

**AGENDA  
MAYOR & COUNCIL MEETING  
February 9, 2021  
8:15 p.m.**

**Mayor Misciagna calls meeting to order at:**

**Pledge of Allegiance to the Flag**

**ROLL CALL:**

Present:  
Absent:  
Also Present:

**Mayor Misciagna Reads Compliance Statement**, as required by Open Public Meeting Act, P.L. 1975, Chapter 231.

**AGENDA CHANGES**

**PUBLIC PRIVILEGE OF THE FLOOR:**

Mayor Misciagna asks if anyone present wishes to be heard on any matter.  
*Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.*

**Speaker:**

**ORDINANCES – INTRODUCTION**

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-003**

**BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT MEMORIAL FIELD IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Mayor Misciagna asks for a motion to introduce on first reading Ordinance No. 2021-003, A Bond Ordinance to Authorize the Installation of New Playground Equipment at Memorial Field:

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

Mayor Misciagna asks the **Borough Clerk** to read the Ordinance by title.

**Borough Clerk:** A Bond Ordinance to Authorize the Installation of New Playground Equipment at Memorial Field in, by and for the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$300,000 to Pay the Cost Thereof, to make a down payment, to Authorize the Issuance of Bonds to Finance such appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of such Bonds.

Mayor Misciagna asks the CFO to give a brief description of this Ordinance.

**Durene Ayer:**

Mayor Misciagna asks if anyone wishes to be heard concerning the introduction of this Ordinance.

**Speaker:**

Mayor Misciagna asks for a motion to pass this Ordinance on the first reading by title and it be published in full in The Bergen Record with Notice of Public Hearing to be held on February 23, 2021.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

**BE IT RESOLVED that the ordinance entitled:**

**"BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT MEMORIAL FIELD IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."**

**NOTICE OF PENDING ORDINANCE**

PUBLIC NOTICE IS HEREBY GIVEN, The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, on February 9, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council to be held at its meeting room in the Borough Hall, 53 Park Avenue, Park Ridge, New Jersey, on February 23, 2021 at 8:15 P.M. Any person may call in at 201-822-3199 passcode 121212 during the public portion and comment on the ordinance. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Borough Hall of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the office of the Clerk in said Borough Hall in Park Ridge, New Jersey.

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**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-004**

**AN ORDINANCE ESTABLISHING CHAPTER 55C, PARK RIDGE ELECTRIC  
DEPARTMENT TARIFF FOR AGGREGATION OF RETAIL CUSTOMER DEMAND  
RESPONSE OF THE CODE OF THE BOROUGH OF PARK RIDGE**

Mayor Misciagna asks for a motion to introduce on first reading Ordinance No. 2021-004, An Ordinance Establishing Chapter 55C, Park Ridge Electric Department Tariff for Aggregation of Retail Customer Demand Response of the Borough Code

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

Mayor Misciagna asks the **Borough Clerk** to read the Ordinance by title.

**Borough Clerk:** Ordinance No. 2021-004: An Ordinance Establishing Chapter 55C, Park Ridge Electric Department Tariff for Aggregation of Retail Customer Demand Response of the Code of the Borough of Park Ridge

Mayor Misciagna asks the **Borough Attorney** to give a brief description of this Ordinance.

**Anthony Bocchi, Esq:**

Mayor Misciagna asks if anyone wishes to be heard concerning the introduction of this Ordinance.

**Speaker:**

Mayor Misciagna asks for a motion to pass this Ordinance on the first reading by title and it be published in full in The Bergen Record with Notice of Public Hearing to be held on February 23, 2021.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

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**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-005**

**AN ORDINANCE OF THE BOROUGH OF PARK RIDGE, AMENDING ZONING  
CHAPTER 101-62 OFF STREET PARKING REQUIREMENTS**

Mayor Misciagna asks for a motion to introduce on first reading Ordinance No. 2021-005, An Ordinance of the Borough of Park Ridge, Amending Zoning Chapter 101-62 Off Street Parking Requirements:

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

Mayor Misciagna asks the **Borough Clerk** to read the Ordinance by title.

