certain Firefighters/EMT's of the Longport Volunteer Fire Department. A stipend may also be given for individuals who handle administrative duties through the year. Those criteria shall be presented to the Director of Public Safety and Public Affairs on an annual basis for the Director's approval. In no event shall any such stipend paid by the Borough of Longport in accordance with this ordinance be considered as salary or other remuneration. The payments set forth herein shall not be considered salary, nor shall such payments be considered to in any way construe the creating of a paid or partially paid fire department or ambulance squad with the Borough of Longport. No person receiving such stipend shall be considered by virtue of that stipend alone an employee of the Borough. Payments of stipends are subject to production of adequate documentation of current certification. No individual may receive fire department stipends totaling more than \$2250.

SECTION V: EMS Duty Crew Stipends: The dates for the EMS Duty Crew program shall be determined by the Chief of the Fire Department annually.

The following stipends will be paid on a bi-weekly or monthly basis. All stipends will be in compliance with the EMS Duty Crew SOP. The range for the following titles are as follows per shift:

- Driver: Non Firefighter - \$ 75.00 - \$160.00
- Certified FFI by NJ Division of Fire Safety -\$75.00 - \$ 160.00
- EMT: Non Firefighter -\$75.00 - \$ 160.00
- Certified FF1 by NJ Division of Fire Safety - \$75.00 - \$160.00
- EMT/Certified FF1 by NJ Division of Fire Safety - \$75.00 - \$160.00

The Longport Volunteer Fire Department will provide a per call stipend for all EMS Responses not part of the EMS Duty Crews. All Stipends will be in compliance with Fire Department EMS Response Plan SOP. The range for this payment for the following titles as follows:

- Driver: \$ 20.00 - \$ 45.00 per call
- Certified EMT: \$30.00 - \$ 65.00 per call
- Additional Responders on an EMS Call may receive - \$ 10.00 per call

Duty Crew Payment and EMS Call Responses Payment will be tracked by the Fire Chief and/or his designee and submitted for payment on a biweekly to monthly basis.

\*The cumulative amount for any paid fire department stipend and/or duty crew may not exceed \$17,235.00 per year.

All ordinances or parts of ordinances, inconsistent herewith are hereby repealed.

Vote on First Reading: 2/21/2024

Publication Date:

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

Vote on Second Reading: 3/20/2024

Publication Date:

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

**Borough of Longport**  
**Signature page for Salary Ordinance 2024-05**  
**Page 4 of 4**

\_\_\_\_\_  
 Monica Kyle, RMC, CMR  
 Municipal Clerk

\_\_\_\_\_  
 Mayor Nicholas Russo

\_\_\_\_\_  
 Commissioner James P. Leeds, Sr.

\_\_\_\_\_  
 Commissioner Daniel Lawler



**BOROUGH OF LONGPORT  
COUNTY OF ATLANTIC  
ORDINANCE 2024-06**

**AN ORDINANCE AMENDING PART II CHAPTER 75-5 FEES**

**Borough of Longport Code Provision Chapter 75-5 is hereby amended as follows:**

§ 75-5**Fees.**

[Amended 1-4-2006 by Ord. No. 2005-18]

**A.** Plan review fee: 20% of the total permit fee shall be deemed to be the plan review fee.

**B.** Construction permit fee for the building subcode shall be ~~\$50~~ \$60.

**(1)** Minimum fee for the building subcode shall be ~~\$50~~ \$60.

**(2)** For new construction, the fees shall be based on the following:

**(a)** Residential Use Groups: \$0.038 per cubic foot of volume.

**(b)** All other use groups: \$0.050 per cubic foot of volume.

**(3)** For additions, the fees shall be based on the following:

**(a)** Residential Use Groups: \$0.038 per cubic foot of volume.

**(b)** All other use groups: \$0.050 per cubic foot of volume

**(4)** For combinations of additions or renovations, the fee shall be computed separately.

**(5)** For renovations and alterations, the fee shall be \$30 per \$1,000 of estimated cost of work for the first \$50,000 and \$25 per \$1,000 of the estimated cost of work thereafter.

**(6)** For a demolition permit, the fee shall be as follows:

**(a)** Use Group R-3 and R-4: \$150.

**(b)** All other use groups: \$175.

**(7)** For construction of a fence, there will be a flat fee of \$60.

**(8)** For construction of a sign, the fee shall be \$1 per square foot, with a minimum fee of ~~\$50~~ \$60.

~~**(10)** For asphalt paving, the fee shall be \$25 per \$1,000 of the estimated cost of the work, with a minimum fee of \$50.~~

~~**(11)** For concrete work, the fee shall be \$30 per \$1,000 of the estimated cost of the work, with a minimum fee of \$50.~~

**(9)** For asbestos abatement, the fee shall be set per state statute.

**(10)** For the installation or construction of a temporary structure, there shall be a fee of ~~\$150~~ \$200.00 plus cost of all necessary electrical, plumbing and service connection.

**(11)** For the installation of piles and bulkheads, the fee shall be \$25 per \$1,000 of the estimated cost of the work, with a minimum fee of ~~\$50~~ \$60.

