

**Seaside Park, New Jersey**  
**ORDINANCE NO. 12-2021**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 135-7 ENTITLED  
“PERMITS REQUIRED FOR USE OF BEACH; RATES” OF THE CODE OF THE  
BOROUGH OF SEASIDE PARK, NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows (underline is new section, ~~strikethrough is deleted~~):

**§ 135-7(A)(5) Permits Required for use of Beach; Rates.**

Daily beach badges shall be \$12 per person.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of March 11, 2021, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 25<sup>th</sup> day of March, 2021, at 7:00 p.m., at the Council Chambers, Borough Hall, located at at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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Honorable John Peterson  
MAYOR

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Sandra Martin, RMC  
Municipal Clerk

**Seaside Park, New Jersey**  
**ORDINANCE NO. 2021-13**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 135-7A ENTITLED “PERMITS REQUIRED FOR USE OF BEACH; RATES” OF THE CODE OF THE BOROUGH OF SEASIDE PARK, NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows (underline is new section, ~~strikethrough is deleted~~):

**§ 135-7(A)(5) Permits Required for use of Beach; Rates.**

~~A. Beach badges.~~

~~[Amended 10-26-2017 by Ord. No. 1734; 3-22-2018 by Ord. No. 1743]~~

~~(1) Holiday preseason beach badges shall be \$55 per person when purchased on or before December 31 or when the holiday preseason program ends.~~

~~[Amended 4-11-2019 by Ord. No. 1905]~~

~~(2) Preseason beach badges shall be \$60 per person when available for sale on May 1 and purchased no later than June 14, and will be \$65 when purchased thereafter.~~

~~[Amended 4-11-2019 by Ord. No. 1905]~~

~~(3) Senior citizen beach badges shall be \$20 per person who is considered to be 65 years of age or older with proof of age.~~

~~(4) One week beach badges shall be \$35 per person for a one week beach badge. Each beach badge shall be in effect from the opening of the beach each Saturday morning during the summer season until the closing of the beach the following Saturday afternoon.~~

~~(5) Daily beach badges shall be \$10 per person.~~

All beach badges shall be set by Resolution annually by the governing body.

NOTICE NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of March 11, 2021, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 25th day of March, 2021, at 7:00 p.m., at the Council Chambers, Borough Hall, located at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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Sandra Martin, RMC

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Honorable John Peterson  
MAYOR

**ORDINANCE 03-2021**

**AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, REPEALING CHAPTER 200 SECTION 56 STORMWATER CONTROL OF THE BOROUGH CODE AND REPLACING IT IN ITS ENTIRETY WITH THE FOLLOWING NEW SECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJDEP”) recently amended its state-wide Stormwater Management Rules, N.J.A.C. 7:8, *et seq.*; and

**WHEREAS**, the Borough of Seaside Park (the “Borough”) has maintained and continues to maintain its municipal stormwater management regulations within its Borough Code located at Chapter 200 Section 56, entitled “Stormwater Control”; and

**WHEREAS**, pursuant to the requirements of the NJDEP, the Borough must now amend its local stormwater control regulations within Chapter 200 Section 56 of the Borough Code to be consistent with NJDEP amendments and mandates;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Seaside Park, County of Ocean, and State of New Jersey as follows:

SECTION 1. Chapter 200 Section 56 entitled “Stormwater Control” of the Revised General Ordinances of the Borough of Seaside Park is hereby deleted and replaced with the following:

**Section I. Scope and Purpose:**

A. Policy Statement

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

B. Purpose

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

### C. Applicability

1. This ordinance shall be applicable to the following major developments:
  - a. Non-residential major developments; and
  - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Seaside Park. If there are conflicting law, rules or regulations, the stricter law, rule or regulation shall apply. Applicants are entitled to apply to any legal relief that is permitted.

### 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 Ocean County Board of 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 the effective date of this ordinance, whichever is earlier}*; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

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

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

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

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

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

ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

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

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

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

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

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

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

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

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

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

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

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 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, boardwalk, 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; boardwalk, or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
  - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would

provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.

- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at: [https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm).
  
- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

**Table 1**  
**Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff**  
**Quality, and/or Stormwater Runoff Quantity**

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

**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)**

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

<p align="center"><b>Table 3</b>  <b><u>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or</u></b>  <b><u>Stormwater Runoff Quantity</u></b>  <b><u>only with a Waiver or Variance from N.J.A.C. 7:8-5.3</u></b></p>				
<b><u>Best Management Practice</u></b>	<b><u>Stormwater Runoff Quality TSS Removal Rate (percent)</u></b>	<b><u>Stormwater Runoff Quantity</u></b>	<b><u>Groundwater Recharge</u></b>	<b><u>Minimum Separation from Seasonal High Water Table (feet)</u></b>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device<sup>(h)</sup></u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter<sup>(c)</sup></u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

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

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

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone); 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;

2. 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;
3. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
4. The size of the orifice at the intake to the outlet from the stormwater management basin 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 appropriate Ocean County offices. 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 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 County Clerk or the registrar of deeds and mortgages and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

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

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

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

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
  - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
  - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
  - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved

remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

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

Q. Stormwater Runoff Quality Standards

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

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

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

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

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

Where

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

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

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

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

#### R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:

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

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

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

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

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

[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1044171.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf)

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

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

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

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section V.A.1.i and the Rational and Modified Rational Methods at Section V.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover 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.

