WORKSHOP MEETING
OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
WAS HELD THIS EVENING IN THE MUNICIPAL BUILDING

Monday, November 9, 2020

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present:
Christine Hablitz, Albert Kahwaty, Tanya Seber, and Christopher Vancheri. Also present were Mayor James Damiano, Township Attorney Joseph Wenzel, Township Administrator Charles Cuccia, and Township Clerk Cynthia Kraus.

Absent: None.

Township Employees present: None

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting has been provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 9, 2020. A copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date. Additionally, a copy of the notice was filed in the office of the Township Clerk on said date. This meeting is being conducted under the circumstances surrounding the COVID-19 health situation. No public will be allowed to attend the meeting in person. A Youtube link to view this meeting can be accessed on the Township website at www.lfnj.com. Electronic provisions have been established for the public to participate during the public comment portion of the meeting.

ROLL CALL – Council President Sgobba, Mayor Damiano and Township Administrator Charles Cuccia were present in person. Councilmember Christine Hablitz, Councilmember Albert Kahwaty, Councilmember Tanya Seber, Councilmember Christopher Vancheri, Attorney Joseph Wenzel, and Municipal Clerk Cynthia Kraus, and attended the meeting remotely.

PUBLIC COMMENT – ALL MATTERS

Anyone wishing to address the Township Council may do so by sending an email to CKRAUS@LFNJ.COM. The email must provide your name and address for the record. At this time there will be a ten-minute recess, which will allow the public to send comments and questions via email. At the end of the recess, the Meeting will reconvene and all proper emails will be read into the record. The Council President will determine if a response is needed and if so, shall direct said response. Once the process is complete, we will return to the regular order of business.

It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the meeting be and it was opened to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None
The Council President declared the motion passed.

At this time, Council President SGOBBA announced there would be a ten-minute recess such that questions from the public could be emailed to the Clerk. The Council recessed at 7:05 PM and returned to session at 7:15 PM.

Luis Fernandez – 54 Harrison Street, requested the dollar amount of Township debt. Mayor Damiano reported the Township debt was $25,425,616.00 which equated to less than half of the total allowable debt for the municipality. The Mayor added that some of the figure is due to the FEMA buyouts, which the Township is still awaiting reimbursement. Mr. Fernandez requested an update on 75 Harrison Street. Mayor Damiano responded the Township continues to work with the owner and added why there have been some delays.

As no further emails were received for comment, it was moved by Councilmember Kahwaty seconded by Councilmember Vancheri, that the meeting be and it was closed to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None
The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:
MAYOR/ADMINISTRATOR:

1. SPECIAL EMERGENCY RESOLUTION/CERTIFICATION RESOLUTION/SPECIAL EMERGENCY ORDINANCE – Mayor Damiano explained that under N.J.S.A. 40-A:4-53 municipalities are allowed to authorize special emergency appropriations for COVID-19 expenses and lost revenues as well as additional expenditures that may have occurred as a result of the COVID-19 pandemic.
2. ADOPTION OF 2020 PASSAIC COUNTY HAZARD MITIGATION PLAN UPDATE – Mayor Damiano stated the Mitigation Plan is being adopted in its entirety due to the COVID-19 pandemic and losses suffered on the financial and economic sides.

3. AUTHORIZATION OF CHANGE ORDER FOR IMPROVEMENTS TO DONATO DRIVE – Mayor Damiano explained the nature of the change order and that there was no additional cost to the taxpayers as the project was covered under a DOT grant.

4. AUTHORIZATION OF EMPLOYMENT CONTRACT WITH TOWNSHIP ADMINISTRATOR – Mayor Damiano explained the customary nature of renegotiating the contract with the Administrator and seeking authorization by the Council for execution.

5. INTRODUCTION OF ORDINANCE TO AMEND STOP INTERSECTIONS - This item has been tabled.

6. INTRODUCTION OF ORDINANCE TO AMEND YIELD INTERSECTIONS – Mayor Damiano noted the Ordinance will include additional yield intersections. Action will be taking at the next Meeting.

7. INTRODUCTION OF STORMWATER MANAGEMENT AMENDMENT ORDINANCE – Mayor Damiano explained there were many new requirements by the State that were to be added to the updated Ordinance.

ACTION ITEMS:
It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz to approve the following:

CORRESPONDENCE: REQUEST FROM SINGAC VOLUNTEER FIRE COMPANY #3 FOR PERMISSION TO CONDUCT A BOOT DRIVE AT THE INTERSECTION OF MAIN STREET AND NEWARK POMPTON TURNPIKE ON SATURDAY, NOVEMBER 29, 2020 FROM 9:30 A.M. UNTIL DUSK, WITH A RAIN DATE OF SATURDAY, DECEMBER 6, 2020.