**(12)** The fee for changing from one use group to another use group shall be a flat fee of \$300.

**(13)** For the moving of a building or a structure from one lot to another, the fee shall be \$25 per \$1,000 of the estimated cost of the footing and foundation installation, plus the cost of all necessary electrical, plumbing and service connections.

**(14)** The fees for certificates shall be:

**(a)** Certificate of occupancy:

**[1]** Residential use: ~~\$50~~ \$100.00 per unit.

**[2]** All other use groups: ~~\$60~~ \$125.

**(b)** Continuing certificates of occupancy: ~~\$150~~ \$160.

**C.** For elevator subcode, the fees are set by the State of New Jersey in N.J.A.C. 5:23-12.6, Test and Inspection Fees.

**(1)** The Borough of Longport shall charge an administrative fee of 15% as provided for in N.J.A.C. 5:23-4.18(k)VI for all inspections conducted by the Borough's private on-site inspection agencies.

**D.** Construction permit fees for the electrical subcode shall be as follows:

**(1)** The minimum fee for the electrical subcode shall be ~~\$50~~ \$55.

**(2)** Receptacles and fixtures:

**(a)** One through 50: ~~\$50~~ \$55.

**(b)** Each additional 25: ~~\$25~~ \$7 - \$10.

**(3)** Motors and electrical devices:

**(a)** Over one horsepower to 10 horsepower: ~~\$12~~ \$18 each.

**(b)** Over 10 horsepower to 50 horsepower: ~~\$45~~ \$50 each.

**(c)** Over 50 horsepower to 100 horsepower: ~~\$90~~ \$100 each.

**(d)** Over 100 horsepower: ~~\$450~~ \$500 each.

**(4)** Transformers and generators:

**(a)** Over one kilowatt to 10 kilowatts: ~~\$12~~ \$18 each.

**(b)** Over 10 kilowatts to 45 kilowatts: ~~\$45~~ \$55 each.

**(c)** Over 45 kilowatts to 112.5 kilowatts: ~~\$90~~ \$115 each.

**(d)** Over 112.5 kilowatts: ~~\$450~~ \$500 each.

**(5)** Service panels, entrances and subpanels:

**(a)** Up to 400 amperes: ~~\$50~~ \$55 each.

**(b)** Over 400 amperes to 1,000 amperes: ~~\$100~~ \$105 each.

**(c)** Over 1,000 amperes: ~~\$500~~ \$505 each.

**(6)** Technical line items:

**(a)** Ranges/ovens/surface units:

**[1]** Up to 10 kilowatts: ~~\$12~~ \$18 each.

**[2]** Over 10 kilowatts, ~~\$50~~ \$60 each.

- (b) Dishwasher: \$42 \$18 each.
- (c) Garbage disposal: \$42 \$18 each.
- (d) Dryer: \$42 \$18 each.
- (e) Air-conditioning unit: \$42 \$18 each.
- (f) Whirlpool spa: \$42 \$18 each.
- (g) Pool filter motor: \$42 \$18 each.
- (g) Light standards: \$42 \$18 each.
- (i) Water heater: \$42 \$18 each.
- (j) Signs (lighted): \$50 each.
- (k) Smoke detectors (up to 100): \$45

E. Construction permit fees for the plumbing subcode shall be as follows:

(1) The minimum fee for the plumbing subcode shall be \$50 \$55.

(2) Fixtures.

- (a) Water closet: \$42 \$18 each.
- (b) Urinal/Bidet: \$42 \$18 each.
- (c) Bathtub: \$42 \$18 each.
- (d) Lavatory: \$42 \$18 each.
- (e) Shower: \$42 \$18 each.
- (f) Floor drain: \$42 \$18 each.
- (g) Sink: \$42 \$18 each.
- (h) Dishwasher: \$42 \$18 each.
- (i) Drinking fountain: \$42 \$18 each.
- (j) Washing machine: \$42-\$18 each.
- (k) Hose bib: \$42 \$18 each.
- (l) Water heater: \$45 \$60 each.
- (m) Fuel oil piping: \$45 \$60 each.
- (n) Gas piping: \$45 \$60 each.
- (o) Steam boiler: \$42 \$60 each.
- (p) Hot-water boiler: \$42 \$60 each.
- (q) Sewer pump: \$42 60 each.
- (r) Interceptor/Separator: \$42 \$18 each.
- (s) Backflow preventor: \$42 \$18 each.
- (t) Greasetrap: \$30 \$60 each.
- (u) Water-cooled air-conditioning or refrigeration unit: \$42 \$60 each.
- (v) Sewer connection: \$65 \$70 each.
- (w) Water service: \$65 \$70 each.
- (x) Active solar system: \$10.

**(3)** For cross-connection and backflow preventors that are subject to testing requiring reinspection every three months, the fee shall be \$50 for each device when they are tested thrice annually and \$125 for each device when they are broken down and tested annually.