**Borough Clerk:** Ordinance No. 2021-005: An Ordinance of the Borough of Park Ridge, Amending Zoning Chapter 101-62 Off Street Parking Requirements:

Mayor Misciagna asks the **Borough Attorney** to give a brief description of this Ordinance.  
**Anthony Bocchi, Esq:**

Mayor Misciagna asks if anyone wishes to be heard concerning the introduction of this Ordinance.

**Speaker:**

Mayor Misciagna asks for a motion to pass this Ordinance on the first reading by title and it be published in full in The Bergen Record with Notice of Public Hearing to be held on February 23, 2021.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

### **ORDINANCES – PUBLIC HEARING**

#### **BOROUGH OF PARK RIDGE ORDINANCE NO. 2021-001**

**BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF NORTH FIFTH STREET (FROM LOUVILLE AVENUE TO COLONY AVENUE) IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$490,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Mayor Misciagna asks for a motion to open the Public Hearing on Ordinance No. 2021-001, A Bond Ordinance to authorize the Improvement of North Fifth Street (From Louville Avenue to Colony Avenue), and to appropriate the sum of \$490,000 to pay the cost thereof.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

Mayor Misciagna asks the **Borough Clerk** to read the Ordinance by title.

**Borough Clerk:** Ordinance No. 2021-001, A Bond Ordinance to authorize the Improvement of North Fifth Street (From Louville Avenue to Colony Avenue) in, by, and for the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to appropriate the sum of \$490,000, to pay the cost thereof, to authorize the issuance of bonds, to finance such appropriation, and to provide for the issuance of bond anticipation notes in anticipation of the issuance of such bonds.

Mayor Misciagna asks the **CFO** to give a brief description of this Ordinance.

**Durene Ayer:**

Mayor Misciagna asks if anyone wishes to be heard concerning the adoption of this Ordinance.

**Speaker:**

Mayor Misciagna asks for a motion to close the Public Hearing on this Ordinance and that it be adopted with notice of final passage to be published in The Ridgewood News.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call**

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**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-002**

**AN ORDINANCE AMENDING CHAPTER 84A, STORMWATER  
MANAGEMENT, CREATING §84A-12 ENTITLED STORMWATER CONTROL  
ORDINANCE AND GIS OUTFALL MAPPING OF THE REVISED GENERAL  
ORDINANCE OF THE BOROUGH OF PARK RIDGE**

Mayor Misciagna asks for a motion to open the Public Hearing on Ordinance No. 2021-002, An Ordinance Amending Chapter 84A, An Ordinance of the Borough of Park Ridge entitled Stormwater Management

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

Mayor Misciagna asks the **Borough Clerk** to read the Ordinance by title.

**Borough Clerk:** Ordinance No. 2021-002: An Ordinance Amending Chapter 84A, Stormwater Management, creating Chapter 84A – 12 Entitled Stormwater Control Ordinance and GIS Outfall Mapping Stormwater Control Ordinance and GIS Outfall Mapping of the Revised General Ordinance of the Borough of Park Ridge.

Mayor Misciagna asks the **Borough Attorney** to give a brief description of this Ordinance.

**Anthony Bocchi, Esq:**

Mayor Misciagna asks if anyone wishes to be heard concerning the adoption of this Ordinance.

**Speaker:**

Mayor Misciagna asks for a motion to close the Public Hearing on this Ordinance and that it be adopted with notice of final passage to be published in The Ridgewood News.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call**

**CONSENT AGENDA:**

Mayor Misciagna asks if any Councilmember would like to have any Resolution removed from the Consent Agenda and placed under New Business.

**Speaker:**

Mayor Misciagna asks if any Councilmember would like to abstain from voting on any Resolution on the Consent Agenda.

**Speaker:**

Mayor Misciagna asks for a motion to accept the Consent Agenda (with the abstentions so noted).