Poll:  Ayes:  Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays:  None

The Council President declared the motion passed.

RESOLUTIONS
It was moved by Councilmember Hablitz, seconded by Councilmember Seber to approve the following:

Special Emergency Resolution

RESOLUTION [A] 20-11-09 – #1
COVID-19 SPECIAL EMERGENCY
SPECIAL EMERGENCY RESOLUTION – N.J.S.A. 40A:4-53, 54, 55.1 and 55.13
(1-year and 5-year Special Emergencies COVID-19 Related Operating Deficits)

WHEREAS, it has been found necessary to adopt a Special Emergency Appropriation to meet certain Extraordinary COVID-19 affected revenue losses and/or additional expenditures incurred, or to be incurred, related to the COVID pandemic; and

WHEREAS, N.J.S.A. 40A:4-53 allows a municipality to authorize special emergency appropriations for COVID-19 related revenue loss and/or additional expenditures incurred during the COVID-19 related public health emergency, and provides that it shall be lawful to adopt such special emergency, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation as prescribed by the act and in compliance with the Division of Local Government Services regulations set forth as part of the COVID-19 Operating Deficits and Extraordinary Expenditures: Implementation of P.L. 2020, c. 74

NOW, THEREFORE BE IT RESOLVED, that by not less 2/3 vote of the full governing body members affirmatively concurring that in accordance with the provisions of N.J.S.A 40A:4-55,

1. The Chief Financial Officer has been directed by resolution adopted on ________ to make a written application and certify to the Division Director, on the prescribed form, that the deficits in revenue and additional expenditures are directly attributable to COVID-19, and said certification was approved by the governing body and submitted to the Director of the Division of Local Government Services.

2. A Special Emergency Deferred Charge is hereby established for COVID-19 affected revenue losses in the total amount of $______.

3. A Special emergency appropriation is hereby made for COVID-19 Expenditures in the total amount of $______.

4. That the total emergency appropriation shall be provided for in the budgets of succeeding years beginning in 2022 by the inclusion of not less than $______ (must be at least one fifth of the total amount).

5. That special emergency note, not in excess of the amount authorized pursuant to law, may be issued.

6. That such notes when issued shall be executed by Township of Little Falls Chief Financial Officer and Mayor and Township Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.

7. That said Special Emergency Notes may be issued to address the cash flow and appropriation needs related to the deferred charge in compliance with the provisions of P.L. 2020, c. 74.

8. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

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Special Emergency Certification Resolution of CFO

RESOLUTION [B] 20-11-09 – #2
COVID-19 SPECIAL EMERGENCY
Certification of Chief Financial Officer and Approval of Governing Body

WHEREAS, The Township of Little Falls has experienced COVID 19 related revenue loss and extraordinary expenditures during the budget year 2020, and

WHEREAS, P.L. 2020, c. 74 provides for the funding of these revenue losses and extraordinary expenditures through a COVID Special Emergency, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c. 74, the Township must, prior to December 1, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020, and

WHEREAS, the Chief Financial Officer has determined that there is an operational gap attributable to COVID-19 affected revenue loss and/or additional expenditures needs to be addressed prior to year-end,
NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls (by not less than a majority vote of the full governing body members affirmatively concurring) in accordance with the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c. 74, as follows:

1. The Chief Financial Officer is directed to submit an application to the Division Director on the prescribed form and shall certify that the deficits in revenue and additional expenditures are directly attributable to COVID-19.
2. The Chief Financial Officer has submitted said certification to the governing body for approval (attached to this resolution)
3. The Township Council by approval of this resolution approves the certification made by the Chief Financial Officer related to COVID-19 Special Emergencies.

4. The Township Council directs the Chief Financial Officer, the Auditor and Bond Counsel to prepare the Ordinance and Resolution for Special Emergency COVID-19 related revenue deficit and/or additional expenses pursuant to statute and regulations resulting from P.L. 2020, c. 74.

5. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

2020 Hazard Mitigation Plan Update

RESOLUTION (C) 20-11-09 - #3
A RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF LITTLE FALLS AUTHORIZING THE ADOPTION OF THE 2020 PASSAIC COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Passaic County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Passaic County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Passaic County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Township of Little Falls:

1) Adopts in its entirety, the 2020 Passaic County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
4) Will incorporate mitigation planning as an integral component of government and partner operations.
5) Will continue its support of the Mitigation Planning Committee as described within the Plan.
6) Will provide an update of the Plan in conjunction with the County no less than every five years.

