

MANUAL CHECKS FOR FEBRUARY 22, 2021 BILL LIST

<u>Vendor #</u>	<u>Name</u>	<u>P.O. Date</u>	<u>Description</u>	<u>Amount</u>
BOROU01	BOROUGH OF SAYREVILLE- CURRENT P/R	2/5/2021	2/12/21 PAYROLL	\$ 902,798.00
BOROO015	BOROUGH OF SAYREVILLE-GRANT P/R	2/5/2021	2/12/21 PAYROLL	\$ 1,646.94
BOROO030	BOROUGH OF SAYREVILLE-CDBG	2/5/2021	2/12/21 PAYROLL	\$ 310.13
BOROO020	BOROUGH OF SAYREVILLE-WATER P/R	2/5/2021	2/12/21 PAYROLL	\$ 96,798.67
BOROU035	BOROUGH OF SAYREVILLE-TRUST	2/5/2021	2/12/21 PAYROLL	\$ 8,662.50
BOROO010	BOROUGH OF SAYREVILLE-PAYROLL DED OASI	2/5/2021	2/12/21 PAYROLL	\$ 46,572.02
MIDDLE060	MIDDLESEX COUNTY TREASURER	2/16/2021	2020 ADDED & OMITTED TAXES DUE 2/15/2021	\$ 45,272.16
THERO005	THE ROCKET SCIENCE GROUP, LLC	2/17/2021	2021 MAILCHIMP	\$ 105.00
BOROU01	BOROUGH OF SAYREVILLE-CURRENT	2/17/2021	SEWER USER JAN 2021	\$ 347,437.67
MIDDLE060	MIDDLESEX COUNTY TREASURER	2/17/2021	1ST QTR 2021 COUNTY TAXES	\$ 4,518,241.03
MIDDLE060	MIDDLESEX COUNTY TREASURER	2/17/2021	1ST QTR 2021 OPEN SPACE TAX	\$ 375,909.09

\$ 6,343,753.21

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
BWCON005	B & W CONSTRUCTION					
21-00041	01/05/21 2021 Repair Contract	Open	17,385.20	0.00		B
21-00407	01/25/21 Drainage Improvements	Open	<u>8,963.37</u>	0.00		B
			26,348.57			
CAMER010	CAMERATO CONTRACTING, INC.					
20-06238	11/03/20 Snow Removal X walks, Bus Stops	Open	3,717.21	0.00		B
CANON015	CANON SOLUTIONS AMERICA					
21-00446	01/26/21 copier maintenance	Open	91.76	0.00		
21-00682	02/09/21 Copier Maintenance	Open	<u>91.76</u>	0.00		
			183.52			
CARME005	CARMEUSE LIME INC					
21-00387	01/21/21 21 Tons of Hydrate	Open	4,680.41	0.00		B
CHEMS005	CHEMSEARCH					
21-00232	01/13/21 SEWER DRAIN DEODORIZER	Open	328.85	0.00		
CHRIS010	CHRISTIANA TRUST AS CUSTODIAN					
20-06864	12/07/20 TSC REDEEMED 17-101	Open	93,577.64	0.00		
CJHIF	CENTRAL JERSEY HEALTH INSURANC					
21-00752	02/11/21 MEDICAL COVERAGE - FEB 2021	Open	483,270.00	0.00		
CLEAR025	CLEARY GIACOBBE ALFIERI					
21-00729	02/11/21 PROF SVCS NL VS SAYRE PB	Open	400.00	0.00		
CMAUT005	C & M AUTO PARTS, INC					
21-00292	01/19/21 radiator	Open	231.09	0.00		
CMEAS005	CME ASSOCIATES, LLP					
19-00558	10/10/19 plans/specs-tennent brook main	Open	180.00	0.00		B
19-00968	10/23/19 Main Street Bypass	Open	3,031.50	0.00		B
19-00985	10/24/19 2018 Roadway Contract Admin	Open	180.00	0.00		B
19-00992	10/24/19 Kennedy Park Lake plans/specs	Open	9,376.00	0.00		B
19-01008	10/24/19 Engineering- Pulaski Ave Imp	Open	180.00	0.00		B
19-01019	10/24/19 UST REMEDIAL ACTION PLAN	Open	12,751.25	0.00		B
19-01022	10/24/19 ENGINEERING - 2019 ROADWAYS	Open	360.00	0.00		B
19-01145	10/28/19 ENGINEERING - WELLFIELD REDEV	Open	3,140.00	0.00		B
19-01645	11/07/19 ENGINEERING - 2019 ROADWAYS	Open	1,038.00	0.00		B
19-02123	12/02/19 Church St. - Engineering	Open	180.00	0.00		B
20-00998	02/11/20 Engineering - Ernston Rd. Imp	Open	270.00	0.00		B
20-04929	09/14/20 Emergency Response Plan Water	Open	1,548.00	0.00		B
20-05583	10/14/20 Engineering 2020 Roadway	Open	13,196.00	0.00		B
21-00714	02/11/21 LAMER SECTION 6	Open	742.50	0.00		
21-00715	02/11/21 LAMER SECTION 6	Open	2,683.50	0.00		
21-00716	02/11/21 AMS ACQ (GILLETTE TOWERS LLC)	Open	472.00	0.00		
21-00717	02/11/21 AMS ACQ (GILLETTE TOWERS LLC)	Open	2,862.50	0.00		
21-00718	02/11/21 AMS ACQ (GILLETTE TOWERS LLC)	Open	514.00	0.00		
21-00719	02/11/21 AMS ACQ (GILLETTE TOWERS LLC)	Open	1,055.00	0.00		
21-00730	02/11/21 WATER DEPT SUPPLY/TREATMENT	Open	88.00	0.00		
21-00731	02/11/21 BORDENTOWN AVE WTP GROUNDWATER	Open	3,337.50	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description				
CMEAS005	CME ASSOCIATES, LLP	Continued				
21-00732	02/11/21	SEWER DEPT MISC SERVICES	Open	1,266.50	0.00	
21-00829	02/17/21	SAYREVILLE SHOPPING PLAZA	Open	4,778.50	0.00	
21-00831	02/17/21	RIVERTON VILLAGE PHASE 1	Open	17,807.25	0.00	
21-00838	02/17/21	AMS ACQ GILLETTE TOWERS LLC	Open	238.00	0.00	
21-00839	02/17/21	BEDELL LLC SITE PLAN	Open	360.00	0.00	
21-00840	02/17/21	CAMELOT @ ERNSTON ROAD	Open	1,405.00	0.00	
21-00841	02/17/21	MRESC SITE PLAN	Open	58.00	0.00	
21-00842	02/17/21	GOLDEN AGE DEVELOPMENT GROUP	Open	1,212.00	0.00	
21-00843	02/17/21	PARLIN SEC 1 URBAN RENEWAL LLC	Open	540.00	0.00	
21-00844	02/17/21	NATIONAL LEAD STOCKPILE PLAN C	Open	360.00	0.00	
21-00845	02/17/21	RIVERTON VILLAGE PHASE I	Open	15,507.00	0.00	
21-00846	02/17/21	SAYREVILLE SHOPPING PLAZA	Open	270.00	0.00	
21-00847	02/17/21	GOV BODY/MISC STUDIES	Open	<u>1,910.00</u>	0.00	
				102,898.00		
COMME025	COMMERCIAL WATER DISTRIBUTING					
21-00413	01/25/21	Rust-out for Membrane Filters	Open	2,898.84	0.00	
CONSO010	CONSOLIDATED RAIL CORP.					
21-00381	01/21/21	LEASE OF PIPE	Open	1,279.32	0.00	
CONTI010	CONTINENTAL FIRE & SAFETY INC					
20-05325	10/02/20	Boots	Open	389.00	0.00	
COYNE005	GEORGE S. COYNE					
21-00378	01/21/21	Sulfuric Acid	Open	658.94	0.00	B
21-00379	01/21/21	SODIUM HYDROXIDE DELIVERIES	Open	1,081.26	0.00	B
21-00557	02/02/21	12 Drums CP720	Open	<u>5,601.60</u>	0.00	
				7,341.80		
CUSTO035	CUSTOM BANDAG INC					
21-00661	02/08/21	tire for trackless	Open	201.13	0.00	
DIREC005	DIRECT ENERGY BUSINESS					
21-00804	02/16/21	619713-30961	Open	916.05	0.00	
21-00805	02/16/21	619713-2866	Open	<u>10,670.37</u>	0.00	
				11,586.42		
DRAEG005	DRAEGER, INC					
21-00476	01/27/21	Cert solution	Open	120.00	0.00	
21-00477	01/27/21	Repair	Open	<u>252.50</u>	0.00	
				372.50		
EASTC025	EAST COAST EMERGENCY LIGHTING,					
20-05208	09/25/20	Lights for WT Truck 602	Open	2,417.16	0.00	
20-06690	11/24/20	install laptop in jet trucks	Open	<u>2,888.30</u>	0.00	
				5,305.46		
EMERG015	EMERGI-CLEAN, INC.					
21-00480	01/27/21	Building and vehicle decons	Open	5,832.50	0.00	