**F.** The construction permit fee for the fire subcode shall be as follows:

**(1)** The minimum fee for the fire subcode shall be ~~\$50~~ \$55.

**(2)** Wet and dry sprinkler heads:

**(a)** Up to 20: ~~\$45~~ \$75.

**(b)** Over 20 to 100: ~~\$55~~ \$100.

**(c)** Over 100 to 200: ~~\$175~~ \$150.

**(d)** Over 200 to 400: ~~\$375~~ \$250.

**(e)** Over 400 to 1,000: ~~\$425~~ \$600.

**(f)** Over 1,000: ~~\$625~~ \$800.

**(3)** Smoke and heat detectors:

**(a)** Up to 20: ~~\$45~~ \$50.

**(b)** Over 20 to 100: ~~\$55~~ \$75.

**(c)** Over 100 to 200: ~~\$175~~ \$200.

**(d)** Over 200 to 400: ~~325~~ \$400.

**(e)** Over 400 to 1,000: ~~\$425~~ \$500.

**(f)** Over 1,000: ~~\$625~~ \$650.

**(4)** Pre-engineered systems:

**(a)** CO<sup>2</sup> suppression: ~~\$50~~ \$100.

**(b)** Halon suppression: ~~\$50~~ \$100.

**(c)** Foam suppression: ~~\$50~~ \$100.

**(d)** Dry chemical: ~~\$50~~ \$100.

**(e)** Wet chemical: ~~\$50~~ \$100.

**(5)** Standpipes: ~~\$125~~ \$225.

**(6)** Kitchen hood exhaust systems: ~~\$50~~ \$60.

**(7)** Incinerators: not applicable.

**(8)** Crematoriums: not applicable.

**(9)** Gas- or oil-fired appliances: \$40 \$60 each.

**G.** The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be:

**(1)** For Class I structures: \$125.

**(2)** For Class II structures: \$225.

**(3)** For Class III structures: \$325.

**H.** Mechanical fee shall be priced as follows:

**(1)** First item \$60, \$18 every item after.

**I.** The fee for reinstatement of lapsed permits shall be 50% of the total sum of the construction permit issued, provided that the minimum fee shall be \$50.

**J.** In order to provide training, certification and technical support programs required by the Uniform Construction Code Act and regulations, the Enforcing Agency shall collect, in addition to the fee specified above, a surcharge fee of \$0.00265 per cubic foot of volume for new construction and additions and \$0.00135 per \$1,000 of the cost of the alterations and renovations. These fees shall be remitted quarterly to the Department of Community Affairs, State of New Jersey.

**K.** For purposes of determining costs, the Construction Official may require copies of bona fide contracts.

Vote on First Reading: 2/21/2024

Publication Date:

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Russo						
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Lawler						
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Vote on Second Reading: 3/20/2024

Publication Date:

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OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
X-indicates vote      NV-not voting      AB. - Absent						

**Borough of Longport**

**Signature page for Salary Ordinance 2024-06**

**Page 6 of 6**

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Monica Kyle, RMC, CMR

Municipal Clerk

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Mayor Nicholas Russo

---

Commissioner James P. Leeds, Sr.

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Commissioner Daniel Lawler

**RESOLUTION  
Of the  
Borough of Longport**

**Resolution 2024-09**

**A Resolution Accepting the Properties Willed to the  
Borough of Longport by Dorothy S. McGee**

**WHEREAS**, Dorothy S. McGee by her last will and testament bequeathed to the Borough of Longport certain properties designated as Block 17 Lots 11.01 and 11.02,

**WHEREAS**, Dorothy S. McGee in her will, conditioned the bequeathment of the properties to the Borough of Longport upon certain conditions and use of the property,

**WHEREAS**, The Board of Commissions of the Borough of Longport wish to accept the properties with the conditions as outlined by Dorothy S. McGee in her will.

**NOW, THEREFORE BE IT RESOLVED** The Board of Commissions of the Borough of Longport hereby agrees to accept the properties designated as Block 17 Lots 11.01 and 11.02 with the following conditions which shall be recorded in the Deed (attached) for the properties filed with the County of Atlantic:

- a) A gazebo shall be constructed in similar size and design to the gazebo which currently stands near 35<sup>th</sup> Avenue and Atlantic Avenue in Longport;
- b) A tastefully designed plaque shall be erected, saying "Park Donated by Dorothy Sanders McGee";
- c) A fence shall be constructed along its perimeter, no higher than three (3) feet, tasteful and attractive in design so as not to appear like it is guarding an unwelcome area;
- d) An abundance of flowers, bushes and trees, as well as benches, shall be provided for people to rest and enjoy the park;
- e) The principal purpose of the park should be an area where people can rest and enjoy a bit of green, and fresh air. As such, the park shall be almost entirely green space with no hardscaping for the purpose of parking or sport courts.
- f) Parking of vehicles, except for maintenance, shall not be permitted in the boundaries of the park;
- g) The estate shall not be responsible for any of the costs and expenses for the construction and establishment, nor any expenses for the maintenance and repair of the park and any improvements

therein. There shall be no plaques erected, attributing improvements or maintenance to individuals or groups as benefactors.

An addendum to the deed titled Memorandum of Understanding (attached) between the Borough of Longport and the Estate will also be executed by the parties and filed with the County. The Board of Commissions of the Borough of Longport hereby agrees to the Memorandum of Understanding and requests the Mayor to execute the same.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE:						
COMMISSION	AYE	NAY	N.V	A.B.	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:

2-21-2024

/s/ Monica A. Kyle, RMC, Municipal Clerk



**Deed of Dedication  
for  
Public Park**

This Deed is made as of and to be delivered on **February** , **2024**

**BETWEEN:**                    **ESTATE OF DOROTHY S. McGEE,  
by David B. Frisch, Executor**

whose address is:            2106 New Road, Suite A-1  
Linwood, New Jersey 08221

referred to as the GRANTOR,

**AND            BOROUGH OF LONGPORT, a municipal corporation of the State of New Jersey**

whose address is:            2305 Atlantic Avenue, Longport, New Jersey 08403

referred to as the GRANTEE.