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Change Order for Improvements to Donato Drive

RESOLUTION [D] 20-11-9 - #4
RESOLUTION AWARDING CHANGE ORDER TO 4 CLEAN-UP, INC. FOR THE IMPROVEMENTS TO DONATO DRIVE PROJECT

WHEREAS, the Township Council has received a recommendation from the Township Special Project Engineer, H2M Architects & Engineers regarding the Improvements to Donato Drive contract to change contract items as listed in the original specification; and

WHEREAS, this change order increases the contract by $26,115.61 consisting of an adjustment of quantities to reflect as-built conditions and coordinate work with PSE&G for repair of a gas service; and

WHEREAS, the Township Council has considered this recommendation in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, the Township Council has a contract with 4 Clean-Up, Inc. for the Improvements to Donato Drive project, which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes a change order to 4 Clean-Up, Inc. in the amount of $26,115.61, making the revised contract amount $578,010.91.

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Employment Contract with Township Administrator

RESOLUTION [E] 20-11-9 - #5
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CONTRACT WITH THE ADMINISTRATOR

BE IT RESOLVED that the Mayor is hereby authorized to execute an employment contract with the Township Administrator effective 01/01/2021.

Bill List

RESOLUTION [F] 20-11-09 - #6
BE IT RESOLVED by the Township Council of the Township of Little Falls the Council having received the Treasurer’s certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

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Poll:
Ayes: Hablitz, Kahlwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No 1391 - It was moved by Councilmember Hablitz, seconded by Councilmember Vancheri, that there be introduced and the meeting of December 7, 2020 set as the date for the public hearing of the following:

ORDINANCE NO. 1391
AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S 40A:5-53 COVID-19 SPECIAL EMERGENCY

BE IT ORDAINED by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, that pursuant to N.J.S. 40A:4-53m(Ch.144, P.L. 1965 as amended, including Ch. 46, P.L. 2010 and P.L. 2020 c.74) the sum of $2,060
4.55.51 is hereby appropriated for COVID-19 affected revenue losses and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-53 and 40A:4-55. The amount to finance the appropriation shall be provided for in succeeding annual budgets beginning in 2022 by inclusion of at least 1/5 of the amount appropriated pursuant to this act (N.J.S.40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and manner provided by law.

Poll:  
Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba  
Nays: None

The Council President declared the motion passed.

Ordnance No.1392 – This Ordinance was tabled until the November 23, 2020 Regular Meeting.

Ordnance No.1393 - It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that there be an introduction and the meeting of December 7, 2020 set as the date for the public hearing of the following:

TOWNSHIP OF LITTLE FALLS  
ORDINANCE NO. 1393

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 7 (ON-STREET REGULATIONS) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS

WHEREAS, under N.J.S.A. 39:4-140, a municipal may enact ordinances to designate the placement of Yield Signs at intersections of roadways under municipal control,

WHEREAS, it is necessary to update and amend the Municipal Code to include Yield Signs in order to ensure the consistent flow of traffic, reduction of speeding and other motor vehicle offenses, and prevention of automotive and pedestrian accidents, and

WHEREAS, the Township Council has found it proper to amend the language of the Code accordance therewith,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, that Chapter 7, On-Street Regulations, of the Code of the Township of Little Falls, is hereby amended and supplemented as follows:

§7-21 Yield Intersection.  

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as yield intersections. Yield signs shall be installed as provided therein.

Intersection  
Smalley Street and Hopson Avenue  
Smalley Street

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and

2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and

3. Except as hereby amended, the Code of the Township of Little Falls shall remain in full force and effect.

4. This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

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Poll:  
Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba  
Nays: None

The Council President declared the motion passed.

Ordnance No.1394 - It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that there be an introduction and the meeting of December 7, 2020 set as the date for the public hearing of the following:

ORDINANCE NO. 1394

Chapter 218 Stormwater Management  
[The following replaces Chapter 218 in its entirety; numbering to be provided by General Code Publishers in time of codification]  
Section I. Scope and Purpose

A. Policy Statement

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

B. Purpose

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

C. Applicability

1. This chapter shall be applicable to the following major developments:
   a. Non-residential major developments; and
   b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This chapter shall also be applicable to all major developments undertaken by the Township.

D. Compatibility with Other Permit and Chapter Requirements

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

This chapter is not intended to interfere with, abrogate, or annul any other chapters, rule or regulation, statute, or other provision of law except that, where any provision of this chapter 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.

