

**BOROUGH OF JAMESBURG**  
**GOVERNING BODY VIRTUAL MEETING**  
**MINUTES**  
**FEBRUARY 17, 2021**  
**7:00 PM**

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**CALL TO ORDER:** This meeting is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met. Any contracts awarded require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also, in the event of a fire and pursuant to the N.J. Uniform Fire Code, members of the audience are requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

**FLAG SALUTE:** Led by Mayor Lowande

**ROLL CALL:**

Mayor Lowande  
Council President Sussman-**ABSENT**  
Council Member Czarnaki  
Council Member Ludas  
Council Member Rampacek  
Council Member Rutsky  
Council Member Shaughnessy  
Administrator Frueh  
Borough Attorney – Raffetto

**BUDGET WORKSHOP:** Administrator Frueh discussed main issues in the Budget this year beginning with the increase in PERS and PFRS. This increase is approximately 3.93 cents. The Budget is high this year. MCIA and Tonnage rates have increased. He asked Council to defer \$100,000 in school taxes to use for surplus. He will also be using Sewer money for surplus. We have a lease agreement for the baseball fields which will bring in an income. Our shared service agreement for the Court has not gone into effect yet, which is a savings. Cares Act money is coming in, which we can use after the Budget is adopted. We received a \$84,750 grant for the Buckelew Mansion. We were hoping to increase the Sewer rate this year, but are unable to do so. COVID prevented the Police from writing tickets, which was a big loss of money for us. Vacant property fees, rental fees, variances and application fees all down due to COVID.

Several Council members had questions regarding the increases. The PFRS is up 20%, we are able to defer 50% of last year's school tax. Councilmember Shaughnessy added the school tax could be increased over the 2% cap this year.

Councilmember Rampacek went through the Budget line by line she feels there is no where for cuts and we definitely cannot support the Budget the way it is. The PFRS increase is due to the last 2 officers we hired, this increase should have been budgeted for. The school tax deferment is not the way to go. It was supposed to be only one time and now it comes up every year. This is not a solution. Deferring school taxes to support a Budget is scary. Deferring school taxes and borrowing from the sewer account is not the way to solve the problem. We don't want to have layoffs, but it may be the only way to go. Maybe once officers retire, we shouldn't replace them. We have to try to fix this. We are in a really big hole. We are at a 12.9% increase and it could be more.

Councilmember Rutsky and Czarneski are not for the deferring of school taxes again. Mayor Lowande and the councilmembers will all be going through the Budget and will direct any questions to Councilmember Rampacek and Administrator Frueh.

**MOTION TO OPEN TO PUBLIC COMMENT:**

Proposed By: Rampacek  
Seconded By: Shaughnessy

No one from the public came forward.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

Proposed By: Rampacek  
Seconded By: Shaughnessy

Administrator Frueh saw 3 people from the public who wished to speak.

**MOTION TO RE- OPEN TO PUBLIC COMMENT:**

Proposed By: Shaughnessy  
Seconded By: Rampacek

Jamie Vanscliver – Ms. Vanscliver would like the Brough to re-visit their Ordinance banning medicinal marijuana. She doesn't think it is fair for any Council to ban it. She deals with chronic illness and has not taken any pharmaceuticals in the past 2 years, manages her illness with cannabis. Please have compassion and reconsider.

Edward Lefty Grimes - Mr. Grimes feels that Jamesburg has no compassion for disabled Veterans. He stated by banning medical cannabis we are hurting people. There are other drugs going on in the town which people are being Nar canned and that is ok, but allowing medical marijuana is not. He is in a wheelchair and it is not easy, there isn't much wheelchair accessibility in town. He feels the council is not in touch with their voters, 2/3 voted for it. He doesn't expect the Council to change their minds.

Jeffrey King – Mr. King represents medical cannabis and feels deciding to ban it is not good. Cannabis is safer than alcohol. He is asking the Council to reconsider. Keep your mind open to what is best.

Mayor Marlene Lowande explained that none of the Council is against anyone getting the hep they need. There are places in the area that you can get medical marijuana if needed.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

Proposed By: Rampacek  
Seconded By: Shaughnessy

**ORDINANCES FIRST READING BY TITLE ONLY: (Public Hearing March 17th)**

**ORDINANCE #04-21**

**AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO GRAND STREET, MCKNIGHT AVENUE  
AND MILL ROAD AND APPROPRIATING THE SUM OF \$321,605.00 THEREFORE, AUTHORIZED IN  
AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

**WHEREAS**, the Borough Council of the Borough of Jamesburg in the County of Middlesex, New Jersey has determined to improve Various Streets; and

**WHEREAS**, the Borough of Jamesburg has been approved for \$321,605.00 in funding from the New Jersey Department of Transportation 2021 Municipal Aid Program for such construction.

**NOW THEREFORE, BE IT ORDAINED** and enacted by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey, that:

SECTION 1. The improvements described in Section 2 of this ordinance are hereby authorized as General Capital Improvements to be undertaken in and by the Borough of Jamesburg, County of Middlesex, New Jersey.