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

**RESOLUTIONS:**

- Res. No. 021-066 – 2020 Tri-Boro Ambulance LOSAP Eligibles
- Res. No. 021-067 – 2020 Fire Department LOSAP Eligibles
- Res. No. 021-068 – Temporary Capital Budget Amendment No.1
- Res. No. 021-069 – Authorize to Bid for Solid Waste & Recycling Collection Services
- Res. No. 021-070 – Resolution - \$300,000 Bond Ordinance to Authorize the Installation of New Playground Equipment at Memorial Field
- Res. No. 021-071 – Payment of Bills – Utility
- Res. No. 021-072 – Payment of Bills - Borough

**COMMUNICATIONS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**APPROVAL OF MINUTES**

Mayor Misciagna asks for a motion to approve the Minutes as follows:

Public Hearing Minutes Dated October 13, 2020  
Closed and Work Session Minutes Dated January 26, 2021

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to confirm.

**Roll Call:**

**ADJOURN**

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to adjourn the  
Regular Mayor and Council Meeting. Meeting adjourned at \_\_\_\_\_ P.M.

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-003**

**BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT MEMORIAL FIELD IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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**BE IT ORDAINED** by the Borough Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Park Ridge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to install new playground equipment at Memorial Field in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$300,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that a grant in the amount of \$150,000 from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund shall be received by the Borough to finance the cost of the improvement described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 10 hereof. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$300,000, and (4) \$150,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and

(5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$150,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$10,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$150,000 in the Municipal Open Space Preservation Trust Fund is now available to serve as the down payment on said purpose. The sum of \$150,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$150,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$150,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law.



Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$150,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-004**

**AN ORDINANCE ESTABLISHING CHAPTER 55C, PARK RIDGE  
ELECTRIC DEPARTMENT TARIFF FOR AGGREGATION OF RETAIL  
CUSTOMER DEMAND RESPONSE OF THE CODE OF THE BOROUGH  
OF PARK RIDGE**

**WHEREAS**, the Mayor and Council have been advised by the Park Ridge Board of Public Works that the Park Ridge Electric Department should establish rules and regulations for the aggregation of retail customers in Federally regulated demand response programs; and

**WHEREAS**, the Mayor and Council recognizes that for such rules and regulations to be established, an Ordinance for that purpose must be created and that same will be in the best interest of the Borough, its citizens and customers of the Park Ridge Electric Department.

**NOW, BE IT ORDAINED** by the Mayor and Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 55C, Park Ridge Electric Department Aggregation of Retail Customer Demand Response, of the Borough of Park Ridge be and is hereby established as follows:

**SECTION ONE.** This Chapter may be cited as the "Aggregation of Retail Customer Demand Response "

**§ 55C-1. Aggregation of Retail Customer Demand Response.**

- A. The Borough of Park Ridge Board of Public Works, or its authorized designee, is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Park Ridge Electric Department directly into any Federal Energy Regulatory Commission-approved independent system operator's or regional transmission organization's organized electric markets including the PJM Demand Response Program.
- B. Retail customers served by the Borough of Park Ridge Electric Department who wish to bid their demand response into a Federal Energy Regulatory Commission-approved independent system operator's or regional transmission organization's organized electric markets including PJM's Demand Response Program, may do so by participating in the program established by the Borough of Park Ridge Electric Department, or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Borough of Park Ridge Board of Public Works.

**§ 55C-2. Ancillary Services Provided by Demand Response Resources**

- A. The Borough of Park Ridge Board of Public Works, or its authorized designee, is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Park Ridge Electric Department directly into any Federal Energy Regulatory Commission-approved independent system operator's or regional transmission organization's organized markets for ancillary services which include, but are not limited to, energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff).

- B. Retail customers served by the Borough of Park Ridge Electric Department wishing to bid their demand response into a Federal Energy Regulatory Commission-approved independent system operator's or regional transmission organization's organized markets for ancillary services which include, but are not limited to, energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) may do so only by participating in the program established by the Borough of Park Ridge Electric Department, or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Borough of Park Ridge Board of Public Works.