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

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

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

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

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

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

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

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

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

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

- ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

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

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

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

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

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

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

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

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- 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. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins 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 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 less than two inches across the smallest dimension
    - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
  - 3. Stormwater management basins shall include escape provisions as follows:
    - i. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With

the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;

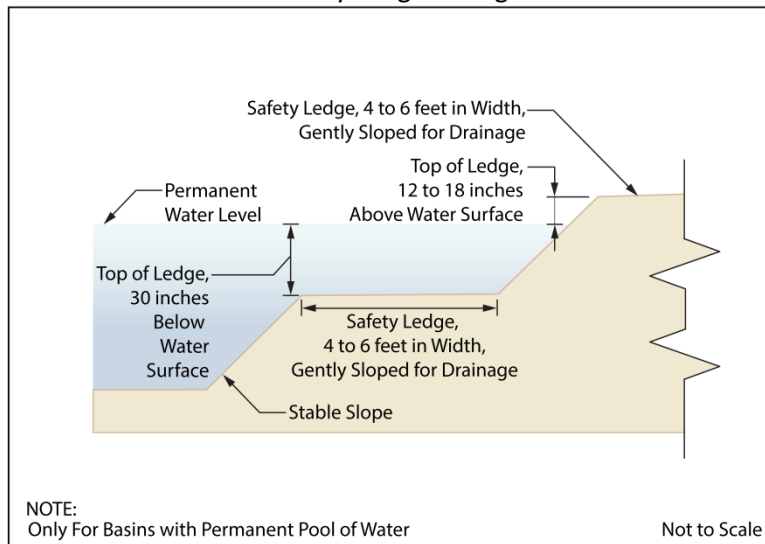
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and 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
- iii. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

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

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



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

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

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit fifteen (15) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

### **B. Site Development Stormwater Plan Approval**

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

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

The following information shall be required:

#### **1. Topographic Base Map**

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

#### **2. Environmental Site Analysis**

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

### 3. Project Description and Site Plans

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

### 4. Land Use Planning and Source Control Plan

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

### 5. Stormwater Management Facilities Map

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

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

### 6. Calculations

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

### 7. Maintenance and Repair Plan

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

## 8. Waiver from Submission Requirements

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

## **Section X. Maintenance and Repair:**

### A. Applicability

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

### B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
  - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

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 penalties as per Chapter 1 Article II General Penalty of the Borough Code of Seaside Park.



**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.

SECTION 2. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the Borough Planning Board for its review and comment. The Borough shall send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 3. This ordinance shall take effect after second reading and publication as required by law and the filing of the adopted ordinance with the Ocean County Planning Board.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of Borough of Seaside Park held on the **28<sup>TH</sup>** day of January , **2021**, and will be considered for second and final passage at a meeting of the Borough Council to be held on the 11th day of March , **2021**, at 7:00 p.m. at the Municipal Building located at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

INTRODUCED: JANUARY 28, 2021  
ADOPTED: MARCH 11, 2021

APPROVE:

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MAYOR JOHN PETERSON JR.

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**SANDRA F. MARTIN, RMC, CMR, Clerk**

**BOROUGH OF SEASIDE PARK  
ORDINANCE 06-2021**

**AS ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

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

**WHEREAS**, the Borough Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$ 225,579.73 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Seaside Park, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Seaside Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 315,811.62 and that the CY 2021 municipal budget for the Borough of Seaside Park be approved and adopted in accordance with this ordinance; and

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

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

**BOROUGH OF SEASIDE PARK  
ORDINANCE 06-2021**

**AS ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

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

**PLEASE TAKE NOTICE** that the above Ordinance No. 06-2021 was introduced and passed on first reading at the February 11, 2021 meeting of the Mayor and Borough Council and will be considered for a second reading and final passage during the Regular meeting scheduled directly following the 7:00 p.m. Work Session on the 11<sup>th</sup> day of March 2021, in the Borough Council Meeting Room located at Sixth & Central Avenues Seaside Park, New Jersey at which time and place any person desiring to comment on this Ordinance will be given the opportunity to be heard. In the event the meeting on March 11, 2021, is a virtual meeting, instructions regarding attendance and participation in the meeting will be posted on the Borough's website (<https://www.seasideparknj.org/>).

A copy of this ordinance has been posted on the bulletin board upon which notices are customarily posted in the Borough Hall at 1701 N. Ocean Avenue, Seaside Park, during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Seaside Park, in the County of Ocean, New Jersey.

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Sandra F. Martin RMC CMR  
Municipal Clerk

APPROVED:

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John A. Peterson , Mayor

**Seaside Park, New Jersey**  
**ORDINANCE NO. 08-2021**

**2021 Salary Ordinance**

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the Borough must set salaries for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

WHEREAS, the following salaries for the officers hereinafter set forth for the year 2020 commencing on the adoption of this Ordinance and each year thereafter until amended or repealed, are hereby established and fixed as the salary to be paid for the officers wherein the salaries are set at fixed figures and for the officers wherein a minimum and maximum range is set for the salaries, the salaries shall be paid to the holders of said positions within the minimum and maximum range set by resolution of the; and

WHEREAS, employees covered by collective bargaining agreements are listed here for reference and the agreements shall be the basis their salaries in the event that the agreements are amended before this Ordinance is; and

WHEREAS, all salaries are awarded via Resolution of the governing body; and

WHEREAS, the 2021 Salary Ordinance setting salary rates for officers and employees is as follows:

**SCHEDULE A**

**Managerial Executive/Confidential/Statutory/Non-Collective Bargaining Unit employees**

<b><u>Title</u></b>	<b><u>Salary Range (Annually, unless otherwise</u></b>		
Borough Administrator (full-time)	\$ 75,000	to	\$130,000
Borough Administrator (part-time)	\$ 25,000	to	\$40,000
Chief Financial Officer	\$ 70,000	to	\$100,000
Chief Financial Officer (temporary)	\$ 45,000	to	\$85,000
Chief of Police	\$ 110,000	to	\$175,000
Municipal Clerk	\$ 70,000	to	\$100,000
Deputy Municipal Clerk	\$ 40,000	to	\$80,000
Municipal Court Administrator	\$ 70,000	to	\$100,000
Tax Assessor (part-time)	\$ 10,000	to	\$20,000
Municipal Court Judge	\$ 35,000	to	\$45,000
Tax Collector/ Water & Sewer Collector	\$ 45,000	to	\$ 70,000
Water & Sewer Superintendent	\$ 80,000	to	\$120,000
Supervisor, Public Works	\$ 65,000	to	\$120,000