The words "Grantor" and "Grantee" shall mean all Grantors and Grantees listed above.

**1. Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of **ONE (\$1.00) DOLLAR.** The Grantor acknowledges receipt of this money.

**2. Tax Map Reference.** (N. J. S. A. 46:15-1.1) Municipality of **Longport Borough**  
Block No. **17**      Lot Nos. **11.01 & 11.02**      Qualifier No.                    Account No.

No Lot and block or account number is available on the date of this Deed. (Check Box if Applicable.)

**3. Property.** The property consists of the land and all the buildings and structures on the land in the Borough of Longport, County of Atlantic and State of New Jersey. The legal description is:

Please see attached Legal Description annexed hereto and made a part hereof. (Check Box if Applicable.)

**UNDER AND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.**

**BEING** a part of the same lands and premises granted and conveyed to Albert F. McGee, Jr. and Dorothy S. McGee, as Tenants in Common, from Albert F. McGee, Jr. and Dorothy S. McGee, h/w, by Deed dated January 3, 2005, and recorded in the Atlantic County Clerk's Office on January 4, 2005, in Book 11912, as Instrument No. 2005000845. The said Albert F. McGee, Jr. departed this life, intestate, on March 23, 2015, whereupon by Order of the Superior Court of New Jersey, Chancery Division, Probate Part, Atlantic County, dated June 5, 2015, Dorothy S. McGee was appointed as Administratrix of his estate, and sole beneficiary;

Prepared by:

s/ David B. Frisch  
DAVID B. FRISCH, ESQ.

**5. Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. (Print name below each signature.)

Witnessed or Attested by:

**ESTATE OF DOROTHY S. McGEE**

\_\_\_\_\_

By:

\_\_\_\_\_

**David B. Frisch, Executor**

STATE OF NEW JERSEY  
COUNTY OF ATLANTIC

SS:

I CERTIFY that on February , 2024

**David B. Frisch**

personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (a) was the maker of the attached Deed of Dedication;
- (b) was authorized to and did execute this Deed of Dedication as Executor of the Estate of Dorothy S. McGee, the entity named above;
- (c) made this Deed of Dedication for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N. J. S. A. 46:15-5); and
- (d) executed this Deed of Dedication as the act of the Estate of Dorothy S. McGee.

\_\_\_\_\_  
Notary Public

Memorandum of Understanding (MOU)

Between Borough of Longport and the Estate of Dorothy S. McGee

1. This MOU shall act as a supplement to the deed restrictions applied to the properties donated by the estate of Dorothy S. McGee located at 106-108 South 22 Avenue Block 17 lots 11.01 and 11.02.
2. Pursuant to the will of Dorothy S. McGee the properties were donated to the Borough with certain requirements for its use and obligations of the Borough as set forth in the deed restrictions to be recorded with the County of Atlantic. The deed sets forth that in the event the Borough violates its obligations, the properties will revert to the estate or heirs of the estate.
3. Pursuant to the deed restrictions, the estate has no responsibility for the construction or maintenance of the park. The Borough shall, with or without the assistance of donations from the public, construct the park with the minimum requirements as set forth in the deed restriction. The Borough shall have a reasonable time to complete the construction subject to available financing and the requirements of public bidding laws. The Borough shall move forward with the start of construction within 24 months of the filing of the deed restriction unless unforeseen circumstances prohibit the same.
4. In the event of the destruction of the park after or during its construction by a natural or manmade disaster; the Borough shall have a reasonable time to repair or rebuild the park. This reasonable time is governed by available financing and requirements of public bidding laws. Such reconstruction shall commence within 24 months after the park is deemed unusable by the Borough unless unforeseen circumstances prohibit the same.
5. The Borough may accept donations from the public for the construction and/or maintenance of the park and may grant such donors the opportunity to provide input as to the design of the park. In recognition of the gift by Dorothy S. McGee, the Borough will also provide a preliminary design of the park to the estate for input as to the final design and construction of the park. The Borough is not bound by any input given by the estate or public regarding the design and construction of the park except to the extent required by the deed restrictions.
6. The Borough recognizes the estate has expressed certain wishes regarding use of the park that are not set forth in the deed restrictions. The Governing Body will consider the use restrictions requested by the estate and, if they believe the same are appropriate for the Borough, may enact Ordinances or Resolutions accordingly.
7. In the event the estate or Borough wish to contest any provisions of this agreement or the deed restrictions, both parties agree to the jurisdiction of this matter in the Superior Court of New Jersey, Atlantic County.