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EMERG030	EMERGENCY SERVICES	21-00484	01/27/21	I am responding subscription	Open	2,205.00	0.00		
FILMT010	FilmTec Corporation	21-00168	01/11/21	Membrane Replacement Modules	Open	8,530.00	0.00		
GENUI005	GENUINE PARTS COMPANY	21-00276	01/15/21	TOWELS, PREMIX & TOOLS	Open	469.44	0.00		
		21-00376	01/21/21	parts washer	Open	2,099.00	0.00		
		21-00545	02/01/21	hyd fittings	Open	239.58	0.00		
		21-00546	02/01/21	batterys	Open	795.72	0.00		
		21-00626	02/04/21	grease & cutting bits	Open	213.16	0.00		
		21-00637	02/08/21	grease	Open	439.95	0.00		
		21-00638	02/08/21	climate control	Open	50.00	0.00		
		21-00639	02/08/21	blades	Open	127.00	0.00		
		21-00667	02/08/21	Patch panels	Open	494.23	0.00		
		21-00692	02/10/21	trans fluid & fuses	Open	144.30	0.00		
						<u>5,072.38</u>			
GERBA005	MICHAEL GERBASIO	21-00573	02/03/21	Safety Shoe Reimbursement	Open	90.00	0.00		
GLENC005	GLENCO SUPPLY INC	20-06974	12/15/20	SIX NO DUMPING STREET SIGNS	Open	150.00	0.00		
		20-07190	12/30/20	FOUR STREET SIGNS	Open	100.00	0.00		
		21-00403	01/25/21	STREET SIGNS	Open	1,200.00	0.00		
						<u>1,450.00</u>			
GONZA015	LEDA C. GONZALEZ	21-00683	02/09/21	Interpreter	Open	675.00	0.00		
GRAIN005	GRAINGER	21-00328	01/19/21	ELECTRIC HEATER-BORO HALL	Open	288.14	0.00		
GTBMI005	GTBM/INFO-COP	21-00472	01/27/21	Quarterly e-ticketing	Open	10,280.00	0.00		
HACHC005	HACH Company	21-00191	01/12/21	Lab Supplies & Reagents	Open	7,253.16	0.00		
HERCR005	Herc Rentals, Inc	20-02714	05/18/20	Lift Rental	Open	550.00	0.00		
HERIT005	HERITAGE BUSINESS	21-00617	02/04/21	COPIER	Open	118.25	0.00		
HEYER005	HEYER, GRUEL & ASSOC, PA	21-00720	02/11/21	PROF PLAN SVCS ENDING 1/31/21	Open	300.00	0.00		
		21-00830	02/17/21	PROF PLANNING SVCS END 1/31/21	Open	450.00	0.00		
						<u>750.00</u>			
HIGHE005	HIGH ENERGY ELECTRICAL TESTING	20-03516	06/29/20	Testing all breakable circuits	Open	9,445.00	0.00		

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HOMEN010	HOME NEWS TRIBUNE					
21-00391	01/25/21	Affidavit Professionals 2021	Open	181.20	0.00	
21-00650	02/08/21	Affidavits	Open	748.36	0.00	
21-00686	02/09/21	Firetruck Ad	Open	58.22	0.00	
21-00733	02/11/21	ZONING BD/BD OF ADJUST MEETING	Open	50.48	0.00	
				<u>1,038.26</u>		
INDUS025	INDUSTRIAL WELDING					
21-00551	02/01/21	CYLINDER RENTAL	Open	16.10	0.00	
21-00552	02/01/21	CYLINDER RENTAL	Open	111.70	0.00	
21-00553	02/01/21	CYLINDER RENTAL	Open	24.15	0.00	
				<u>151.95</u>		
INDUS035	TANK INDUSTRY					
20-02869	05/27/20	Engineering Svcs. Pulaski Tank	Open	4,699.88	0.00	B
INTLA005	INT'L ASSOC OF ARSON					
21-00464	01/27/21	Yearly Membership	Open	435.00	0.00	
JCPL0005	JCP&L					
21-00707	02/11/21	SAYRE BORO MASTER 200000010849	Open	1,265.18	0.00	
21-00708	02/11/21	SEWER MASTER 200000010666	Open	21,031.94	0.00	
21-00709	02/11/21	MORGAN FIRST AID	Open	215.37	0.00	
21-00736	02/11/21	WATER OPERATING 200000490017	Open	4,496.40	0.00	
21-00737	02/11/21	SAYRE BORO 200000490009	Open	30,051.90	0.00	
21-00738	02/11/21	SAYRE BORO WATER 200000010682	Open	1,416.58	0.00	
21-00741	02/11/21	PARKS & REC 200000010706	Open	6,331.42	0.00	
21-00742	02/11/21	BORO TRAFFIC 200000010690	Open	621.19	0.00	
21-00743	02/11/21	SAYRE BORO 200000001483	Open	106.91	0.00	
21-00806	02/16/21	TOWNE LAKE WEST SECT 2	Open	63.35	0.00	
21-00818	02/16/21	BLDGS & GRNDS 200000010674	Open	20,785.94	0.00	
				<u>86,386.18</u>		
JOHN0010	United Site Services, Inc.					
21-00389	01/21/21	TEMPORARY REST ROOM RENTALS	Open	560.60	0.00	
JOHNS045	JOHNSON CONTROLS					
21-00564	02/02/21	ANNUAL FIRE & WET SPRINKLER	Open	1,186.67	0.00	
KLEEN005	Kleen Machine Products					
21-00463	01/27/21	Flexwipes	Open	329.50	0.00	
KRIST005	KRISTEN BARTOLONE					
21-00439	01/26/21	Overpaid for Dog License	Open	15.00	0.00	
LEAF0005	LEAF					
21-00399	01/25/21	KYOCERA COPIER CHARGES - FEB.	Open	184.78	0.00	
21-00575	02/03/21	Copier Maintenance	Open	263.95	0.00	
				<u>448.73</u>		
LIBER010	LIBERTY REPAIR INC					
21-00275	01/15/21	emission inspection	Open	582.50	0.00	