Recreation Leader	\$ 10,000	to	\$ 30,000
Assistant to the Chief Financial Officer/ Finance Clerk	\$ 38,000	to	\$ 50,000
Purchasing Agent	\$ 2,000	to	\$ 25,000
Welfare Director	\$ 7,250	to	\$8,500
Executive Secretary	\$ 20,000	to	\$45,000
Mayor	\$ 5,500	to	\$12,500
Council Member	\$ 4,200	to	\$12,000
Senior Public Safety Communicator/ Senior Police Records Clerk	\$15,000	to	\$50,000
Deputy Registrar	\$500	to	\$1500
Marina Supervisor	\$10,000	to	\$30,000
Marina Worker	\$10,000	to	\$24,000
Marina Worker (seasonal/hourly)	\$12.00	to	\$20.00
Substitute Secretary for the Joint Planning Board/Zoning Board of Adjustment	\$224 a month stipend		
Planning Board Administrative Secretary	\$250 a meeting		
Planning Board Recording Secretary	\$1000 annual stipend		
Floodplain Managers	up to \$5,000 annual stipend		
Alt. Floodplain Managers	up to \$4,000 annual stipend		
Acting Municipal Clerk	\$1000 annual stipend		
Tax Search Officer	\$2,500 --\$4000 annual stipend		
Municipal Alliance Coordinator	up to \$3600 annual stipend		
Licensed Water Operator	\$4000 annual stipend		
Asst. Licensed Water Operator	\$1200 annual stipend		
Recycling Coordinator	\$2000 -- \$4000 annual stipend		
Asst. Recycling Coordinator	\$1200 annual stipend		
Asst. Water Treatment Plant Operator	\$1200 annual stipend		
Stormwater Coordinator	\$1000 annual stipend		
Registrar	No compensation		
Rental Inspector	\$10 - \$20 per inspection		
Emergency Back Up Deputy Court Administrator	\$60.00 -- \$90.00 per call out		

Emergency Manager Coordinator	\$2500 annual stipend
Deputy, Emergency Manager Coordinator	\$2500 annual stipend

**SCHEDULE B**  
**Permanent part-time hourly employees**

<u>Title</u>	<u>Salary Range (hourly unless otherwise noted)</u>		
Clerk	\$10.00	to	\$25.00
Deputy Treasurer	\$23.00	to	\$30.00
Purchasing Assistant/ Assistant Purchasing Agent	\$15.00	to	\$30.00
Parking Meter Collector/Repairer	\$10.00	to	\$25.00
Municipal Alliance Coordinator	\$10.00	to	\$25.00
Construction Official	\$45.00	to	\$60.00
Technical Assistant to the Construction Official	\$10.00	to	\$30.00 (up to \$2411 annual)
Building Sub Code Official	\$30.00	to	\$45.00
Fire Sub Code Official	\$30.00	to	\$45.00
Electrical Sub Code Official	\$30.00	to	\$45.00
Plumbing Sub Code Official	\$30.00	to	\$45.00
Other DCA Sub Codes not listed	\$30.00	to	\$45.00
Zoning Official	\$35.00	to	\$60.00
Code Enforcement Officer	\$26.00	to	\$46.00
Code Enforcement Officer Trainee	\$25.00	to	\$45.00
Building Inspector	\$25.00	to	\$45.00
All other DCA Inspectors not listed	\$25.00	to	\$45.00
Building Maintenance Worker	\$10.00	to	\$17.50
Sanitary Worker/Public Works	\$10.00	to	\$17.50
Building Maintenance Worker, Public Works	\$10.00	to	\$17.50
Water Operator	\$4000 Annual Stipend		
Deputy Tax Collector (part-time)	\$15	to	\$20 an hour



**SCHEDULE C**  
**Seaside Park Public Works Employee Association**

<u>Title</u>	<u>Salary range (annual unless otherwise noted)</u>		
Public Works Repairer	\$50,000	to	\$70,000

Senior Public Works Repairer	\$50,000	to	\$70,000
Equipment Operator	\$50,000	to	\$70,000
Maintenance Repairer	\$40,000	to	\$80,000
Senior Maintenance Repairer	\$50,000	to	\$85,000
Asst. Supervising Maintenance Repairer	\$50,000	to	\$70,000
Maintenance Repairer/Sanitation Driver	\$40,000	to	\$55,000
Mechanic	\$50,000	to	\$82,000
Sewer Repairer/Water Repairer	\$40,000	to	\$60,000
Laborer	\$30,000	to	\$45,000
Water/Sewer Treatment Plant Operator	\$50,000	to	\$70,0000

This ordinance incorporates by reference any other wages, salary, stipends and compensation which may be include in the collective bargaining agreement between the Borough of Seaside Park and Seaside Park Public Works Employee Association.

**SCHEDULE D**  
**New Jersey State Policeman's Benevolent Association**  
**Local 182**

<u>Title</u>	<u>Salary range (annual unless otherwise noted)</u>		
Patrolman	\$40,000	to	\$120,000
Sergeant	\$105,000	to	\$125,000
Lieutenant	\$110,000	to	\$130,000
Officer in Charge	\$1000 monthly stipend		

The salary range is based upon a regular rate of pay and includes stipends and shift differentials.

This ordinance incorporates by reference any other wages, salary, stipends and compensation which may be include in the collective bargaining agreement between the Borough of Seaside Park and PBA Local 182.

