

TOWNSHIP COMMITTEE WORKSHOP MEETING
APRIL 21, 2025 – 6:00 P.M.

Mayor Lane calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

Township Committee	Present/ Absent	Professionals	Present/ Absent
Tassie D. York		Stephanie Oppegaard, Acting BA	
Jason A. Jones		William Bray, Township Clerk	
Derel Stroud		Lester Taylor, Township Attorney	
Kevin McMillan			
Robert Lane Jr.			

Mayor Lane announces "the notice requirements of R.S. 10:4-18 have been met through the publication of the required advertisement in The Coaster and Asbury Park Press, posting on the Municipal Complex board, and filing with the Municipal Clerk. Additionally, the meeting agenda is available on the Township website (www.neptunetownship.org)."

ITEMS FOR DISCUSSION IN OPEN SESSION

1. DPW Renovations Phase 2 Change Order

COMMITTEE CALENDARS

EXECUTIVE SESSION

Res 25-177 Authorize an Executive Session Meeting

Offered by: _____ Seconded by: _____

Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

TOWNSHIP OF NEPTUNE

RESOLUTION 25-177

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN PUBLIC MEETINGS ACT

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Personnel – Staffing within DPW, Code & Construction, Recreation, Tax Collection, Human Resources departments

Contract Negotiations – Sale of Publicly Owned Land

Attorney Client Privilege - Ongoing Litigation Matters

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

CERTIFICATION

I, William Bray, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP COMMITTEE MEETING – APRIL 21, 2025 – 7:00 P.M.

Mayor Lane calls the meeting to order and asks the Clerk to call the roll:

Township Committee	Present/ Absent	Professionals	Present/ Absent
Rev. Tassie York	_____	Stephanie Oppegaard, Acting Bus. Admin	_____
Jason Jones	_____	William Bray, Township Clerk	_____
Derel Stroud	_____	Lester Taylor, Township Attorney	_____
Kevin McMillan	_____		
Robert Lane, Jr.	_____		

MOMENT OF SILENCE AND FLAG SALUTE

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Lane announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

APPROVAL OF MINUTES

Motion offered by _____, seconded by, _____, to approve the minutes of meetings of March 10, March 12 & April 7, 2025

PRESENTATION

There are none

PROCLAMATION

Water Safe Month

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

REPORT OF THE ACTING BUSINESS ADMINISTRATOR

The Business Administrator will report on capital projects and matters of general interest.

PUBLIC HEARING AND CONSIDERATION OF THE 2024 MUNICIPAL BUDGET

Michael Bascom, C.F.O., will make a presentation on the 2025 municipal budget followed by Public Comments regarding the 2025 Municipal Budget which was introduced on March 24, 2025. The public will be permitted one opportunity to comment with a limit of five minutes.

Res 25-178 Authorize 2025 Budget to be read by Title Only at Public Hearing

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

Res 25-179 Authorize Amendment to 2025 Municipal Budget

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

Res 25-180 Adopt 2025 Municipal Budget

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

PUBLIC COMMENTS ON RESOLUTIONS

The Clerk will announce additional information regarding Additional Resolutions if necessary.

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

ORDINANCES - For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

PUBLIC HEARING AND FINAL ADOPTION ORDINANCES

Ordinance 25-14 ORDINANCE AMENDING CODE OF THE TOWNSHIP OF NEPTUNE TO
CREATE CHAPTER _____: PROJECT LABOR AGREEMENTS

Explanatory Statement: The purpose of this chapter is to promote efficiency, quality, and timeliness of public construction projects that are undertaken or directly supported by the Township. At the sole discretion of the Township, for certain large construction projects, where total costs exceed \$5,000,000.00 exclusive of any land acquisition costs, this section will require project labor agreements to be included pursuant to N.J.S.A. 52:38-1, et seq.

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

ORDINANCES FOR FIRST READING

Ordinance 25-13 An Ordinance Of The Township Of Neptune Establishing Minimum Stormwater Management Requirements And Controls For "Major Developments"

Explanatory Statement: *The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development,"*

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

CONSENT AGENDA

The Mayor asks the Committee if they would like to separate any resolutions from the Consent Agenda for consideration, and then calls for a vote on the remaining items on Consent Agenda.

- Res 25-181** Authorize Payment of Bills
- Res 25-182** Authorize RIMS Agreement
- Res 25-183** Approve Revised 2025 Meeting Schedule

- Res 25-184 Authorize Summer Schedule
Res 25-185 Appoint Responsible Charge for Federal Transportation Grant
Res 25-186 Appoint Community Development Representative
Res 25-187 Authorized Extension of Contract with Centerra Integrated Services
Res 25-188 Authorized Change Order #1 and Closeout of Bradley Park Sewer Replacement Project
Res 25-189 Accept Resignations of Certain Employees
Res 25-190 Authorize the Auction of Surplus materials, equipment and vehicles
Res 25-191 Authorize Application for Monmouth County Summer Youth Work Experience Grant
Res 25-192 Approve Road Closure for Juneteenth events
Res 25-193 Approve Co-Sponsorship of Juneteenth events
Res 25-194 Authorize Developer's Agreement – Country Woods

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

SEPARATED RESOLUTIONS

Res 25-XX

Offered by: _____ Seconded by: _____
Vote: York _____ Jones _____ Stroud _____ McMillan _____ Lane _____

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

CLOSING COMMITTEE COMMENTS

ADJOURNMENT

Offered by: _____ Seconded by: _____

Time adjourned: _____

TOWNSHIP OF NEPTUNE

RESOLUTION 25-178

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING THE 2025 BUDGET TO BE READ BY TITLE ONLY AT PUBLIC HEARING**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library and copies have been made available by the Clerk to persons requesting them; and,

WHEREAS, these conditions have been met, and;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune in the County of Monmouth, state of New Jersey that the budget shall be read by title only.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-179