SECTION 2. The improvements hereby authorized to be undertaken consist of improvements on Various Streets, together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2021 capital budget of the Borough of Jamesburg hereby does conform to the provisions of this ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

SECTION 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

**ORDINANCE #04-21**

**AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO GRAND STREET, MCKNIGHT AVENUE AND MILL ROAD AND APPROPRIATING THE SUM OF \$321,605.00 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

RECORD OF VOTE:  
FIRST READING: February 17, 2021

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek			X
Council Member Rutsky			X
Council Member Shaughnessy		X	X
Council President Sussman			AB
Mayor Lowande			

PUBLICATION: February 26, 2021  
SECOND READING: March 17, 2021  
PUBLIC HEARING: March 17, 2021

**ORDINANCES SECOND READING BY TITLE: Public Hearing**

**ORDINANCE #01-21**

**2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Borough Council of the Borough of Jamesburg in the County of Middlesex finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$47,877.75 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, Borough Council of the Borough of Jamesburg hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Jamesburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$167,572.13 and that the CY 2021 municipal budget for the Borough of Jamesburg be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years, and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days of such adoption.

**ORDINANCE #01-21**

**2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

RECORD OF VOTE:

FIRST READING: January 20, 2021

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek		X	X
Council Member Rutsky			X
Council Member Shaughnessy			X
Council President Sussman			X
Mayor Lowande			

PUBLICATION: January 29, 2021  
SECOND READING: February 17, 2021  
PUBLIC HEARING: February 17, 2021

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Czarneski			Y			Y		Y	Y
Council Member Ludas			Y			Y			Y
Council Member Rampacek		Y	Y	Y		Y	Y		Y

Council Member Rutsky			Y		Y	Y			Y
Council Member Shaughnessy	Y		Y			Y			Y
Council President Sussman			AB			AB			AB
Mayor Lowande									

**ORDINANCE #02-21**

**AN ORDINANCE AMENDING AND ESTABLISHING LIMITS FOR SALARY AND COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.**

**BE IT ORDAINED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

**SECTION 1:** THE ANNUAL SALARIES AND COMPENSATION ARE ESTABLISHED AS FOLLOWS, AND THE BOROUGH CHIEF FINANCIAL OFFICER IS HEREBY AUTHORIZED TO TRANSFER SUCH SUMS OF MONEY FROM SUCH PAYROLLS FROM THE TIME AS DIRECTED BY SALARY RESOLUTION OF THE GOVERNING BODY.

**SECTION 2:** SALARIES SHALL BE SET FORTH BY RESOLUTION OF MAYOR AND COUNCIL WITHIN THE AFOREMENTIONED SALARY GUIDELINES.

**SECTION 3:** PAYMENT OF SALARIED SHALL BE IN EQUAL WEEKLY, MONTHLY QUARTERLY, OR OTHER INSTALLMENTS AS THE MAYOR AND COUNCIL MAY FROM TIME TO TIME RESOLVE.

**SECTION 4:** ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

**SECTION 5:** ALL SALARIES OR COMPENSATION PROVIDED FOR BY THIS ORDINANCE SHALL BE PAYABLE FROM AND AFTER THE FIRST DAY OF JANUARY 2019 UNLESS OTHERWISE DIRECTED BY RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG.

**SECTION 6:** THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

<u><b>SALARY/POSITION</b></u>	<u><b>PAY SCHEDULE</b></u>	<u><b>MINIMUM</b></u>	<u><b>MAXIMUM</b></u>
MAYOR	PAYABLE MONTHLY PER ANNUM	\$5,000.00	\$7,000.00
COUNCIL	PAYABLE MONTHLY PER ANNUM	\$4,800.00	\$6,800.00
BUSINESS ADMINISTRATOR	PAYABLE BI-MONTHLY PER ANNUM	\$15,000.00	\$20,000.00
MUNICIPAL CLERK/ ADMINISTRATIVE ASST.	PAYABLE BI-MONTHLY PER ANNUM	\$10,000.00	\$70,000.00
CHIEF FINANCIAL OFFICER	PAYABLE BI-MONTHLY PER ANNUM	\$60,000.00	\$100,000.00
QUALIFIED PURCHASING OFFICIAL	PAYABLE BI-MONTHLY PER ANNUM	\$3,000.00	\$5,000.00
TAX COLLECTOR/ SEWER ADMINISTRATOR	PAYABLE BI-MONTHLY PER ANNUM	\$15,000.00	\$80,000.00
ASST CFO – FULL TIME			

<u><b>SALARY/POSITION</b></u>	<u><b>PAY SCHEDULE</b></u>	<u><b>MINIMUM</b></u>	<u><b>MAXIMUM</b></u>
	PAYABLE BI-MONTHLY PER ANNUM	\$60,000.00	\$80,000.00
TAX ASSESSOR	PAYABLE BI-MONTHLY PER ANNUM	\$15,000.00	\$25,000.00
COURT ADMINISTRATOR	PAYABLE BI-MONTHLY PER ANNUM	\$50,000.00	\$80,000.00
DEPUTY COURT ADMINISTRATOR	PAYABLE-BI-MONTHLY PER ANNUM	\$35,000.00	\$45,000.00
MUNICIPAL COURT JUDGE	PAYABLE MONTHLY PER ANNUM	\$12,000.00	\$20,000.00
LAND USE BOARD SECRETARY	PAYABLE BI-MONTHLY PER ANNUM	\$5,000.00	\$12,000.00
REGISTRAR	PAYABLE BI-MONTHLY PER ANNUM	\$2,000.00	\$6,000.00
DEPUTY REGISTRAR	PAYABLE BI-MONTHLY PER ANNUM	\$0.00	\$3,000.00
CROSSING GUARDS	PAYABLE BI-MONTHLY PER HOUR	\$10.00	\$16.00
FIRE PREVENTION INSPECTORS	PAYABLE BI-MONTHLY PER INSPECTION PER RE-INSPECTION	\$20.00 10.00	\$50.00 30.00
FIRE PREVENTION OFFICIAL	PAYABLE BI-MONTHLY PER ANNUM	\$8,000.00	\$12,000.00
SPECIAL POLICE	PAYABLE BI-MONTHLY PER HOUR	\$13.00	\$22.00
POLICE CHIEF	PAYABLE BI-MONTHLY PER ANNUM	\$120,000.00	\$200,000.00
PROBATIONARY PATROLMAN	PAYABLE BI-MONTHLY PER ANNUM	\$35,000.00	\$50,000.00
PATROLMAN 2nd YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$45,000.00	\$55,000.00
PATROLMAN 3rd YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$45,000.00	\$60,000.00
PATROLMAN 4th YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$50,000.00	\$65,000.00
PATROLMAN 5th YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$53,000.00	\$65,000.00
PATROLMAN 6 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$58,000.00	\$85,000.00
PATROLMAN 7 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$62,000.00	\$90,000.00
PATROLMAN 8 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$67,000.00	\$90,000.00