**SECTION TWO:** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

**SECTION THREE:** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

**SECTION FOUR:** This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-005**

**AN ORDINANCE OF THE BOROUGH OF PARK RIDGE, AMENDING  
ZONING CHAPTER 101-62 OFF STREET PARKING REQUIREMENTS**

**WHEREAS**, electric vehicles contribute to Park Ridge's commitment to sustainability and green energy, and are in the interest of public welfare; and

**WHEREAS**, the Mayor and Council recognize the importance of supporting the use of electric vehicles in the interest of improving air quality, reducing noise, and to slow the effects of climate change; and

**WHEREAS**, the Mayor and Council anticipates a growing trend in the use of electric vehicles and the resulting need for supporting electric vehicle charging infrastructure; and

**WHEREAS**, the installation of electric vehicle charging stations at certain new multifamily residential and commercial developments would encourage greater ownership and use of electric vehicles; and

**NOW THEREFOR BE IT ORDAINED** by the Borough of Park Ridge Mayor and Council as follows:

**SECTION ONE:** Chapter 101-26 of the code of Park Ridge be amended by adding the following new section.

**C. Mandatory installation of electric vehicle charging stations.**  
**The following requirements to provide electric charging stations shall apply to all new applications before the Borough Planning Board or Zoning Board of Adjustment for site plan subdivision or use plans for development.**

**(1) Definitions:**

- (a) **Electric vehicle charging station (hereinafter EV)**: A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
- (b) **Charging levels**: The electrical force, or voltage, at which an electric vehicle's battery is recharged. Levels 1, 2 are the most common EV charging levels, and include the following specifications:
  - (i) Level 1 is considered slow charging. It requires a 15- or 20-amp breaker on a 120-volt AC circuit and standard outlet. This level of charging can fully recharge an electric vehicle between eight and 32 hours.
  - (ii) Level 2 is considered medium charging. It requires a 40-amp to 100-amp breaker on a 240-volt AC circuit. This level of charging can fully recharge an electric vehicle between four and six hours.

**(2) Nonresidential Developments:** Level 2 charging stations shall be installed in all nonresidential developments that meet one of the following requirements:

- (a) All office developments and warehouse developments in excess of 20,000 square feet.

- (b) All hotels and motels in excess of 50 rooms.
  - (c) All large retail establishments in excess of 10,000 square feet, as well as all gymnasiums and health clubs in excess of 10,000 square feet.
  - (d) All restaurants not classified as a "drive-in restaurant" in excess of 2,000 square feet.
- (3) For Nonresidential developments meeting one of the requirements listed, electric vehicle charging stations shall be required based upon the number of parking stalls being provided as follows. This shall include parking stalls located in parking garages.
- (a) 0 to 50 stalls require one Level 2 electric vehicle charging station.
  - (b) 51 to 75 stalls require two Level 2 electric vehicle charging stations.
  - (c) 76 to 100 stalls require three Level 2 electric vehicle charging stations, one of which must be ADA compliant.
  - (d) 101 to 150 stalls require four Level 2 electric vehicle charging stations, one of which must be ADA compliant.
  - (e) 151 stalls and above requires 4% of the stalls be Level 2 electric vehicle charging stations, 10% of which must be ADA compliant.
- (4) Multifamily Residential Developments: Level 1 and Level 2 electric vehicle charging stations must be installed at all multifamily residential developments that meet one of the following requirements:
- (a) Apartment complexes with 10 or more units that do not provide individual garages for the parking of vehicles.
  - (b) Townhouse complexes with 10 or more units that do not provide individual garages for the parking of vehicles.
  - (c) Condominium complexes with 10 or more units that do not provide individual garages for the parking of vehicles.
  - (d) Cooperative complexes with 10 or more units that do not provide individual garages for the parking of vehicles.
- (5) Multifamily developments meeting the requirements as listed shall install Level 1 and Level 2 electric vehicle charging stations as per the following requirements:
- (a) 10-50 units require one Level 2 electric vehicle charging stations in the common area which must be ADA compliant
  - (b) One additional Level 2 electric vehicle charging station for every additional 50 units.
  - (c) In addition to the Level 2 charging stations as required in (5)(a) and (5)(b), Level 1 charging stations must be provided in 3% of all the parking stalls required in the development.

(6) Approvals and Permits

- (a) An electric vehicle charging station is permitted as an accessory use to any principal use in all zones.
- (b) Permits and approvals for electric charging stations shall be granted or denied by the Construction Official.
- (c) The owner of the property where the EV is being installed may collect a reasonable fee for the use of the EV.