Section II. 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 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 pond, established in accordance with N.J.A.C. 7:8-4.2(14), that is designed and constructed in accordance with the New Jersey Stormwater Best Management Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for erosion and sediment control, sand filter designed to infiltrate, standard constructed wetland, or pond and that complies with the requirements of this chapter.

"Compaction" means the increase in soil bulk density.

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

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

"County review agency" means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:
1. A county planning agency or
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 of project design and preparation of drawings and specifications.

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

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the New Jersey Agricultural Land Trust, and agriculture-related activities regulated by the Department of Environmental Protection. "Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the New Jersey Agricultural Land Trust, and agriculture-related activities regulated by 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 of project design and preparation of drawings and specifications.

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

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the New Jersey Agricultural Land Trust, and agriculture-related activities regulated by the Department of Environmental Protection.
Section III. Design and Performance Standards for Stormwater Management Measures

adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. natural or artificial, within the "Waters of the State" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater "Water control structure" means a structure within, or adjacent to, a water, which [Added 6-25-2018 by Ord. No. 1327] "Violation" a v [Added 6-25-2018 by Ord. No. 1327] "Urban Coordinating Council Empowerment Neighborhood" means a neighborhood given priority access to State resources through t [Added 6-25-2018 by Ord. No. 1327] event, a flood hazard area may be tidal in the 100‐year flood elevation greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a parti [Added 6-25-2018 by Ord. No. 1327] "Tidal Flood Hazard Area" means a flood hazard area in which the flood elevation re [Added 6-25-2018 by Ord. No. 1327] "Soil" means all unconsolidated mineral and organic material of any original. "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. "Sump Pit" is a space into which a sump pump is installed, designed to provide sufficient depth and volume for proper performance of the pump. "Sump Pump" is a pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area. "Sump Pump Discharge" means the end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow. "Sump Pump" means any of the following, alone or in combination: A. a motor vehicle surface that is currently receiving water; B. 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. "Sanitary Sewer System" is a system of conveyances (including pipes, manholes, inverted siphons and pumping stations) that is owned or operated by the Township or other public body and is designed and used for collecting sanitary wastes and conveying them to a treatment facility. "Sanitary Sewers" means any of the following, alone or in combination: A. 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; B. the total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or C. 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. "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. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows: 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

B. The standards in this chapter 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. These 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.

Section IV: Stormwater Management Requirements for Major Development

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.180, particularly Helonias bullata (swamp pink) and/or Clemmys muhlbeeri (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q, and R:
1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q, and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternative analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q, and R to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q, and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream that would provide additional opportunities to mitigate the requirements of Section IV O, P, Q, and R that were not achievable onsite.

Tables I 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 quantity standards specified in Section IV O, P, Q, and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f) Tables 5-1, 5-2, and 5-3 and listed below in Tables I, 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 Register a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at: https://njstormwater.org/bmp_manual2.htm.

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

<table>
<thead>
<tr>
<th>Table 1 - Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</th>
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<tbody>
<tr>
<td>Best Management Practice</td>
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<tr>
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<td>Grass Swale</td>
</tr>
<tr>
<td>Green Roof</td>
</tr>
<tr>
<td>Manufactured Treatment Device(a)</td>
</tr>
<tr>
<td>Fertilous-Farming System(a)</td>
</tr>
<tr>
<td>Small-Scale Bioretention Basin(a)</td>
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<tr>
<td>Small-Scale Infiltration Basin(a)</td>
</tr>
<tr>
<td>Small-Scale Sand Filter</td>
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<tr>
<td>Vegetative Filter Strip</td>
</tr>
</tbody>
</table>

(Notes corresponding to annotations (a) through (g) are found on Page 13)

<table>
<thead>
<tr>
<th>Table 2 - Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quantity with a Waiver or Variance from N.J.A.C. 7:8-5.3)</th>
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</thead>
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<td>Best Management Practice</td>
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<td>--------------------------</td>
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<tr>
<td>Infiltration Basin</td>
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<tr>
<td>Sand Filter(b)</td>
</tr>
<tr>
<td>Standard Constructed Wetland</td>
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<tr>
<td>Wet Pond(d)</td>
</tr>
</tbody>
</table>