<u><b>SALARY/POSITION</b></u>	<u><b>PAY SCHEDULE</b></u>	<u><b>MINIMUM</b></u>	<u><b>MAXIMUM</b></u>
PATROLMAN 9 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$72,000.00	\$95,000.00
PATROLMAN 10 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$75,000.00	\$108,000.00
PATROLMAN 11 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$80,000.00	\$120,000.00
PATROLMAN 12 <sup>th</sup> YEAR	PAYABLE BI-MONTHLY PER ANNUM	\$83,000.00	\$125,000.00
CORPORAL	PAYABLE BI-MONTHLY PER ANNUM ADDITIONAL	6% ABOVE MAX PATROLMAN	
SERGEANT	PAYABLE BI-MONTHLY PER ANNUM ADDITIONAL	6% ABOVE MAX DETECTIVE	
LIEUTENANT	PAYABLE BI-MONTHLY PER ANNUM ADDITIONAL	6% ABOVE SERGEANT	
POLICE CAPTAIN	PAYABLE BI-MONTHLY PER ANNUM	\$130,000.00	\$170,000.00
POLICE SECRETARY	PAYABLE BI-MONTHLY PER HOUR	\$12.00	\$20.00
PUBLIC WORKS MANAGER	PAYABLE BI-MONTHLY PER ANNUM	\$120,000.00	\$150,000.00
PUBLIC WORKS PERSONNEL	PAYABLE BI-MONTHLY PER ANNUM	\$33,000.00	\$95,000.00
PUBLIC WORKS FOREMAN	PAYABLE BI-MONTHLY PER ANNUM ADDITIONAL	\$5,000.00	\$15,000.00
ASST. PUBLIC WORKS FOREMAN	PAYABLE BI-MONTHLY PER ANNUM ADDITIONAL	\$2,000.00	\$10,000.00
ANIMAL CONTROL OFFICIAL	PAYABLE BI-MONTHLY PER ANNUM	\$12,000.00	\$20,000.00
ANIMAL CLINIC WORKERS	PAYABLE PER CLINIC	\$30.00+ .75 per shot	

<u><b>SALARY/POSITION</b></u>	<u><b>PAY SCHEDULE</b></u>	<u><b>MINIMUM</b></u>	<u><b>MAXIMUM</b></u>
HOUSING/ COMMUNITY DEVELOPMENT/ ZONING	PAYABLE BI- MONTHLY PER ANNUM	\$29,250.00	\$55,000.00
DISPATCHERS FULL TIME	PAYABLE BI-MONTHLY PER ANNUM	\$30,000.00	\$60,000.00
DISPATCHERS PARTTIME	PAYABLE BI-MONTHLY PER HOUR	\$12.00	\$20.00

**ORDINANCE #02-21**

**AN ORDINANCE AMENDING AND ESTABLISHING LIMITS FOR SALARY AND  
COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE  
BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.**

RECORD OF VOTE:

FIRST READING: January 20, 2021

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas			X
Council Member Rampacek		X	X
Council Member Rutsky			X
Council Member Shaughnessy			X
Council President Sussman	X		X
Mayor Lowande			

PUBLICATION: January 29, 2021  
SECOND READING: February 17, 2021  
PUBLIC HEARING: February 17, 2021

COUNCIL MEMBER	MOTIO N TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Czarneski			Y			Y		Y	Y
Council Member Ludas			Y			Y			Y
Council Member Rampacek		Y	Y	Y		Y	Y		Y
Council Member Rutsky			Y		Y	Y			Y
Council Member Shaughnessy	Y		Y			Y			Y
Council President Sussman			AB			AB			AB
Mayor Lowande									

**ORDINANCE #03-21**

**AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE  
"REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)"**



**BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

1. CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)" IS HEREBY AMENDED AND SUPPLEMENTED TO READ AS FOLLOWS:

**SECTION 15-2 DEFINITIONS**  
(ADDITIONS ARE UNDERLINED, DELETIONS SHOWN WITH ~~STRIKETHROUGH~~):

As used in the chapter:

Small Restaurant shall mean a restaurant which can seat 1 to 20 people.

Medium Restaurant shall mean a restaurant which can seat 21 to 60 people.

Large Restaurant shall mean a restaurant which can seat more than 60 people.

Laundromats shall mean any facility that charges for washing and drying clothing and/or other items including apartment complexes.

Fixtures shall mean sinks, lavatories, urinals, shower stalls, floor drains and sump pumps in commercial buildings not part of a bathroom.