(7) General Regulations

- (a) Each electric vehicle charging station space shall be not less than 9 feet wide or 18 feet in length. A vehicle charging station should comply with ADA standards.
- (b) Electric vehicle charging stations are reserved for the parking and charging of electric vehicles and for those residents or customers using or living on the property where the EV is located. It shall be unlawful for any person to park or leave standing a vehicle in a space designated for the charging of plug-in electric vehicle unless the vehicle is connected to the station for charging purposes and actively charging. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- (c) Identification signage for electric vehicle charging stations shall be posted immediately adjacent to and visible to the parking space and have a designated sign not greater than 17 inches by 22 inches in size. One ( 1 ) sign per electric vehicle charging space is required to be installed with each EV station.
- (d) Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted. They shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment mounted on pedestals, lighting posts, or other devices shall be designated and located so as not to impede pedestrian travel or create trip hazards.
- (e) Adequate charging station equipment protection such as concrete-filled steel bollards shall be used. Non-mountable curbing may be used in lieu of bollards, if the charging station is setback a minimum of 24 inches from the face of the curb. Bollards or curbing shall be placed in a manner which protects the EV from direct or indirect contact from other vehicles.

**SECTION TWO:** Severability. The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

**SECTION THREE:** Effective Date. This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk



**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-001**

**BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF NORTH FIFTH STREET (FROM LOUVILLE AVENUE TO COLONY AVENUE) IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$490,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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**BE IT ORDAINED** by the Borough Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Park Ridge, in the County of Bergen, State of New Jersey (the "Borough"), is hereby authorized to improve North Fifth Street (from Louville Avenue to Colony Avenue) in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$490,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$207,000 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of the improvement described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 9 hereof. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law, (3) the estimated cost of said purpose is \$490,000, (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$490,000, and (5) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$4,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$490,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$490,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law.

Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$490,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 11. The Borough intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2021-002**

**AN ORDINANCE AMENDING CHAPTER 84A,  
STORMWATER MANAGEMENT, CREATING §84A-12  
ENTITLED STORMWATER CONTROL ORDINANCE AND  
GIS OUTFALL MAPPING OF THE REVISED GENERAL  
ORDINANCE OF THE BOROUGH OF PARK RIDGE**

**WHEREAS**, Chapter 84A of the General Ordinance of the Borough of Park Ridge entitled Stormwater Management was originally adopted by the Mayor and Council of the Borough of Park Ridge on December 13, 2005 by Ordinance 2005-26; and

**WHEREAS**, the Mayor and Council recognize that the Ordinance requires amendment prior to March 3, 2021 to include "Stormwater Control Ordinance and GIS Outfall Mapping"; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Park Ridge, County of Bergen, State of New Jersey, as follows:

The Borough Code of the Borough of Park Ridge, County of Bergen, State of New Jersey is hereby amended and supplemented to amend Chapter 84A entitled "Stormwater Management" to create §84A-12 as follows:

**§ 84A-12 STORMWATER CONTROL.**

**Section I. Scope and Purpose:**

**A. Policy Statement**

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

**B. Purpose**

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

**C. Applicability**

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

#### D. Compatibility with Other Permit and Ordinance Requirements

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

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

#### Section II. Definitions:

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

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

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

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

"Compaction" means the increase in soil bulk density.

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

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

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

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

"Department" means the Department of Environmental Protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 {or the effective date of this ordinance, whichever is *earlier*}; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

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



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

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

"Municipality" means any city, borough, town, township, or village.