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Representative of The Estate of Dorothy McGee

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Mayor, Borough of Longport

Date:

Date:

**BOROUGH OF LONGPORT  
RESOLUTION No. 2024-12  
A RESOLUTION SETTING DATES AND HOURS FOR  
BEACH PICNICKING AND BARBECUING 2024**

WHEREAS, picnicking and barbecuing on Longport beaches is permitted by ordinance. This resolution sets for the dates, times and other conditions for picnicking and barbecuing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Longport hereby sets forth the date, times and conditions for picnicking and barbecuing on the Longport oceanfront public beaches as follows:

(1) Picnicking and barbecuing shall be permitted between the hours of 10 a.m. and 8 p.m. on the following dates:

**MEMORIAL DAY**                      **Saturday, May 25**  
**Sunday, May 26**  
**Monday, May 27**

**4<sup>TH</sup> JULY**                              **Thursday, July 4; Friday, July 5; Saturday, July 6; Sunday, July 7**

**LABOR DAY**                              **Saturday, August 31**  
**Sunday, September 1**  
**Monday, September 2**

(2) The barbecue shall be charcoal only, and the grilling surface shall not exceed 36 inches in diameter measured from any one point to another;

(3) All coals shall be extinguished with water, wrapped in aluminum foil and deposited next to the trash receptacles at the beach entrances. All trash and other waste shall be collected and placed in the trash receptacles or otherwise properly disposed of.

(4) No alcoholic beverages shall be opened or consumed.

AND BE IT FURTHER RESOLVED, that the Borough of Longport reserves the right to amend the terms and conditions of, and prohibit, beach picnicking and/or barbecuing.

RESOLVED, that all resolutions or parts of Resolutions inconsistent herewith are hereby repealed and this Resolution shall take effect immediately according to law.

	Motion	Second	Yes	Nay	Abstain	Absent
Russo						
Leeds						
Lawler						

Date: 2.21.2024

certified by \_\_\_\_\_  
 Monica Kyle, RMC, Municipal Clerk

**BOROUGH OF LONGPORT**

**Resolution 2024-13**

**A RESOLUTION AUTHORIZING ADOPTION OF WRITTEN INDOOR AIR QUALITY PROGRAM**

**Whereas**, A Written Indoor Air Quality Program is required by Public Employees Occupational Safety and Health; and

**Whereas**, A Written Indoor Air Quality Program sets standards for maintaining Indoor Air Quality; and

**Whereas**, The Borough of Longport has reviewed and updated its Model Written Indoor Air Quality Program; and

**Whereas**, At the recommendation of Municipal Administrator, Juergen Simmons is the designated person responsible for compliance; and

**Whereas**, The Borough of Longport has reviewed the Written Indoor Air Quality Program annually and updated as needed.

**Now Therefore, Be it resolved**, that the updated Written Indoor Air Quality Program be adopted by the governing body of the Borough of Longport, effective through February 2025.

All resolutions or parts of resolutions inconsistent herewith are hereby repealed and this resolution shall take effect immediately to the terms aforesaid.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	NV	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:  
2/21/2024

\_\_\_\_\_  
MONICA KYLE, RMC, MUNICIPAL CLERK

**BOROUGH OF LONGPORT  
COUNTY OF ATLANTIC  
STATE OF NEW JERSEY  
R 2024-14**

**A RESOLUTION APPROVING THE APPLICATION OF THE LONGPORT VOLUNTEER FIRE DEPARTMENT FOR CONDUCTING A COIN DROP ON VENTNOR AVENUE, A COUNTY ROAD**

**WHEREAS**, the Longport Volunteer Fire Department has applied to the Borough of Longport for approval to conduct a coin drop on Ventnor Avenue on Sunday, May 26, 2024, in accordance with the County of Atlantic coin drop guidelines; and

**WHEREAS**, the Longport Volunteer Fire Department, being totally noncommercial, is exempt from the Peddling and Soliciting regulations except that the hours of soliciting must be between the hours of 8:00 a.m. and 9:00 p.m. pursuant to Chapter 132 of the Longport Code.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Borough of Longport, Atlantic County, does hereby grant approval to the Longport Volunteer Fire Department to conduct a coin drop in the Borough on Ventnor Avenue, a County road on Sunday, May 26, 2024, and it is further

**RESOLVED**, that the County of Atlantic relax its rule regarding solicitation on County roads on holidays and holiday weekends and approve the requested solicitation dates since the Borough of Longport, being a resort community, does not have sufficient traffic for a successful coin drop on non-holidays; and it is further

**RESOLVED**, that a certified copy of this resolution be duly submitted to the County of Atlantic as part of the Longport Volunteer Fire Department County Roadway Solicitation application.

This resolution shall be effective immediately.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE:						
COMMISSION	AYE	NAY	N.V	A.B.	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: 2-21-2024

\_\_\_\_\_  
/s/ Monica A. Kyle, RMC, Municipal Clerk

**BOROUGH OF LONGPORT  
COUNTY OF ATLANTIC  
STATE OF NEW JERSEY  
Resolution 2024-15**

**Resolution Recognizing Carl Tripician, Esq., for Years of Service on the  
Longport Board of Education**

WHEREAS, the Borough of Longport Board of Commissioners hereby recognizes Carl Tripician, for his dedication to the students and citizens of the Borough of Longport; and

WHEREAS, Carl Tripician has served as a member of the Longport Board of Education since 2009 and recently announced his resignation from the Board starting January 5, 2024; and

WHEREAS, Carl Tripician has served in a number of leadership roles over his 15-year tenure, including serving as Vice President and Chair of Finance, and as Board President since 2010.