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description				
MARTU010	MARTURANO RECREATION					
20-05290	09/30/20	benches for kennedy park	Open	3,938.19		0.00
MCKEN010	MCKENNA, DUPONT					
21-00790	02/16/21	PROF SVCS NL	Open	1,576.00		0.00
21-00791	02/16/21	PROF SVCS SPRINT	Open	864.00		0.00
21-00792	02/16/21	PROF SVCS MARY AILEEN, LLC	Open	48.00		0.00
21-00793	02/16/21	PROF SVCS PLACE @ SAYREVILLE	Open	1,168.00		0.00
21-00794	02/16/21	PROF SVCS OPRA ISSUES	Open	416.00		0.00
21-00795	02/16/21	PROF SVCS CANNABIS	Open	96.00		0.00
21-00796	02/16/21	PROF SVCS COAH	Open	48.00		0.00
21-00797	02/16/21	PROF SVCS AMBROSIO INSURANCE	Open	656.00		0.00
21-00798	02/16/21	PROF SVCS RIVERTON PILOT	Open	1,496.00		0.00
21-00799	02/16/21	PROF SVCS GENERAL	Open	<u>8,480.00</u>		0.00
				14,848.00		
MCUA010	MIDDLESEX CNTY UTILITIES AUTH.					
21-00725	02/11/21	2020 DEFICIENCY BILLING	Open	82,752.79		0.00
21-00726	02/11/21	2021 EST PARTICIPANT BILL 1Q21	Open	<u>1,081,827.11</u>		0.00
				1,164,579.90		
MELRO010	MELROSE HOSE CO #1					
21-00664	02/08/21	1/31 - 2/2 Snow Standby	Open	3,555.00		0.00
21-00740	02/11/21	Snow Standby 2/7	Open	<u>390.00</u>		0.00
				3,945.00		
MGLPR005	MGL PRINTING SOLUTIONS					
21-00457	01/27/21	Minute Paper	Open	146.00		0.00
MIDAT025	MID-ATLANTIC WASTE SYSTEMS					
20-06956	12/11/20	padel kit	Open	2,916.00		0.00
21-00433	01/26/21	parts for side loaders	Open	<u>443.60</u>		0.00
				3,359.60		
MIDDC005	MIDD.CTY FIRE ACADEM					
20-06686	11/24/20	Taxpayer Burn Building Drill	Open	289.00		0.00
MIKOL005	MIKOLAY, RAYMOND					
21-00753	02/11/21	overpayment for water & sewer	Open	1,587.00		0.00
MIRAC005	MIRACLE CHEMICAL CO					
21-00377	01/21/21	SODIUM HYPOCHLORATE DELIVIES	Open	10,710.56		0.00
						B
MONMO025	MONMOUTH INTERNET CORPORATION					
21-00619	02/04/21	Voice/Internet February	Open	385.12		0.00
MORGA025	MORGAN HOSE CO #1					
21-00665	02/08/21	1/31 -2/2 Snow Standby	Open	2,220.00		0.00
21-00739	02/11/21	snow standby 2/7	Open	<u>525.00</u>		0.00
				2,745.00		
MUNIC005	MUNICIPAL ASSESSORS ASSOC./MID					
21-00616	02/04/21	State & County Dues	Open	450.00		0.00

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MUNIC040	MUNICIPAL CODE CORPORATION	21-00653	02/08/21	Yearly Fee & Updates	Open	1,185.54	0.00		
MYERS005	JOSEPH MYERS	21-00603	02/03/21	2020 RX REIMBURSEMENTS	Open	49.00	0.00		
NJADV005	NJ ADVANCE MEDIA, LLC	21-00280	01/19/21	Affidavit	Open	200.05	0.00		
		21-00400	01/25/21	2021 Annual Meeting Affidavit	Open	<u>283.20</u>	0.00		
						483.25			
NJDEP020	NJ DEPT OF HEALTH	21-00587	02/03/21	December Dogs 2020 (2)	Open	5.40	0.00		
NJLM0005	NJLM	20-06789	12/02/20	2021 Membership Dues	Open	3,139.00	0.00		
NJMVC005	NJMVC, CAIR UNIT	21-00679	02/09/21	2020 fees	Open	150.00	0.00		
NOLAN005	JAMES P NOLAN	21-00745	02/11/21	PROF SVCS TAX ASSESSOR	Open	667.00	0.00		
OFFIC015	NJ PLANNING OFFICIALS	21-00800	02/16/21	New Member Online Class	Open	121.00	0.00		
ONECA005	ONE CALL CONCEPTS INC	21-00033	01/05/21	mark outs Jan 2021	Open	357.40	0.00		
OPTIM015	OPTIMUM	21-00710	02/11/21	PD 07875456624016	Open	201.35	0.00		
		21-00777	02/12/21	WATER 3750 BORDENTOWN AVE	Open	450.28	0.00		
		21-00778	02/12/21	SAYREVILLE TV	Open	100.91	0.00		
		21-00779	02/12/21	BORO OF SAYREVILLE	Open	<u>244.94</u>	0.00		
						997.48			
PREMI015	PREMIER PRINTING	21-00684	02/09/21	Supplies	Open	394.00	0.00		
PRESI005	PRESIDENT PARK FIRE	21-00663	02/08/21	1/31/ - 2/2 Snow Standby	Open	2,055.00	0.00		
		21-00744	02/11/21	Snow Standby 2/7	Open	<u>420.00</u>	0.00		
						2,475.00			
PSEGC005	PSE&G COMPANY	21-00807	02/16/21	SAYRE BORO	Open	749.50	0.00		
		21-00808	02/16/21	SAYRE BORO PD	Open	<u>21.66</u>	0.00		
						771.16			
QUENC005	QUENCH USA INC	21-00470	01/27/21	Quarterly rental-PD	Open	414.00	0.00		

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RACHL005	RACHLES/MICHELE'S OIL CO					
21-00397	01/25/21	RED DYED DIESEL/NO LED REG GAS	Open	10,289.02	0.00	
21-00620	02/04/21	NO LED REG GAS/DIESEL	Open	<u>11,645.00</u>	0.00	
				21,934.02		
RELIA015	RELIABLE WOOD PRODUCTS					
21-00608	02/03/21	stump recycling	Open	1,050.00	0.00	B
REUTE010	THOMSON REUTERS-WEST					
21-00473	01/27/21	West Information charges	Open	232.76	0.00	
SALEL005	SAL ELECTRIC CO., INC.					
21-00364	01/20/21	POLICE CAMERA NOT WORKING	Open	625.93	0.00	
SAYRE115	SAYREVILLE ENGINE CO					
21-00662	02/08/21	1/31 - 2/2 Snow Standby	Open	1,260.00	0.00	
21-00746	02/11/21	Snow Standby 2/7	Open	<u>315.00</u>	0.00	
				1,575.00		
SNAP0005	SNAP ON INDUSTRIAL					
20-07013	12/17/20	scanner update for transmission	Open	840.00	0.00	
SOLAR020	SOLAR MITE SOLUTIONS					
21-00772	02/12/21	REIMBURSEMENT FOR CONST PERMIT	Open	648.00	0.00	
SPOKI005	SPOK INC.					
21-00782	02/16/21	pager service	Open	51.10	0.00	
STAVO005	STAVOLA ASPHALT CO INC					
20-07191	12/30/20	HOT PATCH	Open	62.62	0.00	
21-00020	01/04/21	HOT PATCH	Open	122.82	0.00	
21-00052	01/06/21	HOT PATCH	Open	94.24	0.00	
21-00134	01/07/21	HOT PATCH	Open	65.66	0.00	
21-00141	01/08/21	HOT PATCH	Open	121.60	0.00	
21-00179	01/12/21	HOT PATCH	Open	111.52	0.00	
21-00196	01/13/21	HOT PATCH	Open	61.41	0.00	
21-00286	01/19/21	ASPHALT FROM ROBINSON PL	Open	<u>832.15</u>	0.00	
				1,472.02		
STEWA005	STEWART BUSINESS SYSTEMS					
21-00530	01/28/21	COPY MACHINE 1/8 TO 4/7/21	Open	1,034.01	0.00	
SUPER025	SUPERIOR OFFICE SYST					
20-06790	12/02/20	Contract Usage/Base Rate	Open	417.42	0.00	
SWIFT010	SWIFT ELECTRICAL SUPPLY CO					
21-00215	01/13/21	BULBS	Open	86.89	0.00	
21-00438	01/26/21	PUMP STATION	Open	<u>22.71</u>	0.00	
				109.60		
TAYLO005	BAKER & TAYLOR					
21-00436	01/26/21	BOOKS	Open	367.96	0.00	