RESOLUTION AUTHORIZING AN AMENDMENT TO APPROVED 2025 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2025 was approved on the 24th day of March, 2025; and,

WHEREAS, the public hearing on said budget has been held as advertised on April 21, 2025, and,

WHEREAS, it is desired to amend said approved budget as described below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, of the County of Monmouth, that the following amendments to the approved budget of 2025 be made:

	Approved Budget	Amended Budget
1. Surplus Anticipated	\$5,465,168.61	\$5,466,809.61
3. Miscellaneous Revenue – Section F: Public and Private Revenues Offset with Appropriations		
Interfaith Neighbors – Senior Meal Program	\$26,590.00	\$25,949.00
Total Section F: : Public and Private Revenues Offset with Appropriations	\$349,291.75	\$348,650.75
Summary of Revenues		
3. Miscellaneous Revenue – Total Section F: Public and Private Revenues	\$349,291.75	\$348,650.75
8. General Appropriations		
(E Deferred Charges and Statutory Expenditures – Municipal Within “CAPS”		
(2) Statutory Expenditures		
Contribution to Public Employees’ Retirement System	\$1,371,364.00	\$1,372,364.00
Total Deferred Charges and Statutory Expenditures – Municipal Within “CAPS”	\$5,539,064.00	\$5,540,064.00
(A) Operations Excluded from “CAPS” – Public and Private Programs Offset by Revenues		
Interfaith Neighbors – Senior Meal Program – S&W	\$26,590.00	\$25,949.00
Interfaith Neighbors – Senior Meal Program – S&W – Local Match	\$53,410.00	\$54,051.00
Summary of Appropriations		
(H-1) Total General Appropriations for Municipal Purposes within “CAPS”	\$43,568,595.25	\$43,569,595.25
Total General Appropriations	\$56,560,000.00	\$56,561,000.00
6 Amount to be Raised by Taxation	\$34,250,000.00	\$33,728,627.00
Total Amount to be Raised by Taxes for Support of the Municipal Budget	\$36,300,413.00	\$35,779,040.00
10. Dedicated Revenues from Sewer Utility		
Reserve for Debt Service (Sewer Capital)	\$46,800.00	\$53,300.00
Total Sewer Utility Revenues	\$8,926,800.00	\$8,933,300.00

11. Appropriations for Sewer Utility		
Debt Service: Capital Equipment Lease Program	\$150,000.00	\$156,500.00
Total Sewer Utility Appropriations	\$8,926,800.00	\$8,933,300.00

BE IT FURTHER RESOLVED, that certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended and that a certified copy be forwarded to the Chief Financial Officer and the Township Auditor.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-180

ADOPT 2025 TOWNSHIP OF NEPTUNE MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$34,350,000.00 for municipal purposes; and, \$2,228,226.00 for the minimum library levy:

General Revenues	
Surplus Anticipated	5,466,809.61
Miscellaneous Revenues Anticipated	13,436,015.96
Receipts from Delinquent Taxes	1,079,948.43
Local Tax for Municipal Purposes	34,350,000.00
Local Tax for Minimum Library Levy	2,228,226.00
 Total Revenues	 55,561,000.00

General Appropriations	
Within "CAPS"	43,569,595.25
Deferred Charges and Statutory Expenditures	4,080,354.75

Excluded from "CAPS"	
Operations	
Capital Improvements	450,000.00
Municipal Debt Service	5,611,050.00
Reserve for Uncollected Taxes	2,850,000.00
Total General Appropriations	56,561,000.00

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

ORDINANCE 25-13

AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE ESTABLISHING MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR “MAJOR DEVELOPMENTS”

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

Stormwater Control

Section I. Scope and Purpose:

A. Policy Statement

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

B. Purpose

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

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by Township of Neptune.
3. An application required by ordinance pursuant to C.1. above that has been submitted prior to October 15, 2024, shall be subject to the stormwater management requirements in effect on October 14, 2024.
4. An application required by ordinance for approval pursuant to C.1. above that has been submitted on or after March 2, 2021, but prior to October 15, 2024, shall be subject to the stormwater management requirements in effect on October 14, 2024.

D. Compatibility with Other Permit and Ordinance Requirements

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

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

Section II. Definitions:

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

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

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

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

"Compaction" means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 *et seq.*), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

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

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

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

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

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

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

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

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

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

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

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

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

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or

to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

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

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

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

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

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

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

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

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

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

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

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

Section III. Design and Performance Standards for Stormwater Management Measures

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

Section IV. Stormwater Management Requirements for Major Development

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

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

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

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 1, 2, and 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(b)	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 corresponding to annotations ^(b) through ^(d) are found after Table 1, 2, and 3)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

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

IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

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

O. Green Infrastructure Standards

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

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

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance, is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

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

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

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

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

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

Where

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

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

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

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

R. Stormwater Runoff Quantity Standards

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

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

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

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

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

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

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site

if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

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

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

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

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

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

C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values

shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

Section VI. Sources for Technical Guidance:

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

<https://dep.nj.gov/stormwater/bmp-manual/>.

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

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

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

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

Section VII. Solids and Floatable Materials Control Standards:

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

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

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

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

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- b. A bar screen having a bar spacing of 0.5 inches.