**SCHEDULE E**

**Office and Professional Employees International Union Local 32**

<u>Title</u>	<u>Salary range (annual unless otherwise noted)</u>		
Deputy Municipal Court Administrator	\$36,000	to	\$55,000
Account Clerk	\$20,000	to	\$45,000
Senior Account Clerk/Typing	\$30,000	to	\$50,000
Senior Clerk Typist	\$30,000	to	\$45,000
Senior Account clerk	\$30,000	to	\$50,000
Violations Clerk	\$30,000	to	\$45,000
Clerk Typist	\$20,000	to	\$35,000
Assistant Violations Clerk	\$20,000	to	\$35,000
Senior Records Clerk	\$30,000	to	\$55,000

This ordinance incorporates by reference any other wages, salary, stipends and compensation which may be include in the collective bargaining agreement between the Borough of Seaside Park and OPEIU Local 32.

**SCHEDULE F**  
**Seasonal Employees**

<u>Salaried Title</u>	<u>Salary range (annual unless otherwise noted)</u>		
Captain, Lifeguard	\$17,000	to	\$22,000
Marina Master	\$18,000	to	\$22,000
Manager, Beach Control (Finance)	\$10,000	to	\$17,000
Asst. Manager, Beach Control (Operations)	\$9000	to	\$16,000
Event Coordinator, Recreation	\$1000	to	\$2000
<u>Hourly title</u>	<u>Hourly rate (unless otherwise</u>		
Police Matron	\$16.00	to	\$20.00
Pump-Out Boat Operator	\$14.00	to	\$25.00
Clerk	\$ 11.00	to	\$25.00
Laborer	\$ 11.00	to	\$17.50
Sanitation Worker	\$45.00	to	\$60.00 PER DAY
Lifeguard Captain	\$20.00	to	\$30.00
Lifeguard Lieutenant	\$15.00	to	\$25.00
Lifeguard Sergeant	\$14.00	to	\$24.00
Lifeguard	\$11.00	to	\$15.00
Finance Assistant (Beach Control)	\$11.00	to	\$15.00
Operations Assistant (Beach Control)	\$11.00	to	\$15.00
Checker, Beach	\$ 11.00	to	\$13.00
Police Officer, Special Class I	\$ 11.00	to	\$15.00

<u>Hourly title</u>	<u>Hourly rate (unless otherwise</u>		
Police Officer, Special Class II	\$ 11.00	to	\$19.00
Recreation Attendant	\$ 11.00	to	\$20.00
Class Instructor, Recreation	\$15.00	to	\$30.00

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on the first reading at the regular meeting of the Borough Council of the Borough of Seaside Park, in the County of Ocean, held on the 25th day of February, 2021 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 11th day of March 2021 immediately following the 7:00 p.m. Work Session at the Council Chambers, Municipal Building, 6th & Central Avenues, Seaside Park, New Jersey at which time and place any person desiring to be heard upon same will be given an opportunity to be so heard. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Borough during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Seaside Park, in the County of Ocean, New Jersey.

JOHN A. PETERSON JR., MAYOR

ATTEST:

SANDRA F. MARTIN, RMC, CMR  
MUNICIPAL CLERK

**ORDINANCE 2021-09**

ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 62 OF THE BOROUGH CODE OF THE BOROUGH OF SEASIDE PARK ENTITLED "POLICE DEPARTMENT"

**BE IT ORDAINED**, by the governing body of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Chapter 62 of the Borough Code of the Borough of Seaside Park entitled "Police Department" is hereby amended and supplemented so as to amend Article I entitled, "Establishment; Organization" so as to amend Section 62-1, entitled "Establishment" which shall read in its entirety as follows:

**Article I Establishment; Organization**

**§62-1. Establishment.**

A. There is hereby created as an executive and enforcement function of the Borough, pursuant to N.J.S.A. 40A:14-118, a Department of Police, which may consist of up to the following positions: one Chief; three Lieutenants; four Sergeants; seven patrolmen, and other such special police officers and civilian personnel as the Mayor and Borough Council may determine necessary for the effective function of the Department.

B. The Police Department shall, pursuant to law, preserve the public peace, protect life and liberty; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Borough of Seaside Park; direct and control traffic; provide attendance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies and provide training for the efficiency of its members and officers. The Police Department shall be located in the Municipal Building in the Borough of Seaside Park or such Police Headquarters as established by the Borough governing body.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of February 25, 2021, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 11<sup>th</sup> day of March, 2021, at 7:00 p.m., at the Council Chambers, Borough Hall, located at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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Sandra Martin, RMC  
Clerk, BOROUGH OF SEASIDE PARK

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Honorable John Peterson  
MAYOR

BOROUGH OF SEASIDE PARK  
OCEAN COUNTY, NEW JERSEY  
ORDINANCE NO. 10-2021

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$85,000.00 FOR ACQUISITION OF MARINE GRADE LUMBER FOR THE BOARDWALK

BE IT ORDAINED, by the Mayor and Borough Council of Borough of Seaside Park in the County of Ocean, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvements described in Section 2 of this Ordinance are hereby respectively authorized as general improvements to be made by the Borough of Seaside Park, New Jersey, for the said improvements or purposes stated in Section 2, there is hereby appropriated the sum of money therein stated as the appropriation made for said improvements or purposes, said sum being inclusive of all appropriations therefore made thereof and amounting in the aggregate to \$85,000.00 which is now available in capital surplus.

SECTION 2. The Borough of Seaside Park, in the County of Ocean, State of New Jersey, is hereby authorized to provide for the following:

Acquisition of marine grade lumber: \$80,000.00

Services associated with the 2:20 costs including advertising of this Ordinance \$ 5,000.00

Total Appropriation and Estimated Costs \$85,000.00

SECTION 3. It is hereby determined and stated:

(a) That said purposes are not a current expense. That the same are improvements which the municipality may lawfully make and that no part of the cost of said improvements has been or shall be specifically assessed on properties specifically benefited.

(b) It is not necessary to finance said appropriations by the issuance of obligations by the Borough of Seaside Park pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the appropriations thereof shall be available from capital surplus in the amount of \$85,000.00

SECTION 4. The Capital Budget of the Borough of Seaside Park is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the amended or temporary Capital Budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available for public inspection.