WHEREAS, Carl Tripician has worked tirelessly during his tenure providing valuable input for the betterment of the Longport School District; and

WHEREAS, Carl Tripician served with honor and distinction as a member of the Longport Board of Education.

NOW THEREFORE, BE IT RESOLVED that the Longport Board of Commissioners expresses its sincere gratitude to Carl Tripician for his outstanding service to the Longport community and its students;

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE:						
COMMISSION	AYE	NAY	N.V	A.B.	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: 2-21-2024

/s/ Monica A. Kyle, RMC, Municipal Clerk

**BOROUGH OF LONGPORT**

**Resolution 2024-16**

**ESTABLISHMENT OF AN EMERGENCY 'NO PARKING' AREA  
SOUTH SIDE OF ATLANTIC AVENUE FROM THE MARGATE CITY LINE TO THE SOUTH  
EASTERLY CORNER OF 24<sup>TH</sup> AVENUE; ALSO ON THE NORTH SIDE OF ATLANTIC AVENUE  
FROM THE WESTERLY SIDE OF 35<sup>TH</sup> AVENUE TO THE EASTERLY SIDE OF 33<sup>RD</sup> AVENUE**

**WHEREAS**, the Borough of Longport will be participating in the **JEWISH COMMUNITY CENTER'S APRIL FOOLS HALF MARATHON** that will involve Atlantic City, Ventnor, Margate and Longport on Sunday, April 7, 2024; and

**WHEREAS**, in the interest of safety during this event, there is a need to declare an emergency "no parking" area along the south side of Atlantic Ave starting from the Margate City line to the South Easterly corner of 24<sup>th</sup> Avenue, and also on the North side of Atlantic Avenue from the Westerly side of 35<sup>th</sup> Avenue to the Easterly side of 33<sup>rd</sup> Avenue; and

**WHEREAS**, in accordance with N.J.S.A. 39:4-197.3, a Municipality has the right to permit special traffic regulations when circumstances of this type dictate its necessity.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Borough of Longport that it hereinafter authorizes the following temporary, special traffic regulations to be implemented in the Borough of Longport, Atlantic County, New Jersey:

**'No Parking'** (to include the bike lane) on South Side (Atlantic Ocean) of  
**Roadway** **From** **To**  
Atlantic Avenue 24th Avenue Margate City Line

**'No Parking'** (to include the bike lane) on the North Side of  
**Roadway** **From** **To**  
Atlantic Avenue 33<sup>rd</sup> Avenue 35<sup>th</sup> Avenue

**AND BE IT FURTHER RESOLVED** that prohibition of parking shall commence Saturday, April 6<sup>th</sup> at 4 pm through Sunday, April 7<sup>th</sup> at 2 pm.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	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: 2/21/2024

/s/ MONICA A. KYLE, RMC



**BOROUGH OF LONGPORT  
Atlantic County - New Jersey  
Resolution 2024-17**

**APPROVAL OF FINAL CHANGE ORDER  
Amherst Avenue Raised Crosswalk**

**WHEREAS**, the Borough of Longport previously awarded a Contract to **Think Pavers Hardscaping, LLC, 125 Kings Highway, Mt. Royal, New Jersey 08061** in the amount of **\$74,761.00** for the **Amherst Avenue Raised Crosswalk Project**; and

**WHEREAS**, the Municipal Engineer has prepared the Final Change Order to decrease said Contract in the amount of **\$4,044.00** resulting in an amended contract amount of **\$70,717.00**; and

**WHEREAS**, the reason for the Final Change Order is final as-built quantities for said project.

**WHEREAS**, the Final Change Order does not include a request for a time extension; and

**WHEREAS**, the Contractor, **Think Pavers Hardscaping LLC**, has reviewed and accepted the Final Change Order as prepared by the Municipal Engineer; and

**WHEREAS**, the Municipal Engineer recommends the Final Change Order 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 in the deduct amount of **\$4,044.00** for the **Amherst Avenue Raised Crosswalk**, resulting in a total amended contract amount of **\$70,717.00**.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	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:** \_\_\_\_\_

2/21/2024

/s/MONICA KYLE, RMC

**BOROUGH OF LONGPORT  
Atlantic County - New Jersey  
Resolution 2024-18**

**APPROVAL OF CHANGE ORDER NUMBER 1  
SUPPLY AND INSTALLATION OF NEW PUMP AT 33RD AVENUE PUMP STATION**

**WHEREAS**, the Borough of Longport previously awarded a Contract to **Municipal Maintenance Company of Cinnaminson, New Jersey** in the amount of **\$52,830.00** for the **Supply and Installation of New Pump at the 33<sup>rd</sup> Avenue Pump Station**; and

**WHEREAS**, the Municipal Engineer previously recommended that the necessary repairs were completed in accordance with the requirements set forth in N.J.S.A. 40A:11-6 for emergency contracts; and

**WHEREAS**, the Contractor, **Municipal Maintenance Company**, has requested approval for Change Order #1 to increase said Contract in the amount of **\$2,711.33** resulting in an amended contract amount of **\$55,541.33**; and

**WHEREAS**, the reason for Change Order #1 is to supply and install a new motor starter to facilitate installation of the new pump; and