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

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

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basins and/or BMPs.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management basins and/or BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins and/or BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management basin and/or BMPs to ensure proper functioning of the basin outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

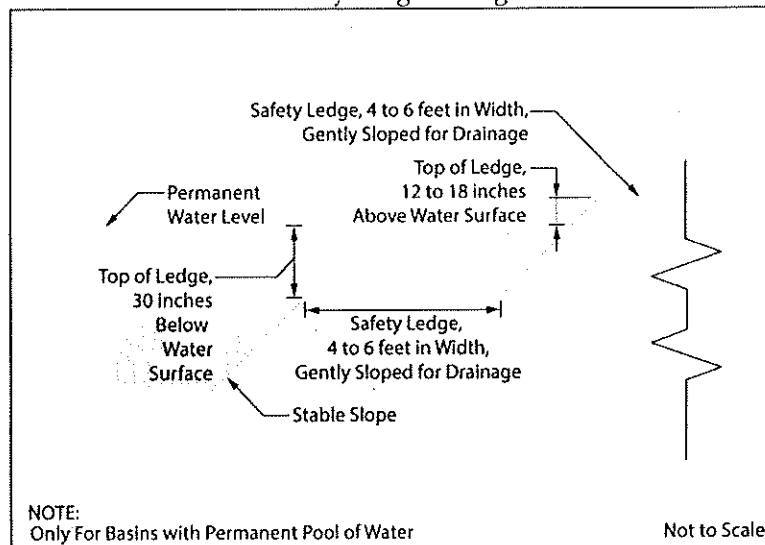
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- 3. Stormwater management basins and/or BMPs shall include escape provisions as follows:
 - i. If a stormwater management basins and/or BMPs 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 basins and/or BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management basins and/or BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management basin and/or BMP; and
 - iii. In new stormwater management basins and/or 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 basin and/or BMP may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

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

B. Site Development Stormwater Plan Approval

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

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

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

2. Environmental Site Analysis

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

3. Project Description and Site Plans

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

4. Land Use Planning and Source Control Plan

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

5. Stormwater Management Facilities Map

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

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

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

6. Calculations

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

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

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

Section X. Maintenance and Repair:

A. Applicability

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

B. General Maintenance

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

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

Section XI. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties as outlined in the Neptune Township General Code Section 1.5 – General Penalties.

Section XII. Severability:

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

Section XIII. Effective Date:

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

Motion/ Second	Roll Call To Adopt On First Reading	YAY	NAY	ABSTAIN	ABSENT
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Adopted on First Reading
Dated: April 21, 2025

Rev. Tassie York
Jason Jones
Derel Stroud
Kevin McMillan
Robert Lane, Jr

William Bray, RMC, CMR
Township Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading	YAY	NAY	ABSTAIN	ABSENT
1. Motion to Amend					
2. Motion to Amend					
3. Motion to Amend					
4. Motion to Amend					
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92. Motion to Amend					

Adopted on Second Reading
Dated: May 12, 2025

Rev. Tassie York
Jason Jones
Derel Stroud
Kevin McMillan
Robert Lane, Jr

William Bray, RMC, CMR
Township Clerk

William Bray
Township Clerk

Robert Lane, Jr.
Mayor

ORDINANCE #25-14

ORDINANCE AMENDING CODE OF THE TOWNSHIP OF NEPTUNE TO CREATE CHAPTER ____: PROJECT LABOR AGREEMENTS

WHEREAS, the Township Committee seeks to ensure that large public construction projects undertaken or directly supported by the Township are conducted with skilled labor, with the highest degree of quality, in a prompt and efficient manner; and

WHEREAS, the Township Committee seeks to utilize project labor agreements for public construction projects exceeding \$5,000,000.00, exclusive of land acquisition costs, in order to guarantee that projects are performed in such manner; and

WHEREAS, these project labor agreements will serve as pre-hire collective bargaining agreements for certain projects, ensuring stable, high quality labor with no strikes or slowdowns to promote efficiency, quality, and timeliness of public construction projects;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey, that pursuant to State Statute allowing municipalities to include project labor agreements in a public construction project on a project-by-project basis, the governing body hereby amends the code of the Township of Neptune to add the following:

SECTION 1. Purpose

The purpose of this chapter is to promote efficiency, quality, and timeliness of public construction projects that are undertaken or directly supported by the Township. At the sole discretion of the Township, for certain large construction projects, where total costs exceed \$5,000,000.00 exclusive of any land acquisition costs, this section will require project labor agreements to be included pursuant to N.J.S.A. 52:38-1, et seq.

SECTION 2. Definitions.

As used in this chapter:

APPRENTICE – A worker who participates in a federally-approved apprenticeship or an apprentice equivalent who receives benefits and pay not less than an apprentice, takes a construction apprenticeship test, and participates in a federally-approved training program.

APPRENTICE PROGRAM – An apprenticeship program operated by an entity registered with the Bureau of Apprenticeship and Training of the United States Department of Labor or an apprentice equivalent program registered and recognized by the Bureau.

CERTAIN PROJECTS – The Township, at its sole discretion, may exempt projects that may fall

under this chapter.

CONTRACTOR — A person or entity awarded a public works project or a contract on a publicly funded project contemplated by this chapter.

CRAFT-REQUEST FORM — Forms that are customarily used by trade or craft unions that delineates job or titles and descriptions which are needed for a particular project.

DEVELOPER — The recipient of financial assistance for a redevelopment area financing project or the contractor for a public works project.

LABOR ORGANIZATION — An organization which represents, for purposes of collective bargaining, employees involved in the performance of construction contracts and eligible to be paid prevailing wages under the "New Jersey Prevailing Wage Act," P.L. 1963, c. 150 (N.J.S.A. 34:11-56.25 et seq.) and has the present ability to refer, provide or represent sufficient numbers of qualified employees to perform the contracted work and which has an apprenticeship program registered by the Bureau of Apprenticeship and Training of the United States Department of Labor.

PROJECT LABOR AGREEMENT — A pre-hire collective bargaining agreement between a labor organization and a developer/contractor that contains, at a minimum, the requirements set forth in this chapter.

PUBLIC WORKS PROJECT — Building, altering, repairing, improving or demolishing any public structure or facility constructed, acquired or otherwise owned by the Township of Neptune to house local government functions or provide water, waste, disposal, power, transportation and other public infrastructure.

PUBLICLY FUNDED PROJECTS — Public works projects and redevelopment area financing projects that is undertaken or directly supported by the Township with total costs exceeding \$5,000,000.00 exclusive of land acquisition costs.