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
THEAM005	The Ambient Group, LLC	20-05903	10/26/20	Soil Remediation/First Aid	Open	26,673.29	0.00		B
TITAN005	TITAN MECHANICAL SERVICE, LLC	21-00088	01/07/21	REPLACE ACTUATOR PD DISPATCH	Open	1,245.00	0.00		
		21-00089	01/07/21	SR. CENTER STEAM LEAK	Open	1,355.41	0.00		
		21-00090	01/07/21	Expansion Tank Melrose	Open	7,200.00	0.00		
		21-00352	01/20/21	MEETING RM/HALLWAY COLD	Open	118.20	0.00		
		21-00375	01/21/21	PUMP REPLACEMENT PART-MELROSE	Open	1,334.50	0.00		
		21-00548	02/01/21	NO HEAT MAIN AREA-MELROSE	Open	63.00	0.00		
						<u>11,316.11</u>			
TOMSF005	TOMS FORD INC	21-00432	01/26/21	Power Steering Rack	Open	997.43	0.00		
		21-00691	02/10/21	trans repair to 321	Open	297.95	0.00		
						<u>1,295.38</u>			
TOTAL010	TOTAL HARDWARE & GARDEN	21-00035	01/05/21	blanket for Jan 2021	Open	220.70	0.00		
		21-00353	01/20/21	Locks	Open	64.95	0.00		
		21-00356	01/20/21	EQUIPMENT/DEPT. SUPPLIES	Open	76.18	0.00		
		21-00366	01/20/21	TOOLS/EQUIP/ELECT. SUPPLIES	Open	23.97	0.00		
		21-00374	01/21/21	SUPPLIES/ELECTRICAL/PAINT SUPP	Open	498.17	0.00		
						<u>883.97</u>			
TRILI005	TRI-LIFT INC.	21-00632	02/05/21	Maint. to YALE Forklift	Open	126.00	0.00		
TRIOUS005	TRIOUS, INC	21-00537	01/29/21	plow cylinder	Open	104.66	0.00		
ULINE005	U-LINE	20-07070	12/22/20	Cleaning Supplies	Open	348.09	0.00		
UNITE025	UNITED PARCEL SERVICE	21-00425	01/25/21	ship (2) Turb. Meters for svc.	Open	125.92	0.00		
		21-00702	02/10/21	overnight delivery	Open	23.51	0.00		
						<u>149.43</u>			
USPOS020	US POSTAL SERVICE/NEOPOST	21-00390	01/25/21	Postage	Open	10,000.00	0.00		
VERIT005	VERITA LLC	20-05902	10/26/20	Complaint Investigation	Open	1,537.00	0.00		B
VERIZ015	VERIZON	21-00750	02/11/21	7327218627	Open	216.38	0.00		
		21-00751	02/11/21	7327210703	Open	46.68	0.00		
		21-00758	02/11/21	7327217129	Open	141.82	0.00		
		21-00759	02/11/21	7327210762	Open	136.82	0.00		
		21-00809	02/16/21	7325255455	Open	48.16	0.00		
		21-00810	02/16/21	7325255405	Open	1,151.17	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description				
VERIZ015	VERIZON	Continued				
21-00811	02/16/21	7322381046	Open	<u>39.17</u>	0.00	
				1,780.20		
VITAL010	VITAL COMMUNICATIONS INC					
20-05239	09/29/20	notice of assessment postcards	Open	2,577.40	0.00	
21-00563	02/02/21	Feb 2021 MODIV Service & Maint	Open	520.00	0.00	
21-00681	02/09/21	Copy of 2021 Final Tax Book	Open	<u>345.00</u>	0.00	
				3,442.40		
WAGNE005	MICHELE WAGNER					
21-00735	02/11/21	RENT LEVELING BOARD MTG SECTRY	Open	170.00	0.00	
WASH0010	SUPERIOR WASH					
21-00111	01/07/21	GARBAGE TRUCKS/ENGINES WASHED	Open	348.00	0.00	
WBMAS005	W. B. MASON CO INC					
20-05754	10/20/20	Office Supplies	Open	669.23	0.00	
20-06286	11/05/20	Office Supplies	Open	233.70	0.00	
20-07035	12/18/20	Ink Cartridges	Open	149.96	0.00	
21-00038	01/05/21	office supplies	Open	40.24	0.00	
21-00039	01/05/21	office Supplies	Open	302.54	0.00	
21-00198	01/13/21	office supplies	Open	28.89	0.00	
21-00468	01/27/21	Office Supplies	Open	70.64	0.00	
21-00478	01/27/21	pens and attendance cards	Open	56.52	0.00	
21-00615	02/04/21	Office Supplies	Open	186.83	0.00	
21-00618	02/04/21	OFFICE SUPPLIES	Open	<u>256.23</u>	0.00	
				1,994.78		
WEBER020	TRACY WEBER					
21-00734	02/11/21	SHADE TREE MTG JAN 2021	Open	170.00	0.00	
WINDS005	WINDSTREAM					
21-00711	02/11/21	PD 4755982	Open	1,751.44	0.00	
21-00712	02/11/21	B&G 4755569	Open	<u>3,586.89</u>	0.00	
				5,338.33		
Total Purchase Orders: 244			Total P.O. Line Items: 0	Total List Amount: 2,456,124.68	Total Void Amount: 0.00	

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
Fund Description	Fund						
Current Fund	0-01	117,556.13	0.00	117,556.13	0.00	0.00	0.00
Water Operating	0-05	<u>14,308.25</u>	<u>0.00</u>	<u>14,308.25</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	Year Total:	131,864.38	0.00	131,864.38	0.00	0.00	0.00
Current Fund	1-01	1,284,489.07	0.00	1,284,489.07	0.00	0.00	0.00
Water Operating	1-05	575,602.65	0.00	575,602.65	0.00	0.00	0.00
Regular Trust	1-33	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>145,362.89</u>
	Year Total:	1,860,091.72	0.00	1,860,091.72	0.00	0.00	145,362.89
General Capital	C-04	83,399.41	0.00	83,399.41	0.00	0.00	0.00
Water Capital	C-06	<u>235,385.88</u>	<u>0.00</u>	<u>235,385.88</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	Year Total:	318,785.29	0.00	318,785.29	0.00	0.00	0.00
Dog Trust	T-31	20.40	0.00	20.40	0.00	0.00	0.00
Total of All Funds:		<u>2,310,761.79</u>	<u>0.00</u>	<u>2,310,761.79</u>	<u>0.00</u>	<u>0.00</u>	<u>145,362.89</u>