"New Jersey Stormwater Best Management Practices (BMP) Manual" or "BMP Manual" means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Section III. Design and Performance Standards for Stormwater Management**

#### **Measures**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

### **Section IV. Stormwater Management Requirements for Major Development**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
  - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
  3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:
- [https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm).
- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

<b>Table 1</b> <b>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</b>				
<b>Best Management Practice</b>	<b>Stormwater Runoff Quality TSS Removal Rate (percent)</b>	<b>Stormwater Runoff Quantity</b>	<b>Groundwater Recharge</b>	<b>Minimum Separation from Seasonal High Water Table (feet)</b>
<u>Cistern</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>=</u>
<u>Dry Well<sup>(a)</sup></u>	<u>0</u>	<u>No</u>	<u>Yes</u>	<u>2</u>
<u>Grass Swale</u>	<u>50 or less</u>	<u>No</u>	<u>No</u>	<u><math>\frac{2^{(c)}}{1^{(d)}}</math></u>
<u>Green Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>=</u>
<u>Manufactured Treatment Device<sup>(a) (g)</sup></u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>

<u>Pervious Paving System<sup>(a)</sup></u>	<u>80</u>	<u>Yes</u>	<u>Yes<sup>(b)</sup></u> <u>No<sup>(c)</sup></u>	<u>2<sup>(b)</sup></u> <u>1<sup>(c)</sup></u>
<u>Small-Scale Bioretention Basin<sup>(a)</sup></u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes<sup>(b)</sup></u> <u>No<sup>(c)</sup></u>	<u>2<sup>(b)</sup></u> <u>1<sup>(c)</sup></u>
<u>Small-Scale Infiltration Basin<sup>(a)</sup></u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Small-Scale Sand Filter</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Vegetative Filter Strip</u>	<u>60-80</u>	<u>No</u>	<u>No</u>	<u>--</u>

(Notes corresponding to annotations <sup>(a)</sup> through <sup>(c)</sup> are found on the following page)

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

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on the following page)

<b>Table 3</b> <b>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or</b> <b>Stormwater Runoff Quantity</b> <b>only with a Waiver or Variance from N.J.A.C. 7:8-5.3</b>				
<b>Best Management Practice</b>	<b>Stormwater Runoff Quality TSS Removal Rate (percent)</b>	<b>Stormwater Runoff Quantity</b>	<b>Groundwater Recharge</b>	<b>Minimum Separation from Seasonal High Water Table (feet)</b>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>

<u>Manufactured Treatment Device<sup>(h)</sup></u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter<sup>(c)</sup></u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

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

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts.

Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
  1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
  3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
  5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.



L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Bergen County Clerk or the Registrar of Deeds and Mortgages of Bergen County in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality. A form of deed notice shall be submitted to the A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Bergen County Clerk or the Registrar of Deeds and Mortgages of Bergen County, as applies, and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

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

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

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

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

#### P. Groundwater Recharge Standards

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

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

#### Q. Stormwater Runoff Quality Standards

- 1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- 2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
  - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
  - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

**Table 4 - Water Quality Design Storm Distribution**

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

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

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

Where

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

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

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

#### R. Stormwater Runoff Quantity Standards

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

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

#### **Section V. Calculation of Stormwater Runoff and Groundwater Recharge:**

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

- 1. The design engineer shall calculate runoff using one of the following methods:
  - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, 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](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf)

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

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

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

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

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

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

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

#### **Section VI. Sources for Technical Guidance:**

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

[http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm).

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

[https://www.njstormwater.org/maintenance\\_guidance.htm](https://www.njstormwater.org/maintenance_guidance.htm).

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

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

#### **Section VII. Solids and Floatable Materials Control Standards:**

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

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



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

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
  - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
  - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
    - b. A bar screen having a bar spacing of 0.5 inches.

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

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

#### **Section VIII. Safety Standards for Stormwater Management Basins:**

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
  - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
  - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
  - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
  - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
  - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
  - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
  - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
  - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
  - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and

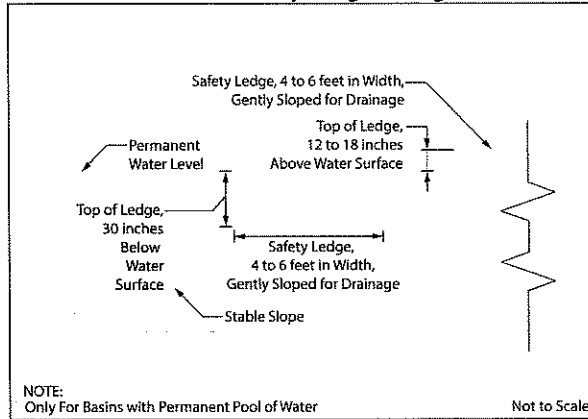
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