REDEVELOPMENT AREA FINANCING ("RAF") PROJECT — A construction project with total costs exceeding \$5,000,000, exclusive of any land acquisition costs, and receives (1) a tax exemption pursuant to N.J.S.A. 40A:20-1, et seq. or N.J.S.A. 40A:21-1, et seq. and (2) receives some form of redevelopment area financing such as an affordable housing trust fund grant, a community block development grant, or a redevelopment area bond.

SUBCONTRACTOR — A person or entity that engages or performs work or provides materials for a contractor or developer as defined herein that is not in privity of contract with the Township of Neptune.

TOWNSHIP — Means the Mayor, the Township Committee or its designees, and/or the Business Administrator of the Township of Neptune.

TOTAL PROJECTS COSTS — Shall be all costs, inclusive of environmental work, demolition, pre-construction and construction costs, excluding land acquisition costs.

SECTION 3. Coverage And Conflict

This chapter shall apply to "covered projects" which shall include public works and publicly funded projects subject to any conflicting provisions in N.J.S.A. 52:38-1 et seq. or any other applicable New Jersey statute. In the event of any conflict, the statute shall control. To the extent this chapter conflicts with any local ordinance, this chapter shall control.

SECTION 4. Requirements For Covered Projects

Public works projects and publicly funded projects shall require the execution of a project labor agreement that complies with the requirements of this chapter subject to waiver by the Township at its sole discretion. Agreement shall be entered into with a labor organization, or an award of the contract shall be made contingent on the construction manager for the contract negotiating project labor agreements in good faith with one or more labor organizations. Project labor agreements shall conform with the provisions set forth in N.J.S.A. 52:38-1 et seq. and shall:

1. Advance the interest of the Township, including, but not limited to, efficiency, quality, and timeliness of skilled labor and project execution.
2. Guarantee that there will be no strikes, lock-outs, or similar actions.
3. Set forth effective, immediate, and mutually binding procedures for resolving jurisdictional and labor disputes arising before the completion of the work.
4. Ensure that the agreement is binding on all contractors and subcontractors in all relevant and appropriate documents, including bid specifications.
5. Require that all contractors and subcontractors working on the covered project have an apprenticeship program.
6. State that contractors and subcontractors need not be a party to a collective bargaining agreement with the applicable labor organization other than for the project covered by the project labor agreement.
7. State that the terms of the project labor agreement shall prevail over conflicting terms of any collective bargaining agreement.
8. Conform to all statutes, regulations, executive orders, and applicable ordinances concerning affirmative action requirements and set-aside goals for women and minority-owned businesses, with the obligations to comply with expressly provided for in the agreement.
9. Include a publicly available plan which is in full conformance with the requirements of all applicable statutes, regulations, executive orders and Township ordinances and is mutually agreed upon by the participating labor organizations and the public entity or the developer which will own the facilities which are built, altered or repaired under the project, provided that any shares of employment and apprenticeship positions for women and minority group members mutually agreed upon pursuant to

this subsection shall equal or exceed the requirements of other statutes, regulations, executive orders or local ordinances. The plan shall include measures and programs to be taken to meet amount and/or share of work to be completed by women and minority group members as well as requiring Neptune Township residents be first choice for staffing without regard to any other preferential status.

10. Require that 10% of the labor hours shall be performed by Neptune Township residents who are participating in the apprenticeship program and that 100% of the apprentices be Neptune Township residents. If, despite good faith efforts, these requirements cannot be fulfilled, the percentage requirements may be changed by the Township.
11. Require the contract for the covered project to provide whatever resources may be needed to prepare for apprenticeship a number of women and minority members sufficient to enable compliance with the plan agreed upon pursuant to this chapter and provide that the use of those resources be administered jointly by the participating labor organization and the Township.
12. Arrange monitoring by the Township or a state agency of the amount and/or share of work completed by women and minority group members and progressions of such members into apprentice and journey-level positions. This shall include having records made available to the public by the Township or a state agency, as applicable.

A. Advertisement. The Township and labor organization shall mutually agree on print and other media advertising campaigns. Advertisements shall solicit apprenticeship applications for the apprenticeship program, describe requirements for admission, describe job training, and salaries.

B. Pre-construction meeting. Prior to the commencement of construction, the developer shall meet with all relevant Township officials to present workforce needs, provide construction and procurement schedules, and a list of all eligible apprentices. The Township shall communicate any necessary procedures and requirements needed pursuant to this chapter.

C. Job Fair. The Township, labor organization, and developer/contractor shall jointly participate in a job fair to explain and solicit applications for the apprenticeship program.

SECTION 5. Apprenticeship Utilization

On all covered projects, the minority and women employment goals for each developer/contractor and subcontractor for each trade shall be consistent with N.J.A.C. 17:27-7.2. Any developer/contractor and subcontractor that violates this provision shall be subject to enforcement action unless it can be demonstrated that good faith efforts were made to comply. The following constitutes minimal good faith efforts:

- A. Entering into a project labor agreement with letters of assent from relevant contractors/subcontractors.

- B. Convening pre-bid and pre-construction meetings to educate construction managers and subcontractors about the apprenticeship utilization goals.
- C. Cooperating with Township representatives to ensure compliance with this chapter, including prompt access to any and all relevant and requested records as well as access to sites.
- D. Cooperating with contractors and/or subcontractors to ensure proper reporting.
- E. Establishing a point of contact to provide information about pre-apprenticeship or apprenticeship opportunities.
- F. Developing and maintaining lists of persons who are working on the project, who were offered opportunities, who were not hired from referrals, and the like.
- G. Facilitating relationships among approved apprenticeship programs and contractors to enable prompt referrals.
- H. Using and documenting use of Township-approved craft-request forms sent to unions.
- I. Requesting apprentices that are Township residents from union hiring halls.