SECTION 5. The sum of \$85,000.00 is hereby appropriated for the aforementioned purposes.

SECTION 6. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said appropriations, since the gross debt of the municipality, as defined under the Local Bond Law, is not increased by this Ordinance and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 7. This Ordinance shall take effect after publication thereof and final passage as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of February 25, 2021, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 11th day of March, 2021, at 7:00 p.m., at the Council Chambers, Borough Hall, located at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



**BOROUGH OF SEASIDE PARK  
RESOLUTION 104-2021**

**RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT ITEMIZED CLAIMS AS SET FORTH ON THE CHECK REGISTER/BILL LIST FOR THE PERIOD FEBRUARY 12<sup>th</sup> – MARCH 11, 2021**

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**WHEREAS**, the members of the Borough Council have reviewed the vouchers requesting payment of the itemized claims as set forth on the Bill List/Check Register for the period February 12<sup>TH</sup> – March 11, 2021; and

**WHEREAS**, the vouchers requesting payment have been certified by the claimant and approved by the appropriate Borough official having knowledge of the materials or services supplied; and

**WHEREAS**, it is the desire of the Borough Council to approve these payments.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey as follows:

1. The claims set forth on the Check Register/Bill List for the period February 12<sup>th</sup> – March 11, 2021, set forth in the attached are hereby approved for payment.

**BE IT FURTHER RESOLVED THAT** certified copies of said Resolution be forwarded to the following:

1. Borough Mayor & Council
2. John Barrett, CFO

I, Sandra F. Martin, RMC, CMR, Deputy Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on the 11th day of March 2021.

BOROUGH OF SEASIDE PARK, IN  
THE COUNTY OF OCEAN, NEW JERSEY

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SANDRA F. MARTIN, RMC, CMR  
MUNICIPAL CLERK

**RESOLUTION NO. 105-2021**

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING  
THE IMMEDIATE REPEAL OF SENATE BILL NO. 3454  
(P.L. 2021 C. 25)**

**WHEREAS**, Public Question 1, the “Marijuana Legalization Amendment,” was on the ballot in New Jersey as a legislatively referred constitutional amendment on November 3, 2020; and

**WHEREAS**, the text of the ballot question provided as follows:

CONSTITUTIONAL AMENDMENT TO LEGALIZE MARIJUANA

Do you approve amending the Constitution to legalize a controlled form of marijuana called “cannabis”?

Only adults at least 21 years of age could use cannabis. The State commission created to oversee the State’s medical cannabis program would also oversee the new, personal use cannabis market.

Cannabis products would be subject to the State sales tax. If authorized by the Legislature, a municipality may pass a local ordinance to charge a local tax on cannabis products.

**WHEREAS**, Public Question 1 was approved (67.08% Yes votes and 32.92% No votes); and

**WHEREAS**, on February 22, 2021, Governor Phil Murphy signed into law legislation legalizing and regulating cannabis use and possession for adults 21 years and older (A-21, The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act) and decriminalizing marijuana and hashish possession (A-1897). The Governor also signed S-3454, addressing marijuana and cannabis use and possession penalties for individuals younger than 21 years old and imposing criminal penalties on law enforcement officers; and

**WHEREAS**, the majority of New Jersey residents last fall voted in favor to legalize marijuana for use by adults at least 21 years of age. There is no question, nor debate, on the outcome of the ballot question. However, New Jersey residents were not aware at the time of their vote that this would eventually lead to the New Jersey Legislature voting to make law enforcement officers “guilty of a crime” if they notify parents of children under the age of 18 that their child was caught with marijuana or alcohol, on the first offense; and

**WHEREAS**, Senate Bill No. 3454 was voted on, passed and signed into law with less than one hour left before the legalization of marijuana was scheduled to become law; and

**WHEREAS**, as a result of this law, our law enforcement officers will be guilty of a crime if they notify parents that an underage child is using or in possession of marijuana or alcohol on their first offense. Only if the child is found again using or in possession can a law enforcement officer notify the parents; and

**WHEREAS**, the legislation is treacherous to law enforcement officers because it creates a penalty of 3rd Degree Deprivation of Civil Rights if an officer uses the odor or possession of marijuana or alcoholic beverages as the reason for initiating an investigatory stop of a person. The new law states that a law enforcement officer cannot use the odor of marijuana or alcohol as reasonable articulable suspicion to initiate an investigatory stop. The new law states a minor cannot consent to be searched and that a law enforcement officer no longer has probable cause to search a minor for illegally using marijuana or alcohol. And if an officer violates a minor’s rights by using pot or alcohol as the reason for a search then the officer will be charged with the crime of deprivation of civil rights; and

**WHEREAS**, Senate Bill No. 3454 establishes penalties of only warnings for illegal use by minors of marijuana or alcohol but it essentially prevents an officer from even approaching a person suspected of being a minor. The smell of marijuana and its use in the presence of a law enforcement officer will no longer be grounds to search an individual. While marijuana is now legal for those 21 and older Senate Bill No. 3454 is an assault on law enforcement's ability to enforce the law. Senate Bill No. 3454 is an attack on law enforcement officers by making law enforcement officers the target of punishment rather than the individuals breaking the law. This language will have dangerous consequences for the public and law enforcement officers.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey, finds as follows:

1. Senate Bill No. 3454 was passed with little to no discussion, no public transparency, and no public debate.
2. By passing Senate Bill No. 3454, the Legislature and Governor Phil Murphy ignored the judgment of parents over the lives of their children. The requirements of the new law will keep parents in the dark about what may be happening in their children's lives. It shows children there are no major consequences if they are found using marijuana or alcohol for the first time. Parents should have the right to know if their child is using or in possession of marijuana from the first encounter and be given the chance to discuss its consequences before it potentially becomes a larger issue.
3. Senate Bill No. 3454 takes a huge step backward on the path of ensuring children are aware of both the short-term and long-term consequences of drug and alcohol use. Essentially, the Legislature is telling children they have one "free pass" to get caught

with marijuana or alcohol before there are any real consequences.