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

**WHEREAS**, the Public Works Supervisor and 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 Change Order #1 in the amount of **\$2,711.33** for the **Supply and Installation of New Pump at the 33<sup>rd</sup> Avenue Pump Station** resulting in a total amended contract amount of **\$55,541.33**.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LBEDS						
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:** \_\_\_\_\_

2/21/2024

/s/MONICA KYLE, RMC

**BOROUGH OF LONGPORT  
RESOLUTION #2024-19**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment  
Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Commissioners of the Borough of Longport, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**Adopted:**            February 21, 2024

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						

Monica A. Kyle, RMC

**I, Monica A. Kyle**, Municipal Clerk of the Borough of Longport, Atlantic County, N.J., do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Commissioners of the Borough of Longport at a Meeting of said Board of Commissioners held on February 21, 2024, and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Borough Board of Commissioners.

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE  
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES**

STATE OF NEW JERSEY  
COUNTY OF Atlantic

We, members of the governing body of the Borough of Longport being duly sworn according to law, upon our oath depose and say:

1. We are duly elected Commissioners of the Borough of Longport in the county of Atlantic;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)

(L.S.)

\_\_\_\_\_  
(L.S.)

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
Clerk

-----  
The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

**IMPORTANT:** This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**BOROUGH OF LONGPORT**  
**Atlantic County - New Jersey**  
**Resolution – 2024-20**

**A RESOLUTION RESCINDING AND VOIDING RESOLUTION 2023-120**

**WHEREAS**, Resolution 2023-120 was adopted on September 20, 2023 by the Board of Commissioners of the Borough of Longport awarding a contract to Marchese’s Painting, LLC for Painting of the interior of the Longport Fire House;

**WHEREAS**, Due to State Law this contract could not be awarded to Marchese’s Painting, LLC;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners that Resolution 2023-120 awarding a contract to Marchese’s Painting, LLC for Painting of the interior of the Longport Fire House is hereby rescinded and voided.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	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: \_\_\_\_\_  
 2/21/2024

**BOROUGH OF LONGPORT  
Atlantic County - New Jersey  
Resolution 2024-21**

**AWARD OF CONTRACT TO  
CIRIGNANO CONTRACTING, INC.  
750 W. CALIFORNIA AVENUE  
ABSECON, NJ 08201  
FOR  
THE PAINTING OF INTERIOR OF FIREHOUSE  
At Longport Firehouse**

**WHEREAS**, the Borough of Longport received three informal bids for the **PAINTING OF INTERIOR OF FIREHOUSE at Longport Firehouse**, which information is on file with the Chief financial Official; and

**WHEREAS**, the Commissioner of Public Works has reviewed the Bid Proposals and has recommended award to the apparent lowest responsible Bidder, **CIRIGNANO CONTRACTING, INC. of Absecon, New Jersey** for their Total Bid Amount of **\$39,850.00**.

**NOW, THEREFORE, BE IT RESOLVED** by the Longport Borough Board of Commissioners that the recommendation of the Commissioner of Public Works is hereby accepted and that said Governing Body hereby awards, and the Chief Financial Officer is hereby authorized to execute Purchase Order/Contract for the **PAINTING OF INTERIOR of FIREHOUSE at Longport Firehouse** to **CIRIGNANO CONTRACTING, INC. of Absecon, New Jersey** for their Total Amount Bid of **\$39,850.00**; and

**BE IT FURTHER RESOLVED** that a Certificate of Availability of Funds from the Municipal Chief Financial Officer is attached hereto.

DO NOT USE SPACE BELOW THIS LINE							
RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE							
COMMISSION	AYE	NAY	N.V.	AB.	MOTION	SECOND	
Russo							
Leeds							
Lawler							
X-Indicates Vote      NV-Not Voting      AB - Absent							

**Adopted: February 21, 2024**

I, **Monica A. Kyle, Municipal Clerk** of the Borough of Longport, Atlantic County, N.J., do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Commissioners of the Borough of Longport at a Meeting of said Board of Commissioners held on February 21, 2024, and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Borough Board of Commissioners.

\_\_\_\_\_  
**Monica A. Kyle, RMC, Municipal Clerk**

**BOROUGH OF LONGPORT  
RESOLUTION 2024-22**

**AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT RIDER WITH THE ATLANTIC COUNTY UTILITIES AUTHORITY FOR SOLID WASTE, BULKY WASTE, AND RECYCLING COLLECTION SERVICES**

**WHEREAS**, the Atlantic County Utilities Authority operates a recycling program, a vegetative waste composting facility, and a landfill for the disposal of solid waste serving the County of Atlantic; and

**WHEREAS**, the Borough of Longport wishes to enter into a Rider to the Shared Services Agreement contract dated 12/18/2008 with the ACUA under which the ACUA is to provide Solid Waste, Bulky Waste, Recycling, and collection services for its residents which Rider extends the current contract thru 12/31/2024 and amends certain provisions of the existing contract; and

**WHEREAS, N.J.S.A. 40:14B-49** empowers municipalities and municipal utilities authorities to enter into contracts for the collection, disposal and treatment of solid waste by means of the solid waste system of the municipal utilities authority, which term includes recycling facilities.