SECTION 6. Enforcement

Developers/contractors and subcontractors shall submit to the Township a certified declaration of compliance prior to commencement of work. Developers/contractors shall be required that their subcontractors comply with this chapter, and this shall be explicitly stipulated in any contracts executed between the developers/contractors and the subcontractors. Any such contracts shall be submitted to the Township.

- A. Reports and records shall be provided to the Township on a quarterly basis – by March 31st, June 30th, September 30th, and December 31st of each year – concerning work performed during the previous quarter.
 - 1. Manning report. The developer/contractor shall provide a report accurately reflecting total hours in each construction trade or craft and the number of hours worked by employees of the developer/contractor, subcontractor, Township residents, female workers, and minority workers.
 - 2. Certified payroll report. The developer/contractor and subcontractor shall provide a certified payroll report specifying residence, gender,

- ethnic/racial origin, work hours, rate of pay, and benefits provided.
3. Equal employment opportunity reports. The labor organization shall provide a copy of the local union report (EEO-3) and apprenticeship information report (EEO-2).
 4. Apprenticeship reports. The labor organization shall list the names, addresses, and contact information of all Neptune Township residents who were accepted into the apprenticeship program. The report should also include those who were rejected for admission and reasons thereof as well as those who failed to finish the program and reasons for failing to complete the program.
 5. Cost reports. The developer/contractor shall provide the Township with cost reports as requested to ensure total construction costs do not exceed \$5,000,000.00 exclusive of land acquisition costs. Following completion of a project, the developer/contractor shall submit a certificate of actual total construction costs, certified by the project's architect and engineer. This shall be reviewed by the Township at the time of application for a certificate of occupancy upon completion of construction.
 6. Other reports that may be requested by the Township at its discretion.
 7. Certified payroll records shall be maintained by developers/contractors and subcontractors for a period of three years after completion of the covered project. These records shall be timely provided, no later than five business days, upon request by the Township.
- B. All developers/contractors and subcontractors performing work on covered projects shall permit access for representatives of the Township to all work sites and to all applicable records in order to monitor compliance with the provisions of this chapter. If the Township has good cause to believe that there has been noncompliance with this chapter, the Township shall issue a written notice and the noncomplying party shall be afforded an opportunity for a hearing before the Township, whereupon a final determination shall be made, prior to the imposition of the sanctions set forth in this section.
- C. In the event the Township determines that any developer/contractor or subcontractor has failed to comply with the provisions of this chapter, the Township may seek any and all remedies available at law or in equity, including, but not limited to, terminating the contract, assessing damages, debarring contractor or subcontractor from future contracts and financial assistance, and assessing daily fines of up to 10% of the total price of the contract in question.

SECTION 7. Severability

Any provision of this chapter declared unconstitutional, invalid, or

otherwise shall not affect other provisions of this chapter. To this end, each provision of this chapter shall be severable.

SECTION 8. Law Effective Date

This chapter shall take effect after final passage and publication as may be required by law.

Motion/ Second	Roll Call To Adopt On First Reading	YAY	NAY	ABSTAIN	ABSENT	Adopted on First Reading Dated: April 7, 2025
Motion	Rev. Tassie York	X				
	Jason Jones	X				
Second	Derel Stroud	X				
	Kevin McMillan			X		
	Robert Lane, Jr	X				
						William Bray, RMC, CMR Township Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading	YAY	NAY	ABSTAIN	ABSENT	Adopted on Second Reading Dated: April 21, 2025
	Rev. Tassie York					
	Jason Jones					
	Derel Stroud					
	Kevin McMillan					
	Robert Lane, Jr					
						William Bray, RMC, CMR Township Clerk

William Bray
Township Clerk

Robert Lane, Jr.
Mayor

TOWNSHIP OF NEPTUNE

**RESOLUTION 25-181
AUTHORIZING THE PAYMENT OF BILLS**

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

April 21, 2025, BILL LIST

Current Fund	\$7,373,629.91
Grant Fund	\$11,129.42
Trust Other	\$19,221.07
General Capital	\$0.00
Sewer Operating Fund	\$41,748.74
Sewer Capital Fund	68,221.94
Marina Operating Fund	\$5,989.17
Marina Capital Fund	\$0.00
Dog Trust	\$0.00
Library Trust	\$184.42
UDAG Reciprocal Trust	\$0.00
Payroll Fund	\$170588.83
Bill List Total	\$7,690,713.50

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Assistant C.F.O.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-182

**AUTHORIZE AN OPEN PUBLIC RECORDS – RECORDS INFORMATION MANAGEMENT
SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH**

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, namely C. 40A:65-1, *et seq.*, local units, such as the County of Monmouth and this Municipality, may enter into shared services agreements with each other; and

WHEREAS, the County of Monmouth has entered into an agreement with Sunrise Systems, Inc. ("Sunrise"), whereby the County is licensed to access and use Sunrise's web-based system known as the Open Public Records Search System – Records Information Management ("OPRS-RIM"); and

WHEREAS, under the terms of its agreement with Sunrise, the County of Monmouth may sublicense access and use of OPRS-RIM to municipalities within Monmouth County; and

WHEREAS, the County of Monmouth, has offered to enter into a shared services agreement with this Municipality, whereby this Municipality will be authorized as a sublicensee to access and use OPRS-RIM,

WHEREAS, the OPRS-RIM provides for the Inventory Management, Retention Management, and Disposition Management of official records and includes an imaging module that permits the scanning of paper records into TIFF images, which may be stored long-term, searched and retrieved electronically; and,

WHEREAS, the Township of Neptune has participated in this shared service with the County of Monmouth since 2009 and desires to renew this initiative for another five year term; and,

WHEREAS, funds for this purpose are available in the 2025 municipal budget in the appropriation entitled Municipal Clerk O.E. and the Chief Financial Officer has so certified in writing,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the Mayor and Municipal Clerk be and they are hereby authorized to enter into a Shared Services Agreement with the County of Monmouth for a Open Public Records Search System – Records Information Management at an annual cost to the Township of Neptune of \$3,500.00 for a period of five years commencing July 1, 2024 and expiring June 30, 2029; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the County of Monmouth with the executed agreement, Chief Financial Officer and Assistant C.F.O.