#### D. Variance or Exemption from Safety Standard

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

#### E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



### Section IX. Requirements for a Site Development Stormwater Plan:

#### A. Submission of Site Development Stormwater Plan

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

#### B. Site Development Stormwater Plan Approval

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

#### C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

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

## 2. Environmental Site Analysis

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

## 3. Project Description and Site Plans

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

## 4. Land Use Planning and Source Control Plan

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

## 5. Stormwater Management Facilities Map

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

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

6. Calculations

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

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

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

**Section X. Maintenance and Repair:**

A. Applicability

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

B. General Maintenance

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

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration 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.
9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing.

Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

#### **Section XI. Penalties:**

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

For violation of this chapter, there shall be a fine of \$500 for the first offense; \$750 for the second offense and \$1,000 for each subsequent offense. Every day a violation of this chapter occurs shall be a separate and distinct offense. In addition to fines, a court of competent jurisdiction may require implementation of any remedial measures recommended by the Borough Engineer to correct the violations of this chapter.

#### **Section XII. Severability:**

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

#### **Section XIII. Effective Date:**

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

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-066**

**2020 TRI-BORO AMBULANCE LOSAP ELIGIBLES**

**WHEREAS**, the Borough of Park Ridge, Montvale and Woodcliff Lake have each adopted a LOSAP program for the members of the Tri-Boro Ambulance Corps; and

**WHEREAS**, the attached list of 19 members have met the established criteria and have been authorized at \$1,705.00 each for a total of \$32,395.00; and

**WHEREAS**, the Borough of Park Ridge is responsible for the Tri-Boro Ambulance Corps. payment of \$32,395.00 for 2020; and

**WHEREAS**, the Tri-Boro Ambulance Corps. payment is to be divided by the three (3) Boroughs, the cost per each Borough is \$10,798.33;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Park Ridge hereby authorizes the Borough Chief Financial Officer to initiate the LOSAP payments in the names of those Tri-Boro Ambulance Corps Members deemed eligible to receive them.

**2020 Tri-Boro Ambulance LOSAP Eligible Members**

Barratta, Alyson	Kastan, Mark
Bardach, Noah	Kiley, Susan
Bargman, Samantha	Kilmurray, Kole
Bolella, Thomas	McGee, Heather
Burke, Hannah	Prunty, Jennifer
Daniels, Pamela	Roche, Carolyn
Goldman, Matthew	Slutsky, Joel
Higgins, Josephine	Thau, Lauren
Hughes, Joseph	Witte, Robert
Jewell, Michael	

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk



**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-067**

**2020 FIRE DEPARTMENT LOSAP ELIGIBLES**

**WHEREAS**, the Borough of Park Ridge has adopted a LOSAP program for the members of the Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has certified that certain eligible members meet the established criteria, a copy of said list of eligible members being attached hereto; and

**WHEREAS**, 24 members have been authorized at \$1,705.00 each for a total of \$40, 920.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Park Ridge hereby authorizes the Borough Treasurer to initiate the LOSAP payments in the names of those deemed eligible to receive them.

**2020 Fire Department LOSAP Eligible Members**

Antoshak, Samuel	Durst, Mark
Bosi, Richard	Hansen, John
Bruno, Michael	Ladewig, Kyle
Bruno, Christopher	Lepore, Thomas
Cavilello, Nicholas	Levinson, Matthew
Damico, John	Mauro, Peter
Derienzo, Thomas	Moser, Bradley
Derienzo, Christopher	Napolitano, Randy
Derienzo, Joseph	Schnoor, Bernard
Derienzo Jr., Thomas	Sigillito, John
Diedtrich Jr., William	Tso, Tony
Diedtrich Sr., William	Tracey, Thomas

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
TEMPORARY CAPITAL BUDGET AMENDMENT NO. 1  
RESOLUTION NO. 021-068**

Whereas, the local capital budget for the year 2021 has not yet been adopted, and

Whereas, it is desired to introduce capital ordinances,

Now, Therefore Be It Resolved, by the Borough of Park Ridge, County of Bergen, that the 2021 temporary capital budget be amended as follows:

	(	(	ABSTAIN	(
	(	(		(
AYES	(	NAYES		(
Recorded Vote	(			(
(Insert last names)	(		ABSENT	(
	(			(
	(			(

**TEMPORARY CAPITAL BUDGET  
2021**

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2021					6 TO BE FUNDED IN FUTURE YEARS
				5a 2019 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
North Fifth Street Improvements	21-1	490,000	-		-	-	207,000	490,000	-
Memorial Field Playground	21-2	300,000					300,000	150,000	
<b>TOTAL - ALL PROJECTS</b>		\$ 790,000	\$ -	\$ -	\$ -	\$ -	\$ 507,000	\$ 640,000	\$ -

**5 YEAR CAPITAL PROGRAM - 2021 TO 2026  
Anticipated Project Schedule and Funding Requirements**

PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COSTS	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER YEAR					
				5a 2021	5b 2022	5c 2023	5d 2024	5e 2025	5f 2026
North Fifth Street Improvements	21-1	490,000	2021	490,000					
Memorial Field Playground	21-2	300,000	2021	300,000					
<b>TOTAL - ALL PROJECTS</b>		\$ 790,000		\$ 790,000	\$ -	\$ -	\$ -	\$ -	\$ -

**5 YEAR CAPITAL PROGRAM - 2021 TO 2026**  
**Summary of Anticipated Funding Sources and Amounts**

1	2 Estimated	BUDGET APPROPRIATIONS		4 Capital	5	6 Grants-in-	BONDS AND NOTES			
		3a	3b				7a	7b	7c	7d
PROJECT TITLE	Total Cost	Current Year 2021	Future Years	Improve- ment Fund	Capital Surplus	Aid and Other Funds	General	Self Liquidating	Assessment	School
North Fifth Street Improvements	490,000			-		207,000	490,000			
Memorial Field Playground	300,000					300,000	150,000			
<b>TOTAL - ALL PROJECTS</b>	<b>\$ 790,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 507,000</b>	<b>\$ 640,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

It is hereby certified that this is a true copy of a resolution amending the 2021 Temporary Capital Budget on January 9, 2021.

Certified by me

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 Municipal Clerk

**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-069**

**AUTHORIZE TO BID FOR SOLID WASTE AND RECYCLING  
COLLECTION SERVICES**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Park Ridge that the Borough Clerk be and is hereby authorized to advertise for receipt of bids for the following project:

**SOLID WASTE AND RECYCLING COLLECTION SERVICES**  
for the Borough of Park Ridge; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized to include as an alternate in said above bid specifications solid waste and recycling collection services at the Park Ridge Board of Education properties which services would be paid entirely by the Park Ridge Board of Education.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-070**

**BE IT RESOLVED** that the Ordinance entitled:

**"BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT MEMORIAL FIELD IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."**

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the 23rd day of February, 2021, at 8:15 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, any person may call in at 201-822-3199 passcode 121212, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance will be further considered for final passage.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-071**

**PAYMENT OF BILLS - UTILITY**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Park Ridge that they are in receipt of the following Board of Public Works Utility bills in the sum of \$861,073.62 (bill lists dated February 3, 2021) which was previously approved and authorized for payment by the Board of Public Works Chief Financial Officer have been approved and authorized for payment and that the Mayor, Borough Clerk and Borough Treasurer are, hereby authorized and directed to issue warrants in payment of same.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk

**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 021-072**

**PAYMENT OF BILLS - BOROUGH**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Park Ridge that the following bills in the sum of \$4,169,719.16 (bill list dated 1/22/2021) have been approved and authorized for payment and that the Mayor, Borough Clerk and Borough Treasurer are, hereby authorized and directed to issue warrants in payment of same.

Adopted \_\_\_/\_\_\_/\_\_\_ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Epstein						
Fenwick						
Ferguson						
Metzdorf						

APPROVED:

\_\_\_\_\_  
KEITH J. MISCIAGNA, MAYOR

Attest:

\_\_\_\_\_  
Magdalena Giandomenico  
Borough Clerk