



**AGENDA  
NEWTON TOWN COUNCIL  
FEBRUARY 8, 2021  
7:00pm  
(Via ZOOM)**

Please click this URL to join.

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**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. OPEN PUBLIC MEETINGS ACT STATEMENT**

**IV. APPROVAL OF MINUTES**

- a. January 25, 2021 – Regular Meeting

**V. OPEN TO THE PUBLIC (3 minutes each)**

At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 3 minutes. The Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded.

**VI. COUNCIL & MANAGER REPORTS**

- a. Mayor Dickson
- b. Deputy Mayor Schlaffer
- c. Councilman Couce
- d. Councilman Diglio
- e. Councilwoman Teets
- f. Town Manager Russo

**VII. OLD BUSINESS**

**VIII. ORDINANCES**

- a. Introduction  
Ordinance 2021-2

An Ordinance to Amend, Revise, and Supplement Chapter 258 Titled, "Stormwater Control" of the Town of Newton Code

**IX. CONSENT AGENDA**

All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- a. Resolution #64-2021\* Authorize the Award of a Required Disclosure Contract for Convergent Technologies, Inc.
- b. Resolution #65-2021\* Authorize Credits Due Water and Sewer Utility Accounts
- c. Resolution #66-2021\* Appointment of John-Paul Couce as Town Council Liaison to the Advisory Shade Tree Commission
- d. Resolution #67-2021\* Resolution to Reject, ACB Services, Inc. for Bid 1-2021 Cleaning Services
- e. Resolution #68-2021\* Approval of the Execution of a Shared Services Agreement with Montague Township to Provide Certified Tax Collection Services for February 19, 2021 through December 19, 2021
- f. Resolution #69-2021\* A Resolution Authorizing the Town of Newton to Enter into a Cooperative Pricing Agreement with Hunterdon County Education Services Commission
- g. Resolution #70-2021\* Approval of the Execution of a Shared Services Agreement with Hardyston Township to Provide Certified Tax Collection Services for March 1, 2021 through December 31, 2021
- h. Resolution #71-2021\* Approval of Campbell Freightliner of Orange County for Auto Services Bid 2-2021 Repair of On Road Heavy Vehicles
- i. Resolution #72-2021\* Approve Bills and Vouchers for Payment

**X. DISCUSSION**

**XI. OPEN TO THE PUBLIC (3 minutes each)**

**XII. COUNCIL & MANAGER COMMENTS**

**XIII. EXECUTIVE SESSION**

**XIV. ADJOURNMENT**

**TOWN OF NEWTON  
SUSSEX COUNTY, NEW JERSEY  
ORDINANCE NO. 2021-2**

**AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT CHAPTER 258 TITLED,  
“STORMWATER CONTROL” OF THE TOWN OF NEWTON CODE**

**Purpose Statement:** The purpose of this Ordinance is to amend the existing Stormwater Control Ordinance to address the New Jersey Department of Environmental Protection’s adopted amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8; and

**WHEREAS**, all New Jersey municipalities are required to prepare Stormwater Management Plans and adopt a Stormwater Control Ordinance in order to comply with the New Jersey Stormwater Management Rules at N.J.A.C. 7:8; and

**WHEREAS**, the New Jersey State Department of Environmental Protection has proposed amendments to the Stormwater Management Rules at N.J.A.C. 7:8, which were adopted on October 25, 2019 with an effective date of March 2, 2020; and

**WHEREAS**, the proposed amended Stormwater Management Rules require all New Jersey municipalities to revise their Stormwater Control Ordinance to include the amendments by March 2, 2021; and

**WHEREAS**, the Town of Newton Engineer has proposed amendments, revisions, and/or supplements to Town Code Chapter 258 entitled, “Stormwater Control” of the Newton Town Code based on the required rule changes; and

**WHEREAS**, the Mayor and Council of the Town of Newton hereby accept the recommendation of the Newton Town Engineer to adopt amendments, revisions, and supplements to Town Code Chapter 258 entitled, “Stormwater Control” of the Newton Town Code in accordance with the requirements of the within Ordinance;

**NOW, THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that:

**SECTION 1.** Chapter 258-1 through 258-17 of the existing Town Code is hereby amended, revised, and/or supplemented to delete the existing Town Code Chapter 258, Sections 258-1 through 258-17 by deleting these existing sections and replacing them in their entirety with the following:

**§ 258-1. Policy statement.**

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

**§ 258-2. Purpose.**

The purpose of this Chapter is to establish minimum stormwater management requirements and controls for “major development,” as defined below in § 258-5.

**§ 258-3. Applicability.**

- A. This Chapter shall be applicable to the following major developments:
  - (1) Non-residential major developments; and,
  - (2) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21.
- B. This Chapter shall also be applicable to all major developments that are undertaken by the Town of Newton.