Project Description	Project No.	Rcvd Total	Held Total	Project Total
100 KENENDY DR. ENGINEER INSP	100KENN010	5,141.50	0.00	5,141.50
BEDELL LLC/880 MAIN STREET	BEDELL005	360.00	0.00	360.00
CAMELOT AT ERNSTON ROAD	CAMELOT010	1,405.00	0.00	1,405.00
DUMPSTER PERMIT DEPOSIT	DUMPSTE005	300.00	0.00	300.00
GOLDEN AGE DEV-PERFORM BOND	GOLDENA005	1,212.00	0.00	1,212.00
LAMER SECTION 6	LAMERSE015	3,426.00	0.00	3,426.00
MRESC-CHEESEQUAKE RD	MRESCCH005	58.00	0.00	58.00
PARLIN SECTION 1 URBAN RENEWAL	PARLINS010	540.00	0.00	540.00
SAYREVILLE SEAPORT-C	SAYREVI015	360.00	0.00	360.00
SAYREVILLE SEAPORT ASSOC URBAN	SAYREVI040	33,314.25	0.00	33,314.25
SAYREVILLE SHOPPING PLAZA LLC	SAYREVI045	5,498.50	0.00	5,498.50
TAX SALE PREMIUM	TAXSALE005	39,000.00	0.00	39,000.00
THIRD PARTY LIENS	THIRDPA005	54,577.64	0.00	54,577.64
TREE BANK ORDINANCE	TREEBAN050	170.00	0.00	170.00
Total Of All Projects:		<u>145,362.89</u>	<u>0.00</u>	<u>145,362.89</u>

ORDINANCE #516-21

**AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE #437-19
FIXING THE SALARIES OF CERTAIN BOROUGH OFFICIALS, OFFICERS
AND EMPLOYEES FOR THE YEARS 2017 - 2022**

(New Title)

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville as follows:

Section 1. The following annual salaries be and the same are here established for the following Borough Officials, officers and employees and made part of Appendix 1 of Ordinance #437-19 and made part hereof.

Borough of Sayreville - Management/Dept. Head Salary & Wage Schedule

SALARY	2017		2018		2019		2020		2021	
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Registrar of Vital Statistics	8,339	9,669	8,506	9,862	8,719	10,109	8,937	10,362	9,183	10,647

2022	
Min	Max
9,435	10,940

SECTION 2. Severability Clause.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed and this ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED/APPROVED ON FIRST READING

DATED: February 8, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED:

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF February, 2020.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

ORDINANCE #517-21
CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it 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 Mayor and Council of the Borough of Sayreville 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 Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$1,200,275.57 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council 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 Mayor and Council of the Borough of Sayreville, 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 Sayreville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 1,680,385.79, and that the CY 2021 municipal budget for the Borough of Sayreville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 the Division 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 after such adoption.

INTRODUCED/APPROVED ON FIRST READING

DATED: February 8, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED:

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF February, 2021.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

I, Jessica Morelos, Municipal Clerk of the Borough of Sayreville do hereby certify that the foregoing is a true copy of an Ordinance that was introduced at a regular meeting of the Mayor and Borough Council held on the 8th day of February, 2021 and is further scheduled for Public Hearing and Adoption on the 22nd day of February, 2021.

Jessica Morelos, RMC
Municipal Clerk

ORDINANCE # 518-21

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXVI "LAND DEVELOPEMENT" OF
THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO AMEND SECTION
26-99.6 "STORM WATER CONTROL"**

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the county of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

26-99.6 Stormwater Management

26-99.6A Scope and Purpose:

a. Policy Statement.

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

b. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 26-99.6B.

c. Applicability

1. This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

- a. Non-residential major developments; and
- b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This ordinance shall also be applicable to all major developments undertaken by Borough of Sayreville.

d. **Compatibility with Other Permit and Ordinance Requirements**

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

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

26-99.6B Definitions:

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

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

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

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

"Compaction" means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of

vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter.

The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 26-99.6D.f. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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

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

3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

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

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

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

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

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

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

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

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

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

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control

or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

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

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

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

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

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

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

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

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

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge,

culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

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

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

26-99.6C 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.

26-99.6D 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 26-99.6J.
- b. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-

15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).

- c. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 26-99.6D.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 26-99.6D.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 26-99.6D.o, p, q and r to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section 26-99.6D.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 26-99.6D.d.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 26-99.6D.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 26-99.6D.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.

- 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.

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

(Notes corresponding to annotations ^(a) through ^(g) are found below Table 3)

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found below Table 3)

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

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 26-99.6D.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 26-99.6B;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 26-99.6B.
- 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 26-99.6D.b. Alternative stormwater management measures may be used to satisfy the requirements at Section 26-99.6D.o only if the measures meet the definition of green infrastructure at Section 26-99.6B. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section 26-99.6D.o.2 are subject to the contributory drainage area limitation specified at Section 26-99.6D.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 26-99.6D.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 26-99.6D.d is granted from Section 26-99.6D.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 26-99.6H.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 26-99.6H; 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 26-99.6B may be used only under the circumstances described at Section 26-99.6D.o.4.
- k. Any application for a new agricultural development that meets the definition of major development at Section 26-99.6B shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 26-99.6D.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 26-99.6D.p, q and r shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- m. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the office of the Middlesex County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 26-99.6D.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 26-99.6J.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 26-99.6D of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with m above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with 26.99.6D.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 26-99.6D.p and q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 26-99.6D.f. and/or an alternative stormwater management measure approved in accordance with Section 26-99.6D.g. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. To satisfy the stormwater runoff quantity standards at Section 26-99.6D.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 26-99.6D.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 26-99.6D.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 26-99.6D.g may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 26-99.6D.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 26-99.6D.p, q and r, unless the project is granted a waiver from strict compliance in accordance with Section 26-99.6D.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 26-99.6E, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater

discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

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

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

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

Where

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 26-99.6D.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 26-99.6F, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

26-99.6E Calculation of Stormwater Runoff and Groundwater Recharge:

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

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

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

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

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

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

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section 26-99.6E.a.1.i and the Rational and Modified Rational Methods at Section 26-99.6E.a.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover

(if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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

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

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

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

26-99.6F 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.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information

is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- 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.

26-99.6G Solids and Floatable Materials Control Standards:

- a. Site design features identified under Section 26-99.6D.f above, or alternative designs in accordance with Section 26-99.6D.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 26-99.6G.a.2 below.

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

- i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

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

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or

each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in a.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

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

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

26-99.6H 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 26-99.6H.c.1, 26-99.6H.c.2, and 26-99.6H.c.3 for trash racks, overflow grates, and escape provisions at outlet structures.