4. Senate Bill No. 3454 unfairly and unreasonably imposes criminal penalties on law enforcement officers if they are found to have violated new rules dictating underage possession. The odor of cannabis or alcohol will no longer be enough to justify a search. The same holds true for “the unconcealed possession” of an alcoholic beverage, marijuana, hashish or cannabis item, according to the bill text.

5. Senate Bill No. 3454 turns law enforcement officers into criminals. It establishes a legal set of enforcement powers, but it criminalizes the actual enforcement of those powers.

6. Senate Bill No. 3454 contradicts a prior law that banned smoking tobacco products on beaches and boardwalks, but now that law may be essentially unenforceable when it comes to smoking marijuana on beaches and boardwalks. Underage users of marijuana will now be free to smoke it anywhere, including in places the law says is illegal, because merely stopping a person to enforce the law is now illegal for police. Drug dealers will quickly learn to hide their drugs, guns and evidence of crimes on anyone under 18 years of age since merely lighting a joint as the officer approaches will put the officer in jeopardy of making an illegal search and being charged criminally.

7. Senate Bill No. 3454 goes well beyond the express terms of the ballot question and the intent of New Jersey’s voters when they approved the question.

8. Governor Murphy and the State Legislature should take urgent steps to repeal Senate Bill No. 3454 to protect our children and law enforcement officers.

9. A certified copy of this resolution shall be forwarded to Governor Phil Murphy, the State Legislature, Ocean County Board of Commissioners, NJ State League of Municipalities, NJ Municipal Management Association, and NJ State PBA.

### **CERTIFICATION**

I, Sandra F. Martin, RMC, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Park at a meeting held on the 11th day of March, 2021.

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SANDRA F. MARTIN, **RMC**  
Municipal Clerk, Borough of Seaside Park

**BOROUGH OF SEASIDE PARK  
RESOLUTION 106-2021**

**AMENDING RESOLUTION 79-2021; RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR PUMPOUT BOAT SERVICES FOR THE 2021 BOATING SEASON.**

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**WHEREAS**, the Borough of Seaside Park has operated a pump-out vessel called the "Circle of Life" since 1998; in 2008 the County purchased the "Water Warrior" pump out vessel and leased the operation of the boat to Seaside Park, and in 2015, and the "Pollution Solution" joined the Water Warrior as a full-time boat and replaced the "Circle of Life"; and

**WHEREAS**, the County of Ocean Board of Chosen Freeholders has agreed to jointly fund the operation of the pump-out boats for the year 2021 and it is the desire of the Borough Council to authorize an Intergovernmental Agreement with the County of Ocean for this purpose; and

**WHEREAS**, should grant funding become available again this year, the agreement will authorize an additional contribution for the "Circle of Life"; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey as follows:

1. The Mayor and Borough Clerk of the Borough of Seaside Park are hereby authorized and directed to execute an Intergovernmental Agreement for Pump-out Boat Services with the County of Ocean for the two full-time pump-out vessels the "Water Warrior" and the "Pollution Solution" for twenty-thousand dollars and zero cents (\$20,000.00) per vessel for the operation and maintenance and up to ten-thousand dollars and zero cents (\$10,000.00) for the "Circle of Life" for a total amount not to exceed fifty-thousand dollars and zero cents (\$50,000.00) for the three vessels, plus the amount of any state or federal grant funds.
2. This Agreement shall remain in effect until December 31, 2021.
3. A copy of this Agreement shall be kept on file and be available for public inspection in the Office of the Borough Clerk.
4. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution together with the executed agreement to the County of Ocean and the Borough Chief Financial Officer.

**BE IT FURTHER RESOLVED THAT**, certified copies of said Resolution be forwarded to the following:

1. Borough Mayor & Council
2. Administrator
3. Seaside Park Construction Official

I, Sandra F. Martin, RMC, CMR, Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on the 11th day of March 2021.

BOROUGH OF SEASIDE PARK, IN  
THE COUNTY OF OCEAN, NEW JERSEY

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SANDRA F. MARTIN, RMC, CMR  
MUNICIPAL CLERK

**RESOLUTION 107-2021**  
**of the**  
**BOROUGH OF SEASIDE PARK**  
**AWARDING RE-BID 21R-01 BOARDWALK LUMBER SUPPLY**

**WHEREAS** the Borough of Seaside Park publicly advertised and received bids for Re-Bid # 21R-01 Boardwalk Lumber Supply on February 25, 2021 at 10:00 A.M.: and

**WHEREAS** the Borough received two (2) bids that are on file with the Borough Clerk; and

**WHEREAS** the Borough Administrator and Qualified Purchasing Agent have found the response submitted Liberty Building Products/ dba Extech 193 Christie Street, Newark, New Jersey, 07105 to be the lowest responsible bid, in accord with the New Jersey Local Publics Contract Law N.J.S.A 40A:11-1 et. Seq.); and

**WHEREAS**, the Chief Financial Officer has certified funding is available in the amount of \$80,080.00 from:

**Line Item: C-04-99-130-200-001 ---- This is from the Capital Ordinance for second reading on March 11, 2021**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Seaside Park, that the bid from Liberty Building Products/ dba Extech 193 Christie Street, Newark, New Jersey, 07105 is hereby accepted as the lowest responsible bidder and awarded per the New Jersey Local Publics Contract Law; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute contract with Liberty Building Products/ dba Extech 193 Christie Street, Newark, New Jersey, 07105 in the amount bid as per the tenets as found within Bid # 21R-01; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Borough Clerk to the following: DPW Supervisor, CFO, QPA and Finance Clerk.

**CERTIFICATION**

I, Sandra F. Martin, RMC, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Park at a meeting held on the 11th day of March, 2021.