**NOW, THEREFORE, BE IT RESOLVED** by the Longport Board of Commissioners that the Commissioner of Public Works, Parks and Public Property, Nicholas Russo, be and is hereby authorized to enter into a Rider to the 12/18/2008 contract with the Atlantic County Utilities Authority to perform certain collection services for the period of January 1, 2024 to December 31, 2024.

1. The contract is on file and available for public inspection in the Borough of Longport Clerk's Office.
2. Contract is not to exceed \$111,379.43 (\$65,081.04/Trash collection + \$46,142.58/Recycling + 155.81 pull charge fee)

**BE IT FURTHER RESOLVED**, that the award of this contract is contingent upon the availability of funds as determined by the CFO.

	Motion	Second	Yes	Nay	Abstain	Absent
Russo						
Leeds						
Lawler						

Adopted: February 21, 2024

Certified by: \_\_\_\_\_  
Monica Kyle, RMC, Municipal Clerk

**BOROUGH OF LONGPORT**  
**Atlantic County - New Jersey**  
**Resolution 2024-23**

**AUTHORIZING A NON FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT  
WITH JAMES M. RUTALA ASSOCIATES, LLC OF LINWOOD, NJ FOR PLANNING AND  
GRANT ASSISTANCE**

**WHEREAS**, the Governing Body of the Borough of Longport wishes to enter into a contract with JAMES M. RUTALA ASSOCIATES, LLC ("Rutala Associates") of Linwood, NJ which will retain Rutala Associates for the purpose of assisting the Borough of Longport in the completion and submission of grant applications related to Federal Emergency Management Agency available grants for house elevation and additional grant opportunities; and

**WHEREAS**, Rutala Associates has been engaged by, and has prepared grant applications for Federal Emergency Management Agency grant funds to elevate properties in Brigantine, Atlantic City, Ventnor, Margate, Pleasantville and Cape May City; and

**WHEREAS**, Rutala Associates submitted an initial contract for which the Professional Services are outlined in a Proposal dated February 13, 2024, and shall not exceed \$15,000; and

**WHEREAS**, the contract is terminable by either party with seven days' notice and continues in full force and effect; and

**WHEREAS**, a Certificate of Availability of Funds has been issued by the Municipal Chief Financial Officer and is attached to this Resolution.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Longport that it hereby accepts the Proposal dated February 13, 2024 for the 2024 year with **Rutala Associates** for one year at a cost not to exceed \$15,000 and hereby directs the Emergency Management Coordinator to authorize **Rutala Associates** to begin work as outlined in said Proposal, as necessary; and

**BE IT FURTHER RESOLVED** that a Notice of this Contract Award shall be published at least once in the Atlantic City Press pursuant to the requirements of Chapter 198 of the New Jersey Laws of 1971.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	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:      2-21-24

\_\_\_\_\_  
/s/ Monica A. Kyle, RMC, Municipal Clerk



**BOROUGH OF LONGPORT  
RESOLUTION 2024-24  
A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY**

**WHEREAS**, the Borough of Longport is the owner of certain surplus property: and

**WHEREAS**, the property is no longer needed for public use; and

**WHEREAS**, the Governing Body of the Borough of Longport is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals.com pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold attached as Exhibit A:
- (5) The Borough of Longport reserves the right to accept or reject any bid submitted.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	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:  
2/21/2024

\_\_\_\_\_  
/s/ MONICA A. KYLE, MUNICIPAL CLERK

**EXHIBIT A**

INV #	DESCRIPTION	VIN NUMBER
1	2007 HONDA ACCORD	1HGCM56317A074372

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

**January-24**

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

<b>Current Fund</b>		
<b>Beginning Balance</b>	<b>12/31/2023</b>	<b>\$7,662,069.93</b>
<b>Revenues</b>		
Taxes		2,102,726.48
Fees and Permits		150.00
Construction Fees		7,700.00
Beach Fees		23.00
Municipal Court		696.70
Interest on Investments		12,975.37
Police		0.00
Miscellaneous		66,191.95
Library		0.00
State Aid/Grants		0.00
Other - JIF Refund/Comcast Franchise Fee		17,810.19
Note Proceeds/Bond Proceeds		0.00
<b>Total Revenues</b>	<b>1/31/2024</b>	<b>\$2,208,273.69</b>
<b>Disbursements</b>		
Checks/payroll/debt/ due to capital/grants		\$1,174,522.43
Transfer to Water & Sewer		
<b>Total Disbursements</b>	<b>1/31/2024</b>	<b>\$1,174,522.43</b>
<b>Ending Balance</b>	<b>1/31/2024</b>	<b>\$8,695,821.19</b>

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<b>Utility Fund</b>		
<b>Beginning Balance</b>	<b>12/31/2023</b>	<b>\$840,557.44</b>
<b>Revenues</b>		
Water/Sewer Rents		\$495,727.52
Interest		1,362.64
Miscellaneous		2,295.00
Bond Proceeds		0.00
<b>Total Revenues</b>	<b>1/31/2024</b>	<b>\$499,385.16</b>
<b>Disbursements</b>		
Checks/Payroll/Debt		\$165,164.61
<b>Total Disbursements</b>	<b>1/31/2024</b>	<b>\$165,164.61</b>
<b>Ending Balance</b>	<b>1/31/2024</b>	<b>\$1,174,777.99</b>