**§ 258-4. Compatibility with other permit and ordinance requirements.**

Development approvals, issued pursuant to this Chapter, 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 provision. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Chapter is not intended to interfere with, abrogate, or annul any other Code provisions, ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Chapter 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.

**§ 258-5. Definitions.**

For the purpose of this Chapter, 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.

COMMUNITY BASIN – 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 – The increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA – The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE – A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY – An agency designated by the Sussex County Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

- A. A county planning agency; or,
- B. 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 – The New Jersey State Department of Environmental Protection.

DESIGNATED CENTER – A State Development and Redevelopment Plan Center as designated by the State Planning Commission, such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER – A person who is 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 – The division of a parcel of land into two (2) 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 – 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 – 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 – 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 – 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.

EROSION – The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE – A stormwater management measure that manages stormwater close to its source by:

- A. Treating stormwater runoff through infiltration into subsoil;
- B. Treating stormwater runoff through filtration by vegetation or soil; or,
- C. Storing stormwater runoff for reuse.

HUC 14 or HYDROLOGIC UNIT CODE 14 – 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 – A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION – The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY – 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 – An individual “development,” as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004. 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 result in the disturbance of one (1) or more acres of land since February 2, 2004. 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 – 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 – Any pervious or impervious surface that is intended to be used by motor vehicles (as defined above) and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY – Any city, borough, town, Town, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or BMP MANUAL – 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 and/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 § 258-7F of this Chapter and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE – An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT – A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON – Any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate and/or Federal agency.

POLLUTANT – 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 – The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE – Any of the following, alone or in combination:

- A. A net increase of impervious surface;
- B. 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);
- C. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or,

- D. 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 – Any of the following, alone or in combination:

- A. The total area of motor vehicle surface that is currently receiving water;
- B. 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 – 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 – The lot or lots upon which a major development is to occur or has occurred.

SOIL – All unconsolidated mineral and organic material of any origin.

STATE PLAN POLICY MAP – Is the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies and the official map outlining these goals and policies.

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

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

STORMWATER MANAGEMENT MEASURE – 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 – Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY – A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA – 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.

WATER CONTROL STRUCTURE – A structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two (2), ten (10), or one hundred (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 – 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 – 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.

**§ 258-6. 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 Chapter 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 (WQMP) adopted in accordance with Department rules.

**§ 258-7. 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 § 258-17 of this Chapter below.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §§ 258-9, 258-10 and 258-11 of this Chapter below:
  - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and,

- (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of fourteen (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 §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below to the maximum extent practicable;
- (3) The applicant demonstrates that, in order to meet the requirements of §§ 258-8, 258-9, 258-10 and 258-11 of this chapter below, 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 §§ 258-7D(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below 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 §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below. 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 Chapter, the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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

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

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

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at § 258-8A of this Chapter below;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a ten (10) foot wide area of native vegetation along at least fifty percent (50%) 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 (2%);
- (f) designed with a slope of equal to or greater than two percent (2%);
- (g) manufactured treatment devices that meet the definition of green infrastructure at § 258-5 of this Chapter above; and/or,
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at § 258-5 of this Chapter above.

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 § 258-13B of this Chapter below. Alternative stormwater management measures may be used to satisfy the requirements at

§ 258-8 of this Chapter below only if the measures meet the definition of green infrastructure at § 258-5 of this Chapter above. Alternative stormwater management measures that function in a similar manner to a BMP listed at § 258-8A of this Chapter below are subject to the contributory drainage area limitation specified at § 258-8A of this Chapter below 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 § 258-8A of this Chapter below shall have a contributory drainage area less than or equal to two and one-half (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 § 258-7D of this Chapter above is granted from § 258-8 of this Chapter below.

- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
  - (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one (1) 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 ( $1/3^{\text{rd}}$ ) the width of the diameter of the orifice or one-third ( $1/3^{\text{rd}}$ ) the width of the weir, with a minimum spacing between bars of one (1) inch and a maximum spacing between bars of six (6) inches. In addition, the design of trash racks must comply with the requirements of § 258-15B of the Chapter below;
  - (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 258-15 of this Chapter below; and,

- (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half (2.5) inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this Subchapter, provided that 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 § 258-5 of this Chapter above may be used only under the circumstances described at § 258-8C of this Chapter below.
- K. Any application for a new agricultural development that meets the definition of major development at § 258-5 of this Chapter above shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below 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 (1) drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §§ 258-9, 258-10 and 258-11 of this Chapter below 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 Sussex County Clerk's Office. 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 §§ 258-8, 258-9, 258-10 and 258-11 of this Chapter below 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 § 258-17B(5) of this Chapter below. 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 one hundred and eighty (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 §§ 258-7, 258-8, 258-9, 258-10 and 258-11 of this Chapter 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 Sussex County Clerk's Office and shall contain a description and location of the stormwater

management measure, as well as reference to the maintenance plan, in accordance with § 258-7M 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 § 258-7M above.