(Notes corresponding to annotations (b) through (d) are found on Page 13)
Table 3

| BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|
| Best Management Practice         | Stormwater Runoff Quality TSS Removal Rate (percent) | Stormwater Runoff Quantity | Groundwater Recharge | Minimum Separation from Seasonal High Water Table (feet) |
| Blue Roof                        | 100              | Yes             | No              | N/A             |
| Extended Detention Basin (e)     | 60-60            | Yes             | No              | 1               |
| Manufactured Treatment Device(s) | 0.0 or 0.1       | No              | No              | 1               |
| Sand Filter(c)                   | 50               | Yes             | No              | 1               |
| Subsurface Gravel Wetlands       | 90               | No              | No              | 1               |
| Wet Pond                        | 60-90            | Yes             | No              | 1               |

Notes to Tables 1, 2, and 3:
(a) subject to the applicable contributor drainage area limitation specified at Section IV.O.2;
(b) designed to infiltrate into the subsis;
(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 equal to or greater than two percent;
(g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
(h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
F. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design rate demonstrates the capability of the proposed alternative stormwater management measure and satisfies the validity of the alternative rate or method to the municipality. A copy of any alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O.3 only if the municipality meets the definition of green infrastructure at Section II.
Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to an BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetation filter strips, and wet ponds which are not subject to a contributory drainage area limitation. Alternative stormwater management 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 NJ.S.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.O is granted in accordance with Section IV.O.
G. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsis, the device 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.
H. 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 solute-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 Section VIII.C.
3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VII;
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.
1. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
J. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections I.V.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.
K. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O. P and Q shall be met in each drainage area, unless the holder of the municipal development certificate(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O. P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 2000 Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.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.

M. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this chapter 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 Passaic County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

N. Green Infrastructure Standards

1. This subsection specifies the processes of green infrastructure BMPs that be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.

2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.Q.

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.M may be used to meet the green infrastructure, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility, (for example, a sewerage company), the requirements of this subsection 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 comply with the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

O. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:

2. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.

3. The following types of stormwater shall not be recharged:

a. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/uploaded, stored, or applied, areas where pesticides are loaded/uploaded or stored, areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4, areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

b. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

P. 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:

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 (NPDES) rules, N.J.A.C. 7:7-14A, or in a discharge specifically exempt under a NPDES permit from this numerically specified effluent limitation, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major

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1 Codification by General Code Publishers to check references throughout
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.

5. Table 4 - Water Quality Design Storm Distribution

<table>
<thead>
<tr>
<th>Time (Minutes)</th>
<th>Cumulative Rainfall (Inches)</th>
<th>Time (Minutes)</th>
<th>Cumulative Rainfall (Inches)</th>
<th>Time (Minutes)</th>
<th>Cumulative Rainfall (Inches)</th>
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</table>

6. 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:

\[ R = A + B - \left(\frac{A \times B}{100}\right) \]

Where

- \( R = \) total TSS Percent Load Removal from application of both BMPs,
- \( A = \) the TSS Percent Removal Rate applicable to the first BMP,
- \( B = \) the TSS Percent Removal Rate applicable to the second BMP.

7. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.

8. 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.

9. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c) 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.

10. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)(3), 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.

11. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 5, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

10
Q. Stormwater Runoff Quantity Standards:

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.

i. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following: Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm event; or

ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10-, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i. and ii 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.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

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

1. The design engineer shall calculate runoff using one of the following methods:

i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873;

ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. In addition, there is the presumption that the pre-construction stormwater runoff, or any of the Soil Conservation District listed at N.J.A.C. 7:13, 7:13A.1-7:13A.3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at http://www.nj.gov/agric/pubs/techrel/tn/tnr55.pdf.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology above at Section V A.1.i and the Rational and Modified Rational Methods at Section V A.1.ii. The term “groundwater recharge” land cover for an existing condition is A.1.ii. The term “groundwater recharge” land cover for an existing condition is any land cover and use type that is wooded land use with good hydrologic condition. If the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater resulting from the site. To calculate runoff from an 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:


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://www.njstormwater.org.

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

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

Section VII. Solids and Floatable Materials Control Standards:

1. Site design features identified under Section IV F above, or alternative designs in accordance with Section IV G above, to prevent the discharge of trash and debris from drainage systems shall comply with the following changes in management of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII A.2 below. The design engineer shall use one of the following procedures 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 grate clear space in this area has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.
A variance or exemption from the safety standards for stormwater management BMPs may be granted by the municipality if:

1. The standard in A.1. above does not apply:
   a. Where each individual clear space in the curb opening in existing curb opening does not have an area of more than nine (9.0) square inches;
   b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
   c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
      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.
   d. Where each opening in the curb opening does not have an area of more than
      nine (9.0) square inches; or
2. The standard in A.1. above does not apply:
   a. Where each individual clear space in the curb opening in existing curb opening does not have an area of more than nine (9.0) square inches; or
   b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets; or
   c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
      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). 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

3. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section VIII. Safety Standards for Stormwater Management Basins:
A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
C. Requirements for Trash Racks, Overflow Grates and Escape Provisions:
   a. 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; and
      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.
   b. 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. The overflow grate spacing shall be no less than two inches across the smallest dimension;
      ii. 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.
   c. 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.
      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;
      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

VIII.C, a free-standing outlet structure may be exempted from this requirement.