**SECTION 15-12.11(i) – (Formula for Operational Charge).** THE ANNUAL SEWER RATES TO BE UTILIZED FOR THE USE OF THE JAMESBURG SEWER SYSTEM, ARE AS FOLLOWS (ADDITIONS ARE UNDERLINED, DELETIONS SHOWN WITH ~~STRIKETHROUGH~~):

**RATE:**

CATEGORY	DESCRIPTION	ANNUAL RATE	
R01	Residential	<del>\$420.00</del>	<u>\$440.00</u>
R02	Senior Citizens	<del>\$150.00</del>	<u>\$170.00</u>
R03	Single Apts.	<del>\$420.00</del>	<u>\$440.00</u>
C01	Laundromat	<del>\$440.00 per washer</del>	<u>\$460.00</u>
C02	Bakery	<del>\$6,410.00</del>	<u>\$6,671.00</u>
C03	Office Complex	<del>\$2,092.00</del>	<u>\$2,177.00</u>
C04	Small Restaurant	<del>\$962.00</del>	<u>\$1,000.00</u>
C05	Medium Restaurant	<del>\$3,360.00</del>	<u>\$3,494.00</u>
C06	Large Restaurant	<del>\$5,700.00</del>	<u>\$5,928.00</u>
C07	Gas Station	<del>\$1,200.00</del>	<u>\$1,248.00</u>
C08	Schools	<del>\$2,300.00</del>	<u>\$2,392.00</u>
C09	Office	<del>\$329.00</del>	<u>\$349.00</u>
C10	333 Forsgate	<del>\$6,900.00</del>	<u>\$7,176.00</u>
C11	Car Wash	<del>\$6,300.00</del>	<u>\$6,552.00</u>
<u>C12</u>	<u>Fixtures</u>	<del>\$0.00 per fixture</del>	<u>\$10.00</u>

The Sewer Administrator is hereby given the authority to determine which rate schedule each property shall be billed under based upon past consumption and factual data. Senior citizens are those individuals who qualify for a senior citizen tax deduction as determined by the State of New Jersey. Restaurant categories shall be based upon a combination of: 1.) the seating capacity, as determined by the Jamesburg Fire Official and; 2.) Assessed property value, as determined by the Jamesburg Tax Assessor.

2. ALL OTHER ORDINANCES OR PART OF ORDINANCES HERewith ARE HEREBY REPEALED.

3. THIS ORDINANCE SHALL TAKE EFFECT ON APRIL 1ST.

**ORDINANCE #03-21**  
**AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE**  
**"REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)"**

RECORD OF VOTE:

FIRST READING: January 20, 2021

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek			X
Council Member Rutsky			X
Council Member Shaughnessy		X	X
Council President Sussman			X
Mayor Lowande			

PUBLICATION: January 29, 2021

SECOND READING: February 17, 2021

PUBLIC HEARING: February 17, 2021

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Czarneski			Y			Y			Y
Council Member Ludas			Y			Y			Y
Council Member Rampacek	Y		Y	Y		Y	Y		Y
Council Member Rutsky			Y		Y	Y			Y
Council Member Shaughnessy		Y	Y			Y		Y	Y
Council President Sussman			AB			AB			AB
Mayor Lowande									

- Councilmember Rampacek questioned, the Ordinance has been passed, but it will not be going into effect yet.

**ORDINANCE # 06-21**

**AN ORDINANCE ESTABLISHING NEW REQUIREMENTS RELATING TO STORMWATER CONTROL WITHIN**  
**THE BOROUGH OF JAMESBURG, AND AMENDING AND SUPPLEMENTING CHAPTER 25,**  
**ENTITLED "STORMWATER CONTROL" OF THE "REVISED GENERAL ORDINANCES OF**  
**THE BOROUGH OF JAMESBURG" ACCORDINGLY.**

**WHEREAS**, the existing stormwater control regulations for the Borough of Jamesburg (also referenced as the "Borough") are currently set forth in Chapter 25, entitled "Stormwater Control," of "The Revised General Ordinances of the Borough of Jamesburg"; and

**WHEREAS**, on March 2, 2020, the State of New Jersey adopted amendments (the "amendments") to the State Stormwater Management Rules at N.J.A.C. 7:8; and

**WHEREAS**, each municipality in New Jersey is required to adopt a revised Stormwater Control Ordinance (also referenced as the "SCO") which reflects the amendments by March 2, 2021; and

**WHEREAS**, the New Jersey Department of Environmental Protection (the “NJDEP”) has prepared a model SCO (the “model ordinance”) to assist municipalities in revising their stormwater control ordinances to reflect the amendments adopted by the State; and

**WHEREAS**, the provisions referenced below are consistent with the amendments and the model ordinance, with limited revisions specific to the Borough.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that the existing provisions contained within Chapter 25, entitled “Stormwater Control,” of “The Revised General Ordinances of the Borough of Jamesburg,” are hereby repealed in their entirety.

**NOW, THEREFORE, BE IT FURTHER ORDAINED**, that a new Chapter 25, also entitled “Stormwater Control,” is hereby established for the Borough as set forth below:

## **Chapter 25. Stormwater Control**

### **25-1. SCOPE AND PURPOSE.**

#### **25-1.1. 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

#### **25-1.2. Purpose.**

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section 25-2, and to implement the requirements of the New Jersey Stormwater Management Rules at N.J.A.C. 7:8. In the event of conflict with any Section or provision of this ordinance, the requirements of N.J.A.C. 7:8 shall govern.

#### **25-1.3. Applicability.**

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

#### **25-1.4. 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.

**25-2. 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.

**BOROUGH**

Shall mean the Borough of Jamesburg, in Middlesex County, New Jersey.