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

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to 26-99.6H.c, a free-standing outlet structure may be exempted from this requirement;

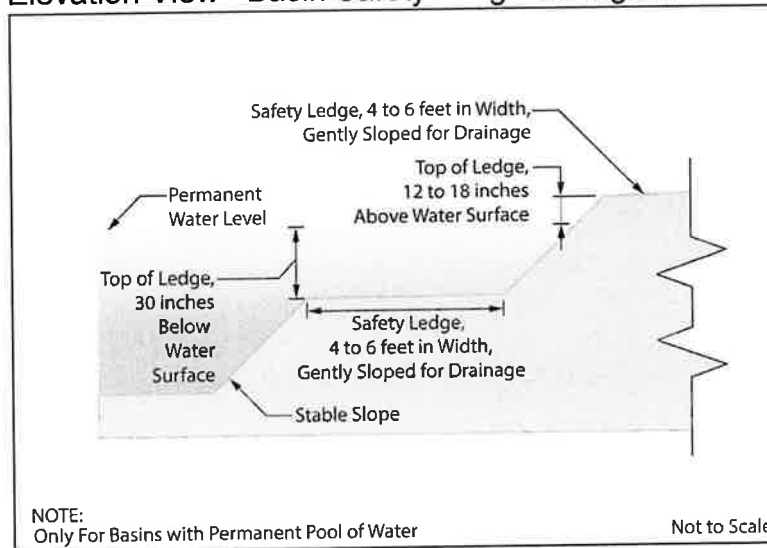
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See 26-99.6H.e for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

d. Variance or Exemption from Safety Standard

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

e. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



26-99.6I 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 26-99.6I.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 five (5) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 26-99.6l.c of this ordinance.

b. Site Development Stormwater Plan Approval

The applicant's site development project shall be reviewed as part of the subdivision or site plan review process by the Municipal Board or official from whom municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) 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 26-99.6C through 26-99.6E are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

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

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

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 26-99.6D of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 26-99.6J.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 26-99.6I.c.1 through 26-99.6I.c.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

26-99.6J Maintenance and Repair:

a. Applicability

Projects subject to review as in Section 26-99.6A.c of this ordinance shall comply with the requirements of Section 26-99.6J.b and 26-99.6J.c.

b. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under section 26-99.6J.b.3 above is not a public agency, the maintenance plan and any future revisions based on section 26-99.6J.b.7 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 26-99.6J.b.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 26-99.6J.b.6 and b.7 above.
8. The requirements of Section 26-99.6J.b.3 and b.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the

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

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

26-99.6K Penalties:

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the maximum penalties allowed by law.

26-99.6L 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.

26-99.6M Effective Date:

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

BE IT FURTHER ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Twenty Six, Land Development**, of the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect said change.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

INTRODUCED/APPROVED ON FIRST READING

DATED: February 8, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Mary Novak, Councilwoman
(Water/Sewer Committee)

ADOPTED ON SECOND READING

DATED: February 22, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Mary Novak, Councilwoman
(Water/Sewer Committee)

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2021.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

ORDINANCE #519-21

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MASTER FINANCIAL AGREEMENT FOR PAYMENTS IN LIEU OF TAXES WITH SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P. PURSUANT TO THE LONG TERM TAX EXEMPTION LAW AND THE REDEVELOPMENT AREA BOND FINANCING LAW WITH RESPECT TO BLOCK 257, LOT 3.04; BLOCK 257, LOT 3.052; BLOCK 257.01, LOTS 1 AND 1.01; BLOCK 257.01, LOT 1.10; BLOCK 257.01, LOT 4; BLOCK 257.01, LOT 5; BLOCK 257.01, LOT 6; BLOCK 257.01, LOT 20; BLOCK 257.01, LOT 30.12; BLOCK 257.02, LOT 1; BLOCK 257.02, LOT 1.01; AND BLOCK 257.02, LOT 22, COLLECTIVELY COMMONLY KNOWN AS PARCEL C WITHIN THE SAYREVILLE WATERFRONT REDEVELOPMENT AREA, ALL IN THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on October 7, 1998, the Borough designated approximately nine hundred (900) acres of real property located along the Raritan Bay referred to as the "Sayreville Waterfront Redevelopment Area" (the "**Redevelopment Area**") as an "area in need of redevelopment" in accordance with the Redevelopment Law; and

WHEREAS, on January 20, 1999, the Borough Council adopted Ordinance No. 581-99 approving that certain redevelopment plan (as amended and supplemented, the "**Redevelopment Plan**") governing the Redevelopment Area; and

WHEREAS, the Redevelopment Law confers certain powers upon a "redevelopment entity", as defined in the Redevelopment Law, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Borough has selected the Sayreville Economic and Redevelopment Agency (the "**Agency**") as the redevelopment entity to implement the Redevelopment Plan, in accordance with the Redevelopment Law; and

WHEREAS, the Agency acquired fee simple to, and thereafter leased to Sayreville Seaport Associates Urban Renewal, L.P. (the "**Entity**"), certain real property located within the Redevelopment Area, including Block 257, Lot 3.04; Block 257, Lot 3.052; Block 257.01, Lots 1 And 1.01; Block 257.01, Lot 1.10; Block 257.01, Lot 4; Block 257.01, Lot 5; Block 257.01, Lot 6; Block 257.01, Lot 20; Block 257.01, Lot 30.12; Block 257.02, Lot 1; Block 257.02, Lot 1.01; and Block 257.02, Lot 22 (collectively commonly known as "**Parcel C**" within the Redevelopment Area, and as more particularly described in the metes and bounds descriptions submitted with the Application (defined below), the "**Property**"); and

WHEREAS, the Agency and the Entity, as redeveloper, entered into that certain Master Redevelopment Agreement dated as of May 14, 2008, as amended September 25, 2008, December 31, 2013, and April 28, 2016, all as amended and restated pursuant to that certain Amended and Restated Redevelopment Agreement authorized by the Agency on January 28, 2021 (the "**Redevelopment Agreement**"); and

WHEREAS, the Entity proposes to construct a project in multiple phases on the Property in accordance with the terms and conditions contained in the Redevelopment Agreement, consisting of: (i) commercial development and related parking facilities including, without limitation, approximately (a) One Million Two Hundred Sixty Four Thousand (1,264,000) square feet of retail and entertainment space, (b) One Million Two Hundred Sixty One Thousand (1,261,000) square feet of office and other commercial space, and (c) Three Hundred Seventy Two Thousand (372,000) square feet of hotel and conference center space (collectively, the "**Commercial Component**"); (ii) Two Thousand (2,000) residential units (the "**Residential Unit Component**"); (iii) certain public infrastructure and amenities as set forth in the Redevelopment Agreement (the "**Public Amenities**") and such other improvements as set forth therein or required by the Redevelopment Plan or the planning approvals (collectively, the "**Project**"); and

WHEREAS, the Borough is authorized to provide for tax exemptions and payments in lieu of taxes within a redevelopment area pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A: 20-1 et seq.* (the "**Exemption Law**"); and

WHEREAS, pursuant to and in accordance with the provisions of the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the "**RAB Law**"), it is anticipated that the Agency will issue bonds for the purpose of financing a portion of the costs of the Project (the "**Bonds**"), and the Project is therefore considered "a redevelopment project financed with bonds" within the meaning of *N.J.S.A. 40A:12A-66(a)* of the RAB Law; and

WHEREAS, the Entity has been qualified by the State of New Jersey to do business as an urban renewal entity under the provisions of the Exemption Law, and has submitted an application to the Borough requesting the implementation of a tax exemption and entry into a financial agreement with respect to the Project, as required by *N.J.S.A. 40A:20-8* (the "**Application**", a copy of which is on file with the Borough Clerk); and