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the contract detailed above.

Account Name		Account Number
		01-201-42-120

Michael Bascom, Chief Financial
Officer

Date

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-183

A RESOLUTION TO AMEND THE TIME, DATE AND PLACE OF THE TOWNSHIP COMMITTEE'S REGULAR AND WORKSHOP MEETINGS DURING THE YEAR 2025

WHEREAS, an Act of the legislature known as the "Open Public Meetings Act," enacted October 21, 1975, requires that advance notice be given on all regularly scheduled Agenda and Regular Meetings of the Township Committee of the Township of Neptune, and;

WHEREAS, The Township Committee will host a workshop meeting prior to every regularly scheduled Public Business Meeting. The agenda meeting will begin at 6:00PM, the Public Business Meeting will follow the conclusion of the workshop meeting but start no earlier than 7:00PM at Neptune Township Municipal Building, 25 Neptune Blvd. Neptune, NJ 07753.

WHEREAS, the Township Committee is desirous to amend the schedule adopted and advertised pursuant to the Open Public Meetings Act.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that the regular Agenda and regular public business meetings of the Township Committee during the year 2025 be held in accordance with the below revised schedule set forth in the Notice of Meetings annexed hereto and made a part hereof.

Township Committee Meetings

Day	Date	Time
Monday	May 12, 2025	6:00PM
Thursday	May 29, 2025	6:00PM
Monday	June 9, 2025	6:00PM
Monday	June 23, 2025	6:00PM
Monday	July 14, 2025	6:00PM
Monday	August 11, 2025	6:00PM
Monday	September 8, 2025	6:00PM
Monday	September 22, 2025	6:00PM
Thursday	October 16, 2025	6:00PM
Monday	October 27, 2025	6:00PM
Monday	November 10, 2025	6:00PM
Monday	November 24, 2025	6:00PM
Monday	December 8, 2025	6:00PM
Monday	December 22, 2025	6:00PM
Thursday	January 1, 2026	11:55AM

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-184

AUTHORIZING SUMMER HOURS FOR EMPLOYEES OF NEPTUNE TOWNSHIP

WHEREAS, traditionally, the Township of Neptune has accommodated its employees by providing summer hours, which allow employees to leave early on Fridays during the summer; and

WHEREAS, the intent of the Township Committee to continue the summer schedule as previously approved in prior years, and would like to reestablish summer hours from May 19, 2025 to Labor Day, September 1, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes summer hours as follows:

1. All Neptune Township Public Works employees shall work, Monday through Thursday from 6:30 am – 3:00 pm, working through employee's lunch period during those days, and working on Fridays from 6:30 am to 12 noon.
2. All other Neptune Township employees shall work Monday through Thursday from 8 am - 4 pm and give up one-half of employee's lunch period during the aforesaid days, and working on Fridays from 8 am to 1 pm.
3. This schedule change is in accordance with Section 9-3.4 of the Code of the Township of Neptune, and is subject to employee waiver of notice requirements of Section 9-3.4b&c.

BE IT FURTHER RESOLVED, the schedule is temporary for the summer months beginning July 1, 2025 and ending on Labor Day, or September 1, 2025, with work hours going back to the normal work hours beginning September 2, 2025; unless superseded by a new Resolution adopted by the Township Committee of the Township of Neptune.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

**TOWNSHIP OF NEPTUNE
RESOLUTION 25-185**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE APPOINTING
RESPONSIBLE CHARGE FOR FEDERAL TRANSPORTATION GRANT PROGRAM**

WHEREAS, it is necessary for the Township of Neptune to appoint a qualified individual as Responsible Charge for Federal Transportation Grant Program; and

WHEREAS, Nicole Schnurr has been determined to be a qualified individual to serve as Responsible Charge; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the Nicole Schnurr is hereby appointed as the Responsible Charge for Federal Transportation Grant Program.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

**TOWNSHIP OF NEPTUNE
RESOLUTION 25-186**

APPOINT COMMUNITY DEVELOPMENT REPRESENTATIVES

BE IT RESOLVED, by the Township Committee of the Township of Neptune that Stephanie Oppegaard be and is hereby appointed Community Development Representative of the Township of Neptune for the year 2025; and,

BE IT FURTHER RESOLVED, that Nicole Schnurr is hereby appointed as the Alternate Community Development Representative; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Monmouth County Office of Community Development.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

**TOWNSHIP OF NEPTUNE
RESOLUTION 25-187**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING
EXTENSION OF BID AWARD FOR FLEET MAINTENANCE TO
CENTERRA INTEGRATED SERVICES, LLC**

WHEREAS, on May 10, 2021, the Township Committee adopted Resolution #21-193 which awarded a bid for Fleet Management and Maintenance with Centerra Integrated Services, LLC from July 1, 2021 through June 30, 2024; and,

WHEREAS, the Township Committee adopted Resolution 24-273 on June 10, 2024 to approve the first 1-year- extension of this contract; and

WHEREAS, the Purchasing Agent recommends that the bid be extended for a second and final 1-year extension as permitted by the Open Public Contracts Law and the option in the specifications.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The extension to the bid award to Centerra Integrated Services, LLC for the contract related to Fleet Management and Maintenance for July 1, 2025-June 30, 2026, for \$972,658.16 annual Target Cost is hereby awarded.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. That a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer and Qualified Purchasing Agent.

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted agreement.