\_\_\_\_\_  
SANDRA F. MARTIN, RMC  
Municipal Clerk, Borough of Seaside Park



**RESOLUTION 108-2021**  
**of the**  
**BOROUGH OF SEASIDE PARK**  
**AWARDING THE PURCHASE OF BOARDWALK LUMBER**

**WHEREAS** the Borough of Seaside Park publicly advertised and received bids for Re-Bid # 21R-01 Boardwalk Lumber Supply on February 25, 2021 at 10:00 A.M.: and

**WHEREAS** the bid was awarded at the March 11, 2021 meeting via Resolution 107-2021; and

**WHEREAS** the Qualified Purchasing Agent obtained the attached quote for lumber at an amount of twenty-thousand, twenty dollars and zero cents (\$20,020.00); and

**WHEREAS** the Borough Council hereby authorized the purchase of the materials as per the attached quote and at the quoted prices; and

**WHEREAS**, the Chief Financial Officer has certified funding is available in the amount of \$80,080.00 from:

**Line Item: C-04-99-130-200-001 ---- This is from the Capital Ordinance for second reading on March 11, 2021**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Seaside Park, that the Borough Council hereby authorizes the purchase of lumber as per the attached quotation; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Borough Clerk to the following: DPW Supervisor, CFO, QPA and Finance Clerk.

**CERTIFICATION**

I, Sandra F. Martin, RMC, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Park at a meeting held on the 11th day of March, 2021.

\_\_\_\_\_  
SANDRA F. MARTIN, RMC  
Municipal Clerk, Borough of Seaside Park

**RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF  
SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY  
AUTHORIZING REMINGTON & VERNICK ENGINEERS, TO PROCEED  
WITH THE DESIGN, BIDDING, CONTRACT ADMINISTRATION, INSPECTION  
AND CORE TESTING FOR THE 2021 NJDOT MUNICIPAL  
AID FOR “G” STREET ROAD RECONSTRUCTION EXTENDING  
FROM CENTRAL AVENUE TO BAYVIEW AVENUE**

**Resolution No. 2021-109**

**Adopted: March 11, 2021**

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**WHEREAS**, the Borough of Seaside Park is a body politic and corporate in law pursuant to N.J.S.A. 40A:60-1 et seq.; and

**WHEREAS**, pursuant to the requirements of N.J.S.A. 40A:11-1, et seq., the Governing Body of the Borough of Seaside Park awarded a contract for engineering services to Remington & Vernick Engineers for the year 2021; and

**WHEREAS**, the Governing Body of the Borough of Seaside Park determined that it was in the best interests of the Borough and its residents to apply to the NJDOT for the 2021 Municipal Aid Grant for Road Reconstruction of “G” Street extending from Central Avenue to Bayview Avenue to include drainage maintenance, inline tide valve installation, curb and sidewalk replacement and full depth roadway reconstruction, including roadway elevation, where possible; and

**WHEREAS**, the Borough Engineers, Remington & Vernick, by letter dated December 2, 2020, advised the Borough Administrator that the NJDOT has allocated \$323,600.00 of State Aid Funds pursuant to the application for a NJDOT 2021 Municipal Aid Grant for the Road Reconstruction of “G” Street extending from Central Avenue to Bayview Avenue; and

**WHEREAS**, the Borough Engineers, Remington & Vernick, by letter dated December 2, 2020 request authorization to proceed with the design, bidding, contract

administration, inspection and core testing in the amount of \$80,562.00 for the performance of said services; and

**WHEREAS**, the Borough Chief Financial Officer has certified that funds are available to award the contract to Remington & Vernick Engineers for the reasons cited hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. Remington & Vernick Engineers are hereby authorized to proceed with the design, bidding, contract administration, inspection and core testing for the NJDOT 2021 Municipal Aid Grant application for Road Reconstruction of "G" Street extending from Central Avenue to Bayview Avenue pursuant to their letter proposal dated December 2, 2020, in an amount not to exceed \$80,562.00, consistent with the scope of services outlined in said letter.

2. The Borough Deputy Clerk is hereby directed to forward a certified copy of this Resolution to Remington & Vernick Engineers for compliance with all New Jersey State laws, statutes, rules and regulations; the Borough Administrator and Chief Financial Officer.

**CERTIFICATION**

I, **Sandra F. Martin, RMC, CMR**, Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on 11<sup>th</sup> day of **March, 2021**.

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**SANDRA F. MARTIN, RMC, CMR**

**RESOLUTION OF THE GOVERNING BODY OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY TO RELEASE THE PERFORMANCE BOND AND ACCEPT THE MAINTENANCE BOND OF A.C. SCHULTES, INC. PURSUANT TO THE CONTRACT FOR WELL NO. 9 REHABILITATION**

**Resolution No. 2021 -110**

**Adopted:**

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**WHEREAS**, the Borough of Seaside Park is a body politic and corporate in law pursuant to N.J.S.A. 40A:60-1 et seq.; and

**WHEREAS**, pursuant to the requirements of the Contract and bid specifications executed by A.C. Schultes, Inc. and the Borough of Seaside Park for Well No. 9 Rehabilitation; and

**WHEREAS**, the Borough of Seaside Park is in receipt of a letter dated January 7, 2021 from Pamela Hilla, PE, CFM, CME, Engineer for the Borough of Seaside Park regarding said Contract advising that Engineer's Certificate No. 3, final payment, in the amount of \$15,381.00 submitted by A.C. Schultes, Inc. which represents the retainage release and final payment for the project cited hereinabove; and

**WHEREAS**, Pamela Hilla, PE, CFM, CME, Engineer for the Borough of Seaside Park for the above-referenced project recommends final payment in said amount, release of the Performance Bond and acceptance of the Maintenance Bond; and

**WHEREAS**, a fully executed original copy of Change Order No. 1 was submitted representing a net contract decrease in the amount of \$15,580.00 for the project cited hereinabove; and

**WHEREAS**, pursuant to the terms and conditions of the Contract and bid specifications, Maintenance Bond No. 30081723 was submitted by A.C. Schultes, Inc. as Principal and the Western Surety Company as surety bound unto the Borough of Seaside Park in the sum of \$102,540.00 for the owner for A.C. Schultes, Inc. for a two (2) year guarantee period from the date of the acceptance of the work under said contract which date shall be established as March 11, 2021; and

**WHEREAS**, the Attorney for the Borough of Seaside Park has approved the form and Maintenance Bond.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. The Performance Bond posted by A.C. Schultes, Inc. under Contract No. 1743 for Well No. 9 Rehabilitation is hereby released.
2. The Maintenance Bond posted by A.C. Schultes, Inc. under Bond No. 30081723, as Principal and Western Surety Company as surety in the amount of \$102,540.00 for Well No. 9 Rehabilitation, effective March 11, 2021, for a period of two (2) years is hereby accepted.