WHEREAS, the Entity has represented to the Borough that the Project would not be feasible in its intended scope but for the provision of financial assistance by the Borough; and

WHEREAS, on February 18, 2021, the Mayor recommended to the Borough Council that the Application be approved, provided that all legal prerequisites are met; and

WHEREAS, the Borough hereby finds that the relevant benefits of the Project to the redevelopment of the Property outweigh the costs, if any, associated with the tax exemption, and in fact increase Borough revenues over the PILOT term by

granting the long term tax exemption for the Project, which relevant benefits are further described below as well as in the Application and the Financial Agreement; and

WHEREAS, the Borough hereby determines that based on information set forth in the Application, the Project would not be feasible without the granting of the exemption contemplated herein, and that the granting of such assistance facilitates the implementation of environmental remediation, new infrastructure, additional open space, affordable housing, and other benefits and amenities that will not only influence the locational decisions of the probable occupants of the Project, but will also benefit the Borough as a whole; and

WHEREAS, the Borough hereby further finds and determines that:

A. The Property is one of the largest brownfield redevelopment projects undertaken in New Jersey's history. The Entity has undertaken remediation at a significant cost to repair and prepare the Property for redevelopment. It is now preparing to transition from remediation into the vertical development of the Property in a manner consistent with the Waterfront Redevelopment Plan.

B. This Project involves a collaborative and innovative public-private partnership involving the Borough, the Agency, Middlesex County, the State of New Jersey and the Entity.

C. The Project has already contributed to open space in the Borough through acquisition and remediation by the Entity of the 37-acre parcel (known as Parcel A) fronting on the Raritan Bay and through the dedication of a 13.7-acre conservation and public access easement. As part of the Project, the Entity has proposed a 1-mile walkway on Parcel C within the easement to allow waterfront access to Sayreville residents and the general public. The walkway will feature Heroes Walk, honoring Sayreville's veterans, along with lighting, seating areas, an open-air amphitheater, and landscaping.

D. The Entity has already contributed \$15 million to the \$80 million Turnpike Authority construction project that was completed in 2020. The development of the Project will incorporate additional investments of hundreds of million dollars in infrastructure for utilities, stormwater facilities, roadways, parking, and landscaping.

E. The Entity has agreed to set aside 15% of the approved 2,000 residential units as affordable housing, generating up to 300 affordable units, which are necessary for the Borough to satisfy its court-mandated constitutional affordable housing obligations. The Project is also expected to generate significant affordable housing development fees, up to \$2 million of which may support the construction of off-site 100% affordable housing.

F. The Entity has agreed to provide on-site spaces for performing arts and a municipal office and to provide financial support for fire and emergency services and a community center.

G. The Entity has entered into a Project Labor Agreement. It is anticipated that Sections 1 and 2 of the Project will generate 8,248 construction jobs. Once Sections 1 and 2 are constructed, the Entity anticipates that the Project will generate 7,491 direct permanent jobs and 6,023 indirect permanent jobs. The Entity also has agreed to implement a program to work with local businesses to supply necessary goods and services for the Project.

H. The fiscal impact assessment forecasts revenue surpluses consistently within each section of the Project, and across all real estate product types individually and in the aggregate. The revenue collected by the Borough is expected to exceed the Borough's project-related costs by over \$3 million annually in year 6, more than \$7 million in year 15, and more than \$9 million in year 30; and

WHEREAS, the Borough wishes to approve the Application and authorize the execution of a financial agreement with respect to the Project in substantially the form attached hereto as **Exhibit A**, together with any additions, deletions, modifications, or revisions deemed necessary or desirable in consultation with counsel (the "**Financial Agreement**"),

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville, in the County of Middlesex, State of New Jersey as follows:

I. GENERAL

The aforementioned recitals are incorporated herein as if fully set forth at length.

II. APPLICATION APPROVED

The Application submitted by the Entity as required by *N.J.S.A. 40A:20-8* is hereby approved.

III. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

(a) The Mayor is hereby authorized and directed to execute the Financial Agreement, substantially in the form presented to the Borough Council and attached hereto as **Exhibit A**, together with such additions, deletions, modifications, or revisions deemed necessary or desirable in consultation with counsel.

(b) The Clerk of the Borough is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III(a) hereof, to attest to the signature of the Mayor upon the document and is hereby further authorized and directed to affix the corporate seal of the Borough upon the document.

(c) The Borough Clerk shall file certified copies of this ordinance and the Financial Agreements with the Tax Assessor of the Borough. In accordance with P.L. 2015, c. 247, within ten calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Borough Clerk also shall transmit a certified copy of this Ordinance and the Financial

Agreement to the chief financial officer of Middlesex County and to the Middlesex County Counsel for informational purposes.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

V. ACTION REGARDING FINANCIAL AGREEMENT

The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Financial Agreement, all in consultation with the counsel to the Borough, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the Business Administrator, the Chief Financial Officer, the Borough Clerk and any other Borough official, officer or professional, including but not limited to, Borough Counsel, bond counsel, the financial advisor and the auditor to the Borough, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, Borough Counsel, bond counsel, the financial advisor and the auditor to the Borough, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

VI. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Borough.

VII. EFFECTIVE DATE

This Ordinance shall take effect according to law.

INTRODUCED/APPROVED ON FIRST READING

DATED: February 22, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED:

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2020.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

EXHIBIT A

Form of Financial Agreement

ORDINANCE #520-21

**THIS ORDINANCE SECURES BONDS OR OTHER OBLIGATIONS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THE REDEVELOPMENT AREA BOND FINANCING LAW, N.J.S.A. 40A:12A-64 ET SEQ., AND THE LIEN HEREOF WITH RESPECT TO THE LEASEHOLD ESTATE IN EACH AND EVERY PARCEL OF LAND (AND, TO THE EXTENT NOT OWNED BY A GOVERNMENTAL ENTITY, THE FEE INTEREST IN EACH AND EVERY PARCEL OF LAND), AND ANY IMPROVEMENT RELATED THERETO, IN FAVOR OF THE OWNERS OF SUCH BONDS OR OTHER OBLIGATIONS IS A MUNICIPAL LIEN SUPERIOR TO ALL OTHER NON-MUNICIPAL LIENS
HEREAFTER RECORDED**

AN ORDINANCE PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN STORMWATER, SANITARY SEWER, WATER, WALKWAY, STREETScape, ROAD, TRAFFIC, INTERSECTION, AND PARKING IMPROVEMENTS, TOGETHER WITH OTHER PROJECT IMPROVEMENTS, ALL WITH RESPECT TO BLOCK 257, LOT 3.04; BLOCK 257, LOT 3.052; BLOCK 257.01, LOTS 1 AND 1.01; BLOCK 257.01, LOT 1.10; BLOCK 257.01, LOT 4; BLOCK 257.01, LOT 5; BLOCK 257.01, LOT 6; BLOCK 257.01, LOT 20; BLOCK 257.01, LOT 30.12; BLOCK 257.02, LOT 1; BLOCK 257.02, LOT 1.01; AND BLOCK 257.02, LOT 22, COLLECTIVELY COMMONLY KNOWN AS PARCEL C WITHIN THE SAYREVILLE WATERFRONT REDEVELOPMENT AREA, ALL IN THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AND AUTHORIZING THE EXECUTION OF A MASTER SPECIAL ASSESSMENT AGREEMENT AND CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on October 7, 1998, the Borough designated approximately nine hundred (900) acres of real property located along the Raritan Bay referred to as the "Sayreville Waterfront Redevelopment Area" (the "**Redevelopment Area**") as an "area in need of redevelopment" in accordance with the Redevelopment Law; and