For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space of 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 applicant shall demonstrate that the project meets the standards set forth in this chapter.

3. The applicant shall submit 12 copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX C of this chapter.

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 the municipality approval is sought. That municipal board or official shall consult the municipality’s review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this chapter.

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, soils 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 Plan

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

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

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

i. Total area to be disturbed; paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.

ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this chapter.

ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

The municipal official or official reviewing an application under this chapter may, in consultation with the municipality’s review engineer, waive submission of any of the requirements in Section IX C.1 through IX C.6 of this chapter 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.

Section X. Maintenance and Repair

A. Applicability

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

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specific.

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowner’s association) as having the responsibility for maintenance, the plan shall include documentation of such person’s or entity’s agreement to assume this responsibility, or of the owner’s obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

5. If the party responsible for maintenance identified under Section X B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventive and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outsflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under Section X B.3 above shall perform all of the following requirements:

i. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;

ii. Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

iii. Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X B.6 and B.7 above.

8. The requirements of Section X B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

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§ 218-11 Fees. 
A. Development application. Any applicant submitting a development application to the Township’s Planning Board and/or Zoning Board of Adjustment shall pay the required development review fees as required by the Planning Board and/or Zoning Board of Adjustment or its designated administrative officer.

B. Review of application not requiring Planning Board and/or Zoning Board of Adjustment approval. In the event a development application does not require review by the Township’s Planning Board and/or Zoning Board of Adjustment, the Township shall require the payment of fees as set forth in Chapter 71, Fees, for technical review by the Township Engineer or other designee.

§ 218-14 Sump pumps, leaders and downspouts. 
A. Each section, subsection, sentence, clause and phrase of this Chapter is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Chapter to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Chapter.

B. Notice of violation. Any person who violates any provision of this chapter shall be served by the Township with written notice of the violation. Each day a violation continues shall be deemed a separate offense. In addition, any person who violates this chapter shall be liable to the Township for expense, loss or damage incurred by the Township as a result of the violation.

C. Notice of violation. Any person who violates any provision of this chapter shall be served by the Township with written notice, stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

D. Lien. All charges, prices, costs, expenses, rents, interest or penalties, or any of them, as established herein, shall be and remain a lien upon the premises served by such sewer connection, the same as all other taxes and municipal charges upon real estate under the laws of the State of New Jersey, for the collection of taxes and other municipal liens upon real estate.

E. Illicit connections. 
(1) No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).

(2) The Township has the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

(3) Any person found to have made or to have constructed or permitted any illicit connection shall be punished by a fine not exceeding $1,000, by imprisonment for a term not exceeding 90 days, or by both a fine and imprisonment. Such fees and charges were incurred in the same manner of real property taxes, such costs to include the manpower cost per hour of Township employees required to complete said remedies as certified by the Director of Public Works, direct costs and expenses of the Township Engineer relating to the approval. All approvals by the Construction Code Official or the Township’s Certified Public Works Manager shall contain a statement of reasons and true copies thereof shall be kept on file with the Township Clerk.

(4) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

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(9) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

(10) Any person found to have made or to have constructed or permitted any illicit connection shall be punished by a fine not exceeding $1,000, by imprisonment for a term not exceeding 90 days, or by both a fine and imprisonment. Such fees and charges were incurred in the same manner of real property taxes, such costs to include the manpower cost per hour of Township employees required to complete said remedies as certified by the Director of Public Works, direct costs and expenses of the Township Engineer relating to the approval. All approvals by the Construction Code Official or the Township’s Certified Public Works Manager shall contain a statement of reasons and true copies thereof shall be kept on file with the Township Clerk.

(11) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

(12) Any person found to have made or to have constructed or permitted any illicit connection shall be punished by a fine not exceeding $1,000, by imprisonment for a term not exceeding 90 days, or by both a fine and imprisonment. Such fees and charges were incurred in the same manner of real property taxes, such costs to include the manpower cost per hour of Township employees required to complete said remedies as certified by the Director of Public Works, direct costs and expenses of the Township Engineer relating to the approval. All approvals by the Construction Code Official or the Township’s Certified Public Works Manager shall contain a statement of reasons and true copies thereof shall be kept on file with the Township Clerk.