**CERTIFICATION**

I, **Sandra F. Martin, RMC, CMR**, Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on 11<sup>th</sup> day of **March, 2021**.

\_\_\_\_\_  
**SANDRA F. MARTIN, RMC, CMR**

**BOROUGH OF SEASIDE PARK  
RESOLUTION 111-2021**

**A RESOLUTION OF THE BOROUGH OF SEASIDE PARK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE EXECUTION OF AN AGREEMENT  
WITH A PART TIME MUNICIPAL CLERK/REGISTRAR**

**WHEREAS**, the Municipal Clerk/Registrar office is one of busiest offices of the Borough, and the Borough Council desires to appoint a part time Deputy Municipal Clerk/Registrar to assist the Municipal Clerk with her duties, and to offer extended evening hours for the Borough once per week; and

**WHEREAS**, Trina Lindsey is duly qualified to be appointed to the position of part-time Deputy Municipal Clerk/Deputy Registrar for the Borough of Seaside Park; and

**WHEREAS**, the Borough Council desires to hire Trina Lindsey, RMC, QPA, CMR on a part-time, month-to-month basis at a rate of \$25,000.00 per year for Deputy Municipal Clerk/Deputy Registrar duties in accordance with the December 8, 2020 proposal, attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. The Borough Council hereby authorizes the appointment of Trina Lindsey as a part-time Municipal Clerk/Registrar on a month to month basis at a rate of \$25,000.00 per year.
2. That this appointment shall be effective as of the date of this Resolution.
3. That this Resolution shall be forwarded to the Municipal Clerk and Trina Lindsey.

**CERTIFICATION**

I, **Sandra F. Martin, RMC, CMR**, Deputy Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on 11<sup>th</sup> day of **March, 2021**.

\_\_\_\_\_  
**SANDRA F. MARTIN, RMC, CMR**

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

150 Airport Road  
Suite 600  
Lakewood, NJ 08701

o: 732.363.0777  
f: 732.905.6555

**BOROUGH OF SEASIDE PARK  
RESOLUTION 112-2021**

**Resolution of the Borough of Seaside Park Hiring John D. Porter as a Regular Full-Time Laborer I**

**WHEREAS**, the Borough of Seaside Park has the need for a full-time employee in the Department of Public Works to perform the Civil Service job title of Laborer I; and

**WHEREAS**, John D. Porter is hereby hired as a Laborer I at a salary of \$39,455.95 as per the current CBA with the Seaside Park Public Works Employee; and

**WHEREAS**, the hiring date shall be Friday, March 12, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Seaside Park, County of Ocean, State of New Jersey, that the Mayor and Council hire John D. Porter as a full time Laborer I within the Department of Public Works.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to provide a certified copy of this Resolution to the following: Employee, DPW Supervisor, Finance Clerk and the Personnel File.

**I, Sandra F. Martin, RMC, CMR, Deputy Municipal Clerk of the Borough of Seaside Park, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Seaside Park Borough Council at a meeting held on the 11th day of March 2021.**

**BOROUGH OF SEASIDE PARK, IN  
THE COUNTY OF OCEAN, NEW JERSEY**

---

**SANDRA F. MARTIN, RMC, CMR  
MUNICIPAL CLERK**

**RESOLUTION NO. 2021 -113**

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN,  
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A  
SETTLEMENT AGREEMENT WITH THE PBA LOCAL 182**

**WHEREAS**, the Borough of Seaside Park and PBA Local 182 are parties to a collective negotiations agreement effective January 1, 2015 through December 31, 2021 concerning the terms and conditions of employment for the fulltime sworn law enforcement personnel; and

**WHEREAS**, on or about February 3, 2021, the Union filed a grievance with Provisional Chief Boag alleging unit members were entitled to out-of-title work/Pay for Defacto Supervisory Duties; and

**WHEREAS**, on or about February 8, 2021, Provisional Chief Boag denied the grievance at Step 1 and Step 2 of the parties' grievance procedure; and

**WHEREAS**, on or about February 16, 2021, the PBA moved the grievance to Step 3 of the grievance procedure; and

**WHEREAS**, the parties have discussed the PBA's grievance and have reached a mutually acceptable resolution of the underlying issue.

**WHEREAS**, the Borough Council seeks to authorize the execution of a settlement agreement for the aforementioned grievance.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby authorize the memorandum of agreement for the settlement of the Out-of-title work grievance filed by the PBA Local 182, attached hereto as schedule A.
2. That the Mayor and Borough Clerk are authorized to execute and to attest to, respectively, the memorandum of agreement with the PBA Local 182.
3. That a certified copy of this resolution, together with a copy of the agreement between the parties, shall be forwarded to the Provisional Chief of Police, James Boag, Borough Chief Financial Officer, Borough Labor Counsel and PBA Local 182 Counsel.

**CERTIFICATION**

I, **SANDRA MARTIN**, do hereby certify that the foregoing resolution was duly adopted by the Borough of Seaside Park Council at a meeting held on the 11<sup>th</sup> day of March 2021.



**SANDRA MARTIN**, Clerk  
Borough of Seaside Park

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

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