WHEREAS, on January 20, 1999, the Borough Council adopted Ordinance No. 581-99 approving that certain redevelopment plan (as amended and supplemented, the "**Redevelopment Plan**") governing the Redevelopment Area; and

WHEREAS, the Redevelopment Law confers certain powers upon a "redevelopment entity", as defined in the Redevelopment Law, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Borough has selected the Sayreville Economic and Redevelopment Agency (the "**Agency**") as the redevelopment entity to implement the Redevelopment Plan, in accordance with the Redevelopment Law; and

WHEREAS, the Agency acquired fee simple to, and thereafter leased to Sayreville Seaport Associates Urban Renewal, L.P. (the "**Entity**"), certain real property located within the Redevelopment Area, including Block 257, Lot 3.04; Block 257, Lot 3.052; Block 257.01, Lots 1 And 1.01; Block 257.01, Lot 1.10; Block 257.01, Lot 4; Block 257.01, Lot 5; Block 257.01, Lot 6; Block 257.01, Lot 20; Block 257.01, Lot 30.12; Block 257.02, Lot 1; Block 257.02, Lot 1.01; and Block 257.02, Lot 22 (collectively commonly known as "**Parcel C**" within the Redevelopment Area, the "**Property**"); and

WHEREAS, the Agency and the Entity, as redeveloper, entered into that certain Master Redevelopment Agreement dated as of May 14, 2008, as amended September 25, 2008, December 31, 2013, and April 28, 2016, all as amended and restated pursuant to that certain Amended and Restated Redevelopment Agreement authorized by the Agency on January 28, 2021 (the "**Redevelopment Agreement**"); and

WHEREAS, the Entity proposes to construct a project in multiple phases on the Property in accordance with the terms and conditions contained in the Redevelopment Agreement, consisting of: (i) commercial development and related parking facilities including, without limitation, approximately (a) One Million Two Hundred Sixty Four Thousand (1,264,000) square feet of retail and entertainment space, (b) One Million Two Hundred Sixty One Thousand (1,261,000) square feet of office and other commercial space, and (c) Three Hundred Seventy Two Thousand (372,000) square feet of hotel and conference center space (collectively, the "**Commercial Component**"); (ii) Two Thousand (2,000) residential units (the "**Residential Unit Component**"); (iii) certain public infrastructure and amenities as set forth in the Redevelopment Agreement (the "**Public Amenities**") and such other improvements as set forth therein or required by the Redevelopment Plan or the planning approvals (collectively, the "**Project**"); and

WHEREAS, in order to facilitate the development of the Project, the Property and the surrounding parcels, the Entity wishes to undertake certain stormwater, sanitary sewer, water, walkway, streetscape, road, traffic, intersection, and parking improvements, together with other Project improvements, all of which benefit the Property and which will improve the Borough's overall infrastructure (collectively, the "**Infrastructure Improvements**"); and

WHEREAS, the total cost of the Infrastructure Improvements is estimated not to exceed \$311,864,882 (the "**Infrastructure Improvements Costs**"); and

WHEREAS, the Entity has requested that the Borough (i) impose a special assessment upon the Property with respect to the Infrastructure Improvements Costs (the "**Special Assessment**") pursuant to the Redevelopment Law, the Redevelopment Area Bond Financing Law (*N.J.S.A. 40A:12A-67 et seq.*, the "**RAB Law**") and the Local Improvements Law (*N.J.S.A. 40:56-1 et seq.*, the "**Local Improvements Law**"); and (ii) authorize the pledge and assignment of the Special Assessment to the trustee for bonds issued by the Agency in connection with the Project (the "**Bonds**") in order to secure the payment of the debt service on the Bonds,

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SAYREVILLE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

I. GENERAL

The recitals hereto are hereby incorporated by reference as if set forth at length herein.

II. SPECIAL ASSESSMENT TERMS

The Infrastructure Improvements shall be undertaken by the Entity and the Infrastructure Improvements Costs shall be specially assessed against the Property in accordance with the Redevelopment Law, the RAB Law, and the Local Improvements Law. Notice is hereby given to the owner of the Property that the Borough intends to make and levy special assessments against the Property as follows:

Amount: The Infrastructure Improvements Costs in the amount of \$311,864,882, together with the soft costs and financing costs relating thereto, including but not limited to the debt service due on the Bonds, shall collectively be deemed the "benefit conferred" by the Infrastructure Improvements, and such benefit conferred shall equal the amount of the Special Assessment.

Payment Dates and Amounts: The Special Assessment shall be paid to the Borough in four equal quarterly installments on February 1, May 1, August 1, and November 1 in each year after commencement of the Special Assessment in the amounts set forth in the Special Assessment Agreement. The Special Assessment shall have a thirty-year term or such shorter term as is coterminous with the term of the Bonds. The Entity or successor owner of the Property shall make such payments promptly without any need for notice from the Borough with respect to same.

Special Assessment Not Subject to Acceleration: Upon failure to pay any installment of a Special Assessment for 30 days or more after that time at which it shall become due, the whole assessment or balance due thereon shall not become and be immediately due. Instead, any subsequent installments which would not yet have become due except for the default shall be considered as not in default and the lien for the installments not yet due shall continue.

Special Assessment Agreement: The form of Special Assessment Agreement attached hereto as Exhibit A is hereby approved with such additions, deletions, modifications, or revisions thereto as may be necessary or desirable in consultation with counsel, such approval to be conclusively evidenced by the execution thereof.

The Mayor is hereby authorized and directed to execute the Special Assessment Agreement, substantially in the form presented to the Borough Council and attached hereto as Exhibit A, together with such additions, deletions, modifications, or revisions thereto as may be necessary or desirable in consultation with counsel.

The Clerk of the Borough is hereby authorized and directed, upon the execution of the Special Assessment Agreement in accordance herewith, to attest to the signature of the Mayor upon the document and is hereby further authorized and directed to affix the corporate seal of the Borough upon the document.

III. MUNICIPAL LIEN

This Ordinance and the Special Assessment shall constitute a municipal lien against the Property. Compliance with the Special Assessment shall be enforced in accordance with the New Jersey Tax Sale Law, *N.J.S.A. 54:5-1 et seq.*, including, if applicable, by means of in rem foreclosure, **provided however**, that no such lien shall attach in the fee estate of the Property while owned by a governmental entity.

IV. BOND TERMS

All terms of the Bonds shall be set forth in the indenture of trust or supplemental indenture of trust governing the Bonds (collectively, the “**Indenture**”), and shall not be inconsistent herewith. The pledge and assignment of the Special Assessment to the Trustee set forth in the Indenture in order to secure the payment of debt service on the Bonds is hereby approved.

V. ACTION REGARDING SPECIAL ASSESSMENT

The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Special Assessment, all in consultation with the counsel to the Borough, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the Business Administrator, the Chief Financial Officer, the Borough Clerk and any other Borough official, officer or professional, including but not limited to, Borough Counsel, bond counsel, the financial advisor and the auditor to the Borough, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, Borough Counsel, bond counsel, the financial advisor and the auditor to the Borough, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

VI. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

VII. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Borough.

VIII. EFFECTIVE DATE

This Ordinance shall take effect according to law.

INTRODUCED/APPROVED ON FIRST READING

DATED: February 22, 2021

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED:

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Donna Roberts, Councilwoman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2020.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney

Exhibit A

Form of Special Assessment Agreement