Account Name
Vehicle Maintenance OE

Account Number
01-201-26-315-020

Michael Bascom, Chief Financial Officer

Date

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

**RESOLUTION 25-188
AUTHORIZE CHANGE ORDER #1 (FINAL) IN CONNECTION WITH THE
BRADLEY PARK SEWER REPLACEMENT PROJECT**

WHEREAS, on March 12, 2024, 2018, the Township Committee adopted Resolution 24-152 which awarded a bid to Earle Asphalt Company in the amount of \$977,652.94 for the 9th Ave. Sewer Rehabilitation and Repaving Project; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities at project close-out; and,

WHEREAS, this change has been approved by the Township Engineer,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 (final) in the contract with Earle Asphalt Company in connection with the 9th Ave. Sewer Rehabilitation and Repaving Project resulting in a net decrease of \$325,740.69 revising the total contract amount to \$651,912.25; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Assistant C.F.O. and Township Engineer.

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the execution of the above noted agreement.

Account Name
Ord. 21-33 Various Sewer Improvements

Account Number
08-215-55-581-020

Michael Bascom, Chief Financial Officer

Date

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-189

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE ACCEPTING
RESIGNATIONS**

WHEREAS, the Human Resources Director has received notification from employee(s) that they will be resigning their position; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation(s) of noted below are hereby accepted.

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>DATE OF NOTIFICATION</u>	<u>EFFECTIVE DATE OF RESIGNATION</u>
Ashley Neptune	Vital Statistics	CSR Vital	4/14/2025	4/18/2025
Frank Doremus	Marina	Marina Attendant	4/09/2025	4/30/2025

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the respective departments, Business Administrator and Human Resources Director.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 24-190

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE AUTHORIZING THE PUBLIC AUCTION SALE OF VARIOUS SURPLUS ITEMS DEEMED UNNECESSARY FOR MUNICIPAL OPERATION

WHEREAS, there are vehicles and equipment owned by the Township of Neptune which are no longer of use to the Township and the Director of Public Works, Purchasing Agent and Business Administrator have recommended that they be sold; and,

WHEREAS, the Township of Neptune will auction said vehicles through an on-line auction in compliance with state rules and regulations for a period of three days; and,

WHEREAS, the Municipal Clerk shall provide proper advertisement and notice in accordance with state statute in addition to posting the auction information on the Township's web site; and,

WHEREAS, said vehicles and trailers to be sold are as follows:

Year	Truck #	Make	Model	Description	Vin/Serial Number
2000		New Hol	555E	Backhoe	31027682
2000	Food Tr	Freightliner	UNK	Food Truck	4UZA3NT29YCF82775
2001	445	Int	2654 6x4	Tandem W/ salter and plow	1HTGADT41H377843
2001	608	CHEV	S10	PICKUP	1GCDT19W018201583
2004	610	FORD	RANGER	PICKUP	1FTZR45E340PA36822
2004	611	FORD	RANGER	PICKUP	1FTZR45EX4PA36820
2004	427	INT	7400	SINGLE AXLE W/ SALT& PLOW	1HTWDAAR14J019645
2008		CHEV	IMPALA		2G1WB58K989206130
2009		DODGE	DURANGO		1D8HB38P99F712552
2006	609	FORD	EXPLORER		1FMEW72EX6UB13818
2007	852	CHEV	SUBURBAN		3GNGK26K17G275838
2011		CHEV	TAHOE		1GNGK2E08BR238515
2012		CHEV	IMPALA		2G1WA54E38C1215375
2012		CHEV	IMPALA		2G1WAQ5E39C1198425
2013		CHEV	TAHOE		1GN5K2E02DR257824
2014	405	GLOBAL	M3	STREET SWEEPER	1G9GM3HJ8ES462048
2014		JEEP	PATRIOT		1C4NJRBBXED756666
2014		JEEP	PATRIOT		1C4NJRBB8ED756665
2015	34-2-56	FORD	E-SERIES	AMBULANCE BODY	1FDXE4F52FDDA08971
UNK		UNK	5 TON	5TON 6X6 TRUCK	23/03585
1989	54-1-91	SUTPHEN		LADDER FIRE TRUCK	159A3KFE2K1003626
1986	54-3-76	PIERCE	ARROW	FIRE TRUCK	1P9CA01DXGA040348
2017		FORD	EXPLORER		1FM5K8AR8HGE15321
2018		FORD	EXPLORER		1FM5K8AR0KGA12554
UNK		HOTSY		HOT PRESSURE WASHER	11090770-101466
UNK		WESTERN		HTS ULTRA FINSH	
UNK		BOSS		BOSS SNOWPLOW	

UNK		WESTERN		ULTRA FINISH	
UNK		WESTERN		WESTERN PLOW	
UNK		WESTERN		WESTERN PLOW	
UNK		WESTERN		WESTERN PRO PLUS UNLTRA FINISH	
2005		WB	RCP	NIGHTSCAN RCP BY WB	5-15-158/168
UNK		SALTDogg		325GAL ANTI ICE TANK	
UNK				6 MISC YARDAGE CANISTERS	
UNK		Gledhill		2 Gledhill plow frames	
2008		Ford	F-350	F-350 Flatbed	1FTWX33RX8EE05010
2013	34-9-99	CHEV	TAHOE		1GNSK2E03DR211192
2004	403	UD	1400	HUSKY STREET SWEEPER	JNAUZU1384A355085
2009	443	INT	Workstar	Tandem W/ salter and plow	1HTWPAAT09J194074
2006	607	FORD	F-250	PICKUP	1FTSF21PX6ED26642
2004		FORD	F-350	RACKBODY	1FDWW37P44EC19819
2018		FORD	EXPLORER		1FM5K8AR9KGA12553

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune as follows:

1. That the above listed vehicles are declared as surplus and not needed for public use,
2. That the execution of a contract with USGovBid/Auction Liquidation Services to provide on-line auction services at a commission rate of 6.5% is hereby approved,
3. That the sale of the above vehicles is hereby authorized through an on-line auction at www.usgovbid.com from Saturday, May 3, 2025 at 9:00AM to Tuesday, May 6, 2025 at 7:00 p.m. Additional details will be provided in the required legal advertisement and on the Township web site,
4. That the said vehicles and equipment are being offered "as is - where is" without any reserve prices;
5. The township reserves the right to reject all bids if it determines the sale is not in the best interests of the Township
5. That should any vehicle be unsuccessfully sold at auction, disposal of such vehicle is hereby authorized in accordance with state law,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Purchasing Agent, Chief Financial Officer, and Director of Public Works.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-191

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
SUPPORTING THE SUBMISSION OF APPLICATION FOR MONMOUTH COUNTY SUMMER YOUTH
WORK EXPERIENCE PROGRAM GRANT**

WHEREAS, the Director of Recreation is requesting authorization from the Township Committee to submit an application to Monmouth County for the Summer Youth Work Experience Program Grant, and;

WHEREAS, The Director of Recreation wishes to utilize this grant to employ youths between the ages of 16-25 in our Summer Recreation programs, and;

WHEREAS, the Township of Neptune is seeking to apply for a maximum grant amount of \$51,000.00 to cover the wages of up to 15 youths.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune that:

1. The Township Committee supports the submission of an application to Monmouth County for the Summer Youth Work Experience Program Grant.
2. All Township officials, including, but not limited to, the Mayor, Business Administrator, Recreation Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.
3. A certified copy of this resolution be forwarded to the Recreation Director and Chief Financial Officer.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-192

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE GRANTING
PERMISSION FOR CLOSURE OF ROAD IN RELATION TO JUNETEENTH CELEBRATION ON JUNE 21, 2025**

WHEREAS, A request to the Mayor and Township Committee of the Township of Neptune requesting permission to close West Lake Ave between Rt. 35 and Drummond Ave on June 21 from 9 a.m. to 2 p.m. for Juneteenth Celebration, and;

WHEREAS, The Township Clerk with consultation from the Business Administrator, Chief Financial Officer and Police Department have found this activity to be allowable, and;

WHEREAS, any necessary licenses or inspections that may be required for any activities occurring during such event by State Law or Local ordinance must be applied for and obtained prior to the event, and;

BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey that permission be granted close West Lake Ave. between Route 35 and Drummond Ave. from 9:00AM to 2:00PM on June 21, 2025.

BE IT FURTHER RESOLVED, that all Township Officials, including, but not limited to the Mayor, Business Administrator and Township Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-193

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE CO-SPONSORING THE THIRD ANNUAL JUNETEENTH CELEBRATION

WHEREAS, it is desirous of the Neptune Township to co-sponsor the Fourth Annual Juneteenth Celebration event scheduled for June 21, 2025, and;

WHEREAS, to assist with the event, the Township of Neptune will provide:

- Use and Access of Midtown Commons Park
- Providing and clearing of receptacles for trash and recycling
- Assignment of sufficient officers as determined by the Chief of Police
- Use and Access of Area in front of Municipal Building
- Providing barricades for road closures

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that

1. Permission for the event detailed above be granted and the host(s) are notified of requirements to comply with all rules and regulations regarding the activities intended to occur.
2. All licenses, permits and inspections that may be necessary to host such an event must be procured by the event organizer. This includes, but is not limited to games of chance, permits associated with Alcoholic Beverage Control, health inspection, fire inspection and mercantile registrations.
3. Fees associated with the labor required by the Township will be waived.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR
Township Clerk

TOWNSHIP OF NEPTUNE

RESOLUTION 25-194

RESOLUTION AUTHORIZING DEVELOPER'S AGREEMENT WITH THE TOWNSHIP OF NEPTUNE AND K HOVNANIAN'S COUNTRY WOODS, LLC AND CW NEPTUNE, LLC, LOCATED AT JUMPING BROOK ROAD AND TEE PLACE, BLOCK 3101, LOT 1, NEPTUNE TOWNSHIP, NEW JERSEY.

WHEREAS, RMH at Country Woods, LLC ("RMH"), received Preliminary and Final Subdivision Approval by the Neptune Township Planning Board, as set forth in Resolution #23-09 (the "Approval") for the property located at Jumping Brook Road and Tee Place, formally known as Block 3101, Lot 1 on the Tax Map of the Township of Neptune (the "Property"); and

WHEREAS, the Approval will create a thirty-two (32) lot subdivision, with thirty-one (31) single-family homes, and one (1) open space lot with related improvements; and

WHEREAS, K. Hovnanian's Country Woods at Neptune, LLC ("Hovnanian") is the contract purchase of the Property from RMH, and will be the developer responsible for constructing and selling the residential homes within the development to be known as Country Woods at Neptune; and

WHEREAS, CW Neptune, LLC ("CW") is the developer responsible for the site improvement and lot development for Country Woods at Neptune; and

WHEREAS, Hovnanian and CW have agreed to enter into a Developer's Agreement with the Township of Neptune to guarantee the faithful performance of the obligations and representations associated with the Approval from the Planning Board of Neptune Township; and

WHEREAS, it is in the best interest of the citizens of the Township of Neptune for the Township to enter this Developer's Agreement with Hovnanian and CW, to ensure the proper compliance and guaranteed performance of items and improvements made on said Property.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey:

1. The Mayor and Clerk are hereby authorized to execute the aforesaid Developer's Agreement with Hovnanian and CW, a true copy of which is attached hereto as Exhibit "A" for compliance with the Planning Board of Neptune Township's Resolution #23-09, and representation upon submission and approval of all conditions arising from the aforesaid Resolution, and return the same to the Township Attorney for recording in the Clerk's office of Monmouth County.
2. The Business Administrator and Staff of the Township of Neptune are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.

3. This Resolution shall be effective immediately.

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on April 21, 2025.

William Bray, RMC, CMR

Township Clerk