**CAFRA CENTERS, CORES OR NODES**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean the increase in soil bulk density.

**CONTRIBUTORY DRAINAGE AREA**

Shall mean the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

**CORE**

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

**COUNTY REVIEW AGENCY**

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

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

**DEPARTMENT**

Shall mean the Department of Environmental Protection.

**DESIGNATED CENTER**

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

**DESIGN ENGINEER**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

**GREEN INFRASTRUCTURE**

Shall mean 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**

Shall mean 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**

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

**INFILTRATION**

Shall mean the process by which water seeps into the soil from precipitation.

**LEAD PLANNING AGENCY**

Shall mean 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**

Shall mean 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 the effective date of this ordinance; 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**

Shall mean 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**

Shall mean 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**

Shall mean the Borough of Jamesburg, in Middlesex County, New Jersey.

**NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL” OR “BMP MANUAL**

Shall mean 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 25-4(f) of this chapter 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**

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

**NUTRIENT**

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

**PERSON**

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

**POLLUTANT**

Shall mean 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**

Shall mean the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

**REGULATED IMPERVIOUS SURFACE**

Shall mean 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**

Shall mean 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
3. 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**

Shall mean 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**

Shall mean the lot or lots upon which a major development is to occur or has occurred.

#### **SOIL**

Shall mean all unconsolidated mineral and organic material of any origin.

#### **STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean water flow on the surface of the ground or in storm sewers, resulting from precipitation.

#### **STORMWATER MANAGEMENT PLANNING AGENCY**

Shall mean a public body authorized by legislation to prepare stormwater management plans.



## **STORMWATER MANAGEMENT PLANNING AREA**

Shall mean 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**

Shall mean 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**

Shall mean a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

## **URBAN ENTERPRISE ZONES**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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**

Shall mean 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.

## **25-3. GENERAL STANDARDS.**

### **25-3.1. 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.

### **25-4. STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT.**

- a. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 25-10.
- b. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- c. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-4(p), (q) and (r):
  1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- d. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-4(o), (p), (q) and (r) may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 25-4(o), (p), (q) and (r) to the maximum extent practicable;
  3. The applicant demonstrates that, in order to meet the requirements of Section 25-4(o), (p), (q) and (r), existing structures currently in use, such as homes and buildings, would need to be condemned; and

4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Section 25-4(d)(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 25-4(o), (p), (q) and (r) that were not achievable onsite.
- e. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 25-4(o), (p), (q) and (r). When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at:
- [https://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>
Cistern	0	Yes	No	--
Dry Well <sup>(a)</sup>	0	No	Yes	2
Grass Swale	50 or less	No	No	2 <sup>(e)</sup> 1 <sup>(f)</sup>
Green Roof	0	Yes	No	--
Manufactured Treatment Device <sup>(a) (g)</sup>	50 or 80	No	No	Dependent upon the device
Pervious Paving System <sup>(a)</sup>	80	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Bioretention Basin <sup>(a)</sup>	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Infiltration Basin <sup>(a)</sup>	80	Yes	Yes	2

Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations <sup>(a)</sup> through <sup>(g)</sup> are found beneath Table 3 below).

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

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found beneath Table 3 below).

<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>				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device <sup>(h)</sup>	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 25-4(o)(2);
  - (b) designed to infiltrate into the subsoil;
  - (c) designed with underdrains;
  - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
  - (e) designed with a slope of less than two percent;
  - (f) designed with a slope of equal to or greater than two percent;
  - (g) manufactured treatment devices that meet the definition of green infrastructure at Section 25-2;
  - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 25-2.
- g. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 25-6(b). Alternative stormwater management measures may be used to satisfy the requirements at Section 25-4(o) only if the measures meet the definition of green infrastructure at Section 25-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section 25-4(o)(2) are subject to the contributory drainage area limitation specified at Section 25-4(o)(2) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section 25-4(o)(2) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 25-4(d) is granted from Section 25-4(o).
- h. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- i. Design standards for stormwater management measures are as follows:
  - 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  - 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-

inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 25-8(c);

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 25-8; and
  5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- j. Manufactured treatment devices may be used to meet the requirements of 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 25-2 may be used only under the circumstances described at Section 25-4(o)(4).
- k. Any application for a new agricultural development that meets the definition of major development at Section 25-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Section 25-4(o), (p), (q) and (r) and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- l. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 25-4(p), (q) and (r) shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- m. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Middlesex County Clerk's Office. A form of deed notice shall be submitted to the Borough 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 25-4(o), (p), (q) and (r) and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 25-10(b)(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- n. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 25-4 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 Middlesex County Clerk’s Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with Section 25-4(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 Section 25-4(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 25-4(p) and (q), the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 25-4(f) and/or an alternative stormwater management measure approved in accordance with Section 25-4(g). The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

- 3. To satisfy the stormwater runoff quantity standards at Section 25-4(r), the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 25-4(g).
- 4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 25-4(d) is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 25-4(g) may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 25-4(p), (q) and (r).
- 5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section 25-4(p), (q) and (r), unless the project is granted a waiver from strict compliance in accordance with Section 25-4(d).

p. Groundwater Recharge Standards.