**§ 258-8. Green infrastructure standards.**

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

- A. To satisfy the groundwater recharge and stormwater runoff quality standards at §§ 258-9 and 258-10 of this Chapter below, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at § 258-7F of this Chapter above and/or an alternative stormwater management measure approved in accordance with § 258-7G of this Chapter above. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

- B. To satisfy the stormwater runoff quantity standards at § 258-11 of this Chapter below, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with § 258-7G of this Chapter above.
- C. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 258-7D of this Chapter above 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 § 258-7G of this Chapter above may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §§ 258-9, 258-10 and 250-11 of this Chapter below.
- D. 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 §§ 258-9, 258-10 and 258-11 of this Chapter below, unless the project is granted a waiver from strict compliance in accordance with § 258-7D of this Chapter above.

**§ 258.9. Groundwater recharge standards.**

This section contains the minimum design and performance standards for groundwater recharge as follows:

- A. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 258-12 of this Chapter below, either:
  - (1) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred percent (100%) of the average annual pre-construction groundwater recharge volume for the site; or,
  - (2) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the two (2) year storm is infiltrated.
- B. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to § 258-9C below.
- C. The following types of stormwater shall not be recharged:
  - (1) 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,
  - (2) 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.

**§ 258-10. Stormwater runoff quality standards.**

This section 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 (1/4) acre or more of regulated motor vehicle surface.

- A. 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:

- (1) Eighty percent (80%) 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.
  - (2) 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.
- B. 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 A 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.
- C. The water quality design storm is one and one-quarter (1.25) inches of rainfall in two (2) hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4 below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

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

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

- D. 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; and,

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

- E. 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 §§ 258-9, 258-10 and 258-11 of this Chapter.
- F. 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.
- G. The Flood Hazard Area Control Act Rules, at N.J.A.C. 7:13-4.1(c)1, establish three hundred (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 three hundred (300) foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- H. 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 three hundred (300) foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by ninety-five percent (95%) of the anticipated load from the developed site, expressed as an annual average.
- I. 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.

#### **§ 258-11. Stormwater runoff quantity standards.**

This section contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.

- A. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 258-12 of this Chapter below, complete one of the following:
- (1) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two (2), ten (10), and one hundred (100) year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

- (2) 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 two (2), ten (10) and one hundred (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;
  - (3) Design stormwater management measures so that the post-construction peak runoff rates for the two (2), ten (10) and one hundred (100) year storm events are fifty percent (50%), seventy-five percent (75%) and eighty percent (80%), 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,
  - (4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with § 258-11A(1), (2), and (3) 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.
- B. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

**§ 258-12. Calculation of stormwater runoff and groundwater recharge.**

- A. Stormwater runoff shall be calculated in accordance with the following:
- (1) The design engineer shall calculate runoff using one of the following methods:
    - (a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15, and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:  
  
[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1044171.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf)  
  
or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or,
    - (b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is

available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<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 § 258-12A(1)(a) above and the Rational and Modified Rational Methods at § 258-12A(1)(b) above. 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 (5) years without interruption prior to the time of application. If more than one (1) land cover has existed on the site during the five (5) 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, is 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/gsrreport/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.

**§ 258-13. 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.

**§ 258-14. Solids and floatable materials control standards.**

- A. Site design features identified under § 258-7F of this Chapter above, or alternative designs in accordance with § 258-7G of this Chapter 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 Section, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard, see § 258-14A(2) below.

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

- (a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or,

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

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

- (c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two (2) 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 § 258-14A(1) above does not apply:
- (a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
  - (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
  - (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - [1] 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,
    - [2] A bar screen having a bar spacing of one-half (0.5) inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).
  - (d) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or,
  - (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**§ 258-15. Safety standards for stormwater management basins.**

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

- A. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in § 258-15B(1), B(2) and B(3) below for trash racks, overflow grates, and escape provisions at outlet structures.