(13) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

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(15) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which may cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.

(16) Any person found to have made or to have constructed or permitted any illicit connection shall be punished by a fine not exceeding $1,000, by imprisonment for a term not exceeding 90 days, or by both a fine and imprisonment. Such fees and charges were incurred in the same manner of real property taxes, such costs to include the manpower cost per hour of Township employees required to complete said remedies as certified by the Director of Public Works, direct costs and expenses of the Township Engineer relating to the approval. All approvals by the Construction Code Official or the Township’s Certified Public Works Manager shall contain a statement of reasons and true copies thereof shall be kept on file with the Township Clerk.

If Township adopts above, Chapter 71 should be amended to require a fee for inspections. Suggest consideration of adding: Stormwater management facility annual inspection $500 Reinspection of stormwater management for violations $1,000
Meeting of November 9, 2020

Councilmember Hablitz

There being no further business to come before this Sunday of a new pastry shop September 24, 2020 Station Condominium Mayor Mayor scheduled for well as the school board members, and freeholders. She anno Councilmember HABLITZ Farmers Market discussed Ordinance No. 1392 and Ordinance No. 1393. hold a socially distanced and virtual Veteran's Day cer Sgobba Councilmember VANCHERI Freeholder James' congratulated Michael Russo, Rachel Capizzi, and Michael Murphy who were elected COUNCIL TOPICS FOR DISCUSSION The Council President declared the motion passed.

G. Enforcement. This section shall be enforced by the Township's Construction Code Official. The Mayor emphasized that the members of the Fire Department are v Key控股集团 on their service as well as for all they do. He also thanked Council President SGOBBA and commuters.

Councilmember VANCHERI congratulated Mayor Damiano, Councilmember Hablitz and Council President Sgobba on their recent election. He also recognized the re-election of Congresswoman Sherill and Freeholder James' re-election.

Councilmember KAHWATY congratulated Mayor Damiano and Council President Sgobba on their re-election and Councilmember Hablitz on her recent election. He also recognized the re-election of Congresswoman Sherill and Freeholder James' re-election.

Councilmember VANCHERI congratulated Mayor Damiano, Councilmember Hablitz and Council President Sgobba on their successful election. Councilmember VANCHERI announced American Legion Post No. 108 will hold a socially distanced and virtual Veteran's Day ceremony on November 11, 2020 at Wilmore Road Park. He discussed Ordinance No. 1392 and Ordinance No. 1393. Councilmember VANCHERI thanked the Pinkney family for donating masks to the Recreation Center. Lastly, he reviewed details of the Toys for Tots program sponsored by the Little Falls PBA.

Councilmember SEBER congratulated everyone on a wonderful election. She then reviewed the success of the Farmers Market season and thanked all those involved. Councilmember HABLITZ congratulated Mayor Damiano and Council President Sgobba on their election victory as well as the school board members, and freeholders. She announced the Library signed up many residents and handed out Halloween toys in conjunction with Recreation Center at the Farmers Market on October 25, 2020. Councilmember Hablitz reviewed the many virtual activities run by the Library and highlighted the Fall Book Sale scheduled for November 13-14, 2020.

Mayor Damiano commented on plans for the DPW to decorate Town Hall and Wilmore Park for the holidays. The Mayor then read correspondence into the record from a resident commending the efforts of Chief Sweezy and his crew on their services, coming to her aid three times. The Mayor also read a letter from the Abbe at Little Falls Station Condominium Association commending the LFDD on their response to a recent fire at 506 Abbe Road on September 24, 2020. The Mayor emphasized that the members of the Fire Department are volunteers and thanked them as well as the EMS personnel for all they do. He also thanked Council President SGOBBA and Councilmember Hablitz on a successful election. The Mayor announced there will be an annual tree lighting on December 4, 2020 and a menorah lighting on December 16, 2020 at Wilmore Park. There will be a grand opening this Sunday of a new pastry shop at Mo and Jay's, at 44 Main Street.

There being no further business to come before the meeting, it was moved by Councilmember Seber, seconded by Councilmember Vancheri, that the meeting be and it was adjourned at approximately 7:51 p.m.

Cynthia Kraus Municipal Clerk

Meeting of November 9, 2020

Township for expense, loss or damage incurred by the Township as a result of such violation, as provided in § 218-14B of this chapter

E. Improper disposal of substances into the storm sewer system.

(1) Except as further set forth herein, no person shall spill, dump, dispose of or otherwise discharge fluids or substances other than stormwater in or into the municipal separate storm sewer system, and no person shall handle, store, dispose of or otherwise discharge fluids or substances in such a manner as to cause the discharge of such fluids or substances, other than stormwater, in or into the municipal separate storm sewer system.