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
  2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 25-5, either:
    - (a) 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
    - (b) 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:
    - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/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
    - (b) Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.
- 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:
    - (a) 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.
    - (b) 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 25-4(p), (q) and (r).
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. 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 25-5, complete one of the following:
  - (a) 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;
  - (b) 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;

- (c) 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
  - (d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2(a), (b) and (c) 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 25-5. CALCULATION OF STORMWATER RUNOFF AND GROUNDWATER RECHARGE.**

- a. Stormwater runoff shall be calculated in accordance with the following
  - 1. The design engineer shall calculate runoff using one of the following methods:
    - (a) 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
    - (b) 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:

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 25-5(a)(1)(a) and the Rational and Modified Rational Methods at Section 25-5(a)(1)(b). 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.

## **25-6. SOURCES FOR TECHNICAL GUIDANCE.**

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

[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:

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.

## **25-7. SOLIDS AND FLOATABLE MATERIALS CONTROL STANDARDS.**

a. Site design features identified under Section IV.F above, or alternative designs in accordance with Section 25-4(g) above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 25-7(a)(2) below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- (a) 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
- (b) 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.

- (c) 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 Section 25-7(a)(1) above does not apply:

- (a) 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;
- (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. 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
- ii. 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).

- (d) 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
- (e) 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.

## **25-8. SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.**

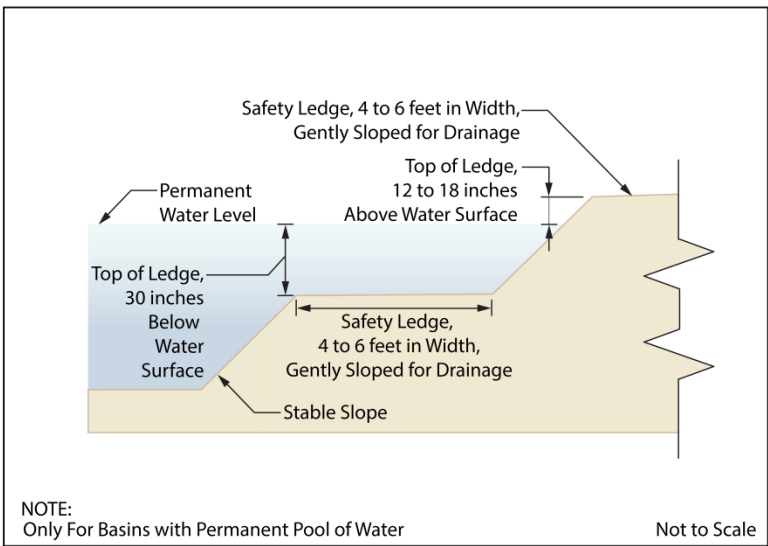
- a. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- b. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 25-8(c)(1), (c)(2) and (c)(3) below 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:
    - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
    - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
    - (c) 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
    - (d) 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:
    - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.

- (b) The overflow grate spacing shall be no less than two inches across the smallest dimension.
  - (c) 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:
- (a) 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 Section 25-8(c) a free-standing outlet structure may be exempted from this requirement;
  - (b) 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
  - (c) 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



**25-9. REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN.**

- a. Submission of Site Development Stormwater Plan.
  - 1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for



the Site Development Stormwater Plan at Section 25-9(c) below as part of the submission of the application for approval.

- 2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
- 3. The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 25-9(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 25-3 through 25-5 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:

- (a) 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.
- (b) 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.

- (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 25-4 of this ordinance.
- (b) 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 25-10 below.

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 set forth in Sections 25-9(c)(1) through (c)(6) above 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.

**25-10. MAINTENANCE AND REPAIR.**

a. Applicability.

Projects subject to review as in Section 25-1.3 of this ordinance shall comply with the requirements of Section 25-10(b) and (c) below.

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 25-10(b)(3) above is not a public agency, the maintenance plan and any future revisions based on Section 25-10(b)(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings
7. The party responsible for maintenance identified under Section 25-10(b)(3) above shall perform all of the following requirements:
  - (a) 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;
  - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - (c) 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 Sections 25-10(b)(6) and (b)(7).
8. The requirements of Sections 25-10(b)(3) and (b)(4) above 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.

**25-11. 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 penalties set forth in Section 1-5 of the Borough Code.

**25-12. 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.

**25-13. EFFECTIVE DATE.**

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

RECORD OF VOTE:

FIRST READING: February 3, 2021, 2021

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek			X
Council Member Rutsky			X
Council Member Shaughnessy		X	X
Council President Sussman			AB
Mayor Lowande			

PUBLICATION: February 7, 2021  
 SECOND READING: February 17, 2021  
 PUBLIC HEARING: February 17, 2021

COUNCIL MEMBER	MOTIO N TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTIO N TO ADOPT	2nd	VOTE
Council Member Czarneski		Y	Y			Y			Y
Council Member Ludas			Y			Y			Y
Council Member Rampacek			Y	Y		Y	Y		Y
Council Member Rutsky			Y			Y			Y
Council Member Shaughnessy	Y		Y		Y	Y		Y	Y

Council President Sussman			AB			AB			AB
Mayor Lowande									

- Borough Attorney Fred Raffetto explained once the Ordinance has ben adopted it will then be sent to Middlesex County and the DEP for review.

**CONSENT AGENDA:**

All matters listed on tonight’s Consent Agenda are to be considered as one vote by the Borough Council and will be enacted by one motion. Any resolutions listed on the agenda with \*\* next to their respective number are to be considered as part of the Consent Agenda. There will be no discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

**CONSENT AGENDA RESOLUTIONS:**

RESOLUTION #045-02-17-21\*\*  
**RESOLUTION ACCEPTING MINUTES**

**BE IT RESOLVED** THAT THE FOLLOWING MINUTES BE AND ARE HEREBY ACCEPTED AND FILED:

*MAYOR AND COUNCIL*

January 20, 2021

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky		X	X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #046-02-17-21\*\*

**RESOLUTION ACCEPTING MONTHLY REPORTS**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the following reports be and are hereby received and filed:

Investment Report	January 2021
Finance Report	January 2021
Report of the Tax Collector	January 2021
Report of the Sewer Administrator	January 2021

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky		X	X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #047-02-17-21\*\*

**APPOINT CROSSING GUARD**

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING AS A FULL-TIME CROSSING GUARD EFFECTIVE FEBRUARY 17,2021.