B. Requirements for trash racks, overflow grates, and escape provisions.

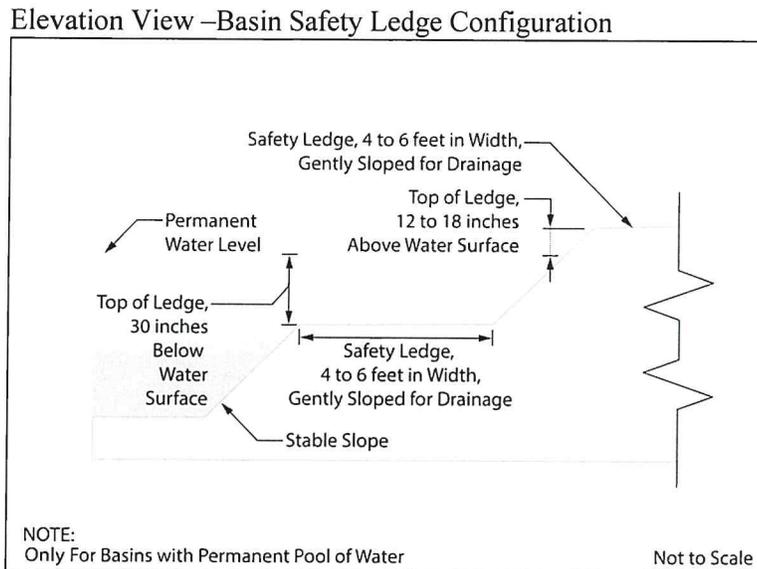
- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
  - (a) The trash rack shall have parallel bars, with no greater than six (6.0) inch spacing between the bars;
  - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
  - (c) The average velocity of flow through a clean trash rack is not to exceed two and one-half (2.5) feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and,
  - (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of three hundred (300) pounds per square foot.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
  - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance;
  - (b) The overflow grate spacing shall be no less than two (2.0) inches across the smallest dimension; and,
  - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of three hundred (300) pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
  - (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to § 258-15B herein, a free-standing outlet structure may be exempted from this requirement;
  - (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half (2.5) feet. Safety ledges shall be comprised of two (2) steps. Each step shall be four (4) to six (6) feet in width. One step shall be located approximately two and one-half (2.5) feet below the permanent water surface, and the second (2<sup>nd</sup>) step shall be located one (1) to one and one-half (1.5) feet above the permanent water surface. See § 258-15D below for an illustration of safety ledges in a stormwater management BMP; and,

- (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three (3) horizontal to one (1) vertical.

C. 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.

D. Safety ledge illustration.



**§ 258-16. 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 Chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 258-16C 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 Chapter.
- (3) The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with § 258-16C below.

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 Chapter.

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 two hundred (200) feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing two (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 §§ 258-6 through 258-12 of this Chapter above 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 and show:
  - (a) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon and details of the proposed plan to control and dispose of stormwater.
  - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

- (6) Calculations.
  - (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §§ 258-7 through 258-11 of this Chapter above.
  - (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (7) Maintenance and repair plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of § 258-17 of this Chapter below.
- (8) Waiver from submission requirements. The municipal official or board reviewing an application under this chapter may, in consultation with the municipality's review engineer, waive submission of any of the requirements in § 258-16C(1) through (6) above of this Chapter 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.

**§ 258-17. Maintenance and repair.**

- A. Applicability. Projects subject to review as in § 258-3 of this Chapter above shall comply with the requirements of § 258-17B and C below.
- B. General maintenance.
  - (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
  - (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
  - (3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
  - (4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual

property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance that is required.

- (5) If the party responsible for maintenance identified under § 258-17(3) above is not a public agency, the maintenance plan and any future revisions based on § 258-17B(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 § 258-17B(3) above shall perform all of the following requirements:
  - (a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and,
  - (c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by § 258-17B(6) and § 258-17B(7) above.
- (8) The requirements of § 258-17B(3) and § 258-17B(4) above do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

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

- (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) calendar 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 sole 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 shall result in a lien on the property.

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

**SECTION 2. 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 3. REPEALER.**

All Ordinances or parts of Ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

**SECTION 4. EFFECTIVE DATE.**

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

ALL OF WHICH IS ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the  
\_\_\_\_\_.

Attest:

\_\_\_\_\_  
LORRAINE A. READ, MUNICIPAL CLERK

\_\_\_\_\_  
MATTHEW S. DICKSON, MAYOR

**PUBLIC NOTICE** is hereby given that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, February 8, 2021 via video conference. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, February 22, 2021 via video conference and shall take effect according to law.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #64-2021

February 8, 2021

**“Authorize the Award of a Required Disclosure Contract for Convergent Technologies, Inc.”**

**WHEREAS**, the Town of Newton has a need to maintain and upgrade access and security systems through Convergent Technologies, Inc., 429 Getty Avenue, Clifton, N.J. 07011, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, the Town of Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2021 year (s); and

**WHEREAS**, Convergent Technologies, Inc., 429 Getty Avenue, Clifton, N.J. 07011, has submitted a proposal indicating they will provide the services for \$22,276.00, in addition to support per hour rates outside of scope of proposal, exceeding in aggregate the pay-to-play threshold of \$17,500.00; and

**WHEREAS**, Convergent Technologies, Inc., 429 Getty Avenue, Clifton, N.J. 07011