(2) Discharges of the following fluids and substances into the municipal separate storm sewer system are not prohibited:

(a) Unintentional discharge from waterlines and other potable water sources;

(b) Contaminated groundwater (e.g., infiltration otherwise permitted by this chapter, foundation or footing drains, rising groundwater);

(c) Irrigation water (including landscape and lawn-watering runoff);

(d) Stormwater from a roof, cistern, or gutter;

(e) Rainwater from a roof or other impervious surface;

(f) Stormwater from a roof or other impervious surface of any building, commercial property, or industrial property;

(g) Pets' waste (including classifiable as animal waste); and

(h) Unintentional discharge from waterlines and other potable water sources;

(i) Stormwater from a roof, cistern, or gutter;

(j) Rainwater from a roof or other impervious surface;

(k) Stormwater from a roof, cistern, or gutter;

(l) Rainwater from a roof or other impervious surface.

Section XIII. Effective Date:

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

Section XIII. Effective Date:

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

A. The effective date for this chapter is November 9, 2020.

B. The Pollution Control Department shall enforce this chapter.

C. The announcement of the proclamation that this chapter is adopted shall be in the Official Record of the Township of Little Falls within 30 days after the date of this enactment.

D. The Township Council shall be responsible for the enforcement of this chapter.

E. Improper disposal of substances into the storm sewer system.

F. Enforcement. This section shall be enforced by the Township's Construction Code Official.

G. Effective Date:

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

H. Enforcement. This section shall be enforced by the Township's Construction Code Official.

ALL OF WHICH IS ADOPTED THIS DAY OF ____ 20__, BY THE TOWNSHIP OF LITTLE FALLS

Poll:

Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba

Nays: None

The Council President declared the motion passed.

COUNCIL TOPICS FOR DISCUSSION

Council President SGOBBA congratulated Michael Russo, Rachel Capizzi, and Michael Murphy who were elected to the Little Falls School Board of Education as well as Charles Cathcart who was elected to the Passaic Valley School Board of Education.

Councilmember KAHWATY congratulated Mayor Damiano and Council President Sgobba on their re-election and Councilmember Hablitz on her recent election. He also recognized the re-election of Congresswoman Sherill and Freeholder James' re-election.

Councilmember VANCHERI congratulated Mayor Damiano, Councilmember Hablitz and Council President Sgobba on their successful election. Councilmember VANCHERI announced American Legion Post No. 108 will hold a socially distanced and virtual Veteran's Day ceremony on November 11, 2020 at Wilmore Road Park. He discussed Ordinance No. 1392 and Ordinance No. 1393. Councilmember VANCHERI thanked the Pinkney family for donating masks to the Recreation Center. Lastly, he reviewed details of the Toys for Tots program sponsored by the Little Falls PBA.

Councilmember SEBER congratulated everyone on a wonderful election. She then reviewed the success of the Farmers Market season and thanked all those involved.

Councilmember HABLITZZ congratulated Mayor Damiano and Council President Sgobba on their election victory as well as the school board members, and freeholders. She announced the Library signed up many residents and handed out Halloween toys in conjunction with Recreation Center at the Farmers Market on October 25, 2020. Councilmember Hablitz reviewed the many virtual activities run by the Library and highlighted the Fall Book Sale scheduled for November 13-14, 2020.

Mayor Damiano commented on plans for the DPW to decorate Town Hall and Wilmore Park for the holidays. The Mayor then read correspondence into the record from a resident commending the efforts of Chief Sweezy and his crew on their services, coming to her aid three times. The Mayor also read a letter from the Abbe at Little Falls Station Condominium Association commending the LFDD on their response to a recent fire at 506 Abbe Road on September 24, 2020. The Mayor emphasized that the members of the Fire Department are volunteers and thanked them as well as the EMS personnel for all they do. He also thanked Council President SGOBBA and Councilmember Hablitz on a successful election. The Mayor announced there will be an annual tree lighting on December 4, 2020 and a menorah lighting on December 16, 2020 at Wilmore Park. There will be a grand opening this Sunday of a new pastry shop at Mo and Jay's, at 44 Main Street.

There being no further business to come before the meeting, it was moved by Councilmember Seber, seconded by Councilmember Vancheri, that the meeting be and it was adjourned at approximately 7:51 p.m.

Cynthia Kraus Municipal Clerk

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