DAWN MARKS

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky		X	X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #048-02-17-21

**RESOLUTION OF THE BOROUGH OF JAMESBURG TO ENDORSE THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN’S ADVISORY COMMITTEE RECOMMENDATIONS TO ALLOCATE THE 2021 GRANT**

**WHEREAS**, it is the desire of the governing body of the Borough of Jamesburg to use the Community Development Block Grant for Borough improvement projects; and

**WHEREAS**, the Middlesex County Housing and Community Development Program requires the governing body to declare, by resolution, how the grant monies are to be utilized; and

**WHEREAS**, the Citizen’s Advisory Committee held a public hearing on February 16, 2021 to discuss use of said grant; and

**WHEREAS**, the Citizen’s Advisory Committee has recommended using this year’s grant monies for Sanitary Sewer Rehabilitation and ADA ramp improvements at Borough Hall in the amount of \$43, 169.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the 2020 Community Development Block Grant be allocated for Sanitary Sewer Rehabilitation and ADA ramp improvements at Borough Hall in the amount of \$43,169.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky		X	X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

**NON-CONSENT AGENDA RESOLUTIONS:**

RESOLUTION #049-02-17-21

**RESOLUTION ACCEPTING MINUTES**

**BE IT RESOLVED THAT THE FOLLOWING MINUTES BE AND ARE HEREBY ACCEPTED AND FILED**

**MAYOR AND COUNCIL**

February 3, 2021

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky			X			
Council Member Shaughnessy		X	X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #050-02-17-21

**RESOLUTION TO PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST**

**WHEREAS**, the Governing Body of the Borough of Jamesburg desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of forty-eight thousand, seven hundred fifty dollars (\$48,750) for the following project Ensley-Mount-Bucklew-House:

**THERERFORE**, the Governing body authorizes Mayor Marlene Lowande to execute a grant agreement with the State in the amount up to that awarded for the proposed project, and to seal the agreement.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek	X		X			
Council Member Rutsky		X	X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #051-02-17-21

**RESOLUTION AUTHORIZING THE BOROUGH OF JAMESBURG POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE JAMESBURG POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**WHEREAS.** The United Stated Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State Law Enforcement Agencies (LEAs): and

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

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

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

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

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Jamesburg that the Jamesburg Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating in December 31 of the current calendar year

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

**BE IT FURTHER RESOLVED**, that the Jamesburg Police Department is hereby authorized to acquire the following “DEMIL B, through Q” property, if it shall become available in the period of time for which this resolution authorizes.

**BE IT FURTHER RESOLVED**, that the “DEMIL B through Q” controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution.

**BE IT FURTHER RESOLVED**, that the Jamesburg Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property.

**BE IT FURTHER RESOLVED**, that the Jamesburg Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with Program participation and all property request authorization terminating on December 31<sup>st</sup> of the current calendar year.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Shaughnessy	X		X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #052-02-17-21

**AUTHORIZE REFUND OF TRAFFIC CONTROL ESCROW**



**WHEREAS**, overpayment of Traffic Control escrow was received by the Borough of Jamesburg in the amount of four hundred forty dollars (\$440.00)

**WHEREAS**, the payment has been certified by the Chief Financial Officer as overpayment of Traffic Control from December 28, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the Sewer Administrator be and is hereby authorized to make such refunds and the Chief Financial Officer is hereby directed to issue such check in accordance with the certification(s) attached hereto.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas			X			
Council Member Rampacek			X			
Council Member Rutsky	X		X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #053-02-17-21

**AUTHORIZE REFUND OF TAX OVERPAYMENT**

**WHEREAS**, overpayment of tax has been received by the Tax Collector's office resulting from an overpayment in the aggregate amount of three thousand six hundred thirty-eight dollars and thirty-one cents (\$3,638.31)

**WHEREAS**, the payment has been certified by the Tax Collector as overpayment on 1st Quarter Tax for the year 2021 for property known as Block 68, Lot 3.06;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the Sewer Administrator be and is hereby authorized to make such refunds and the Chief Financial Officer is hereby directed to issue such check in accordance with the certification(s) attached hereto.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski	X		X			
Council Member Ludas			X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

**COUNCILMATIC COMMITTEE REPORTS:**

- FINANCE COMMITTEE  
Council Member Rampacek

Finance Report:

Tonight, is the budget workshop. The details of my report will be covered during the workshop discussion including tax increase, school tax deferment, and potential budget issues.

Library Report:

As of February 10th, the Library is only offering door side pickup for books, DVDs, and audiobooks. Digital materials are available 24/7 and staff can be contacted during regular business hours if you need assistance. Computer use, faxing, and printing is suspended until further notice. They are hoping to open the Library more sometime in March. The Library is offering complimentary tax forms for patrons that are pre-printed and will be ready for door side pickup. If you are interested in these forms, call the library with your pickup time and they will meet you at the door.

- **EDUCATION COMMITTEE**  
Council Member Shaughnessy

#### Education

Jamesburg students have returned to in-person hybrid instruction. Superintendent Villani has said it's wonderful to have students and staff back in the building, and I echo that statement. It's apparent throughout the town when students are back in the building, and it makes it clear how our schools bring life to the borough.

Students who choose to remain on virtual-only instruction will continue on this model through the second trimester with a possible return to in-person hybrid on March 16, 2021.

The district is in the process of planning the reopening of the High 5 program. They are gauging community interest with a survey, and examining staffing needs and availability.

Tomorrow's meeting will include a couple of presentations we always look forward to: The winners of the Elks' Americanism Essay contest, and a data presentation by Ms. Zinser. The School Board meeting scheduled for March 3 will be moved to March 18.

This is also the time of year when we learn of the impending retirements of those teachers who have served the district so well, for so long. We thank Mrs. Carroll, Mr. Polifka, and Mrs. Strumwasser for making this district great, and we wish them well on their way to a well-deserved restful retirement.

Food distribution is available for the next two Mondays, February 22nd and March 1st, each for 7 days, each from 7 to 9 am.

- **POLICE COMMITTEE**  
Council President Sussman

Council President Sussman was absent. Council Member Shaughnessy read his report.  
Police:

During the month of January, there were 479 calls for service from our Jamesburg Police Department. These include 13 motor vehicle accidents and 34 motor vehicle summonses. The fleet drove 5,429 miles.

We had one officer, Patrolman Signorello, assaulted by a juvenile who had fled apprehension and led the officer on a foot chase. The juvenile was apprehended and charged.

The JPD is investigating the armed robbery of a Domino's Pizza delivery person. On January 26th at 8:30 the delivery person was robbed at gunpoint. Pizza was taken and the assailant fled on foot. JPD seeks pertinent information from anyone who may have it.

SLEO Louis Ceras has resigned after accepting a SLEO II position with Seaside Park. We wish him well and thank him for his service.

Patrolman Richard Bruno participated in SORT Training; Patrolmen Sean Signorello and Kyle Worster received RDT Training.

Thanks to the council for approving the hire of a qualified crossing guard candidate. We have a crossing guard returning to take part-time fill-in shifts. The Dayton Road crossing will need to be disbanded. The school and all affected families will be notified of this change within the upcoming weeks.

- **PERSONNEL COMMITTEE**  
Council Member Czarneski

I spoke with Business Administrator Frueh and reviewed the day to day of the Borough Personnel. BA Frueh provided me with an update of various concerns and how he is working towards making improvements. A meeting was scheduled for this week but was postponed until next week.

Thank you to DPW and Police for the past few snow storms and good luck tomorrow on our latest storm. Please continue to stay safe.

- **PUBLIC WORKS COMMITTEE**  
Council Member Rutsky

I checked in with Supervisor, Paul Intravartola late last week as he was cleaning borough hall from the latest storm. Other than small repairs, their equipment has been holding up through the winter. Obviously, they are preparing for tomorrow's predicted storm. I'd like to thank the entire DPW crew for their hard work and tireless hours, especially through the night to keep the streets clear for Jamesburg. They've also been working in accordance with the school to make sure walkways are accessible for our walking district.

On another note, I would like to thank the Jamesburg Historical Association for pursuing the grant that was received for the Buckelew house. Elliot Stroul and Scott Frueh did the original paperwork followed up by Hal Soden along with the rest of the association members. After the next historical Association meeting, I will have more to report on the subject

Hal Soden – President of Historical Association:

Thank you, Mayor and Council for all your support. Scott, you did an awesome job putting together the application. We are reaching out to residents and former residents to join. Thank you for supporting us. We are celebrating the 160<sup>th</sup> anniversary of Lincoln riding the coach this weekend. We really have unique treasures in this town.

- **ENVIRONMENT/ GREEN COMMITTEE:**  
Council Member Ludas

The Environment/ Green Team met on February 10<sup>th</sup>/ Jamesburg and Monroe have been tasked with the joint project of establishing the Sustainable Jersey green Business Recognition Program. John Riggs from Monroe joined us for the program discussion. We have developed a checklist and will visit the businesses and present it to them. A minimum of 2 businesses must participate. We will reach out to the Chamber of Commerce as well. Municipalities can earn 20 points which we will share with Monroe. Participating businesses in junction with the New Jersey Small Business Development Center and Sustainable Jersey will be registered on an online registry where businesses can promote their sustainability initiatives and can receive tips and resources to help them grow greener.

We also discussed other 2021 projects which include clearing out Franklin Street and the ongoing cleanings of the downtown area, the church Street Creek and the adjacent Nature Park area.

The main focus of our attention this year will be at the Buckelew House grounds and clearing out the blacksmith Shop for a future community arts center.

Business Report:

The Jamesburg Diner is now offering delivery service with take out orders. We are wishing all of our businesses great success this year and we are here to help in any way we can. Please feel free to contact us.

- ADMINISTRATOR’S REPORT  
Scott Frueh

Administrator Frueh had no report.

- PUBLIC SAFETY COMMITTEE / RECREATION / COMMUNITY EVENTS:  
Mayor Marlene Lowande

Mayor Lowande reported Jamesburg has had 440 COVID cases since March of 2020. If you are having trouble scheduling your vaccine you can call the county.

DPW and Police please stay safe tomorrow with the impending storm coming. Recycling has been cancelled for Thursday and will be picked up on Saturday. Stay warm, stay safe, and please stay off the roads if you can.

**MOTION TO ADJOURN:**

Proposed By: Rampacek

Seconded By Shaughnessy

**TIME OF ADJOURNMENT:**      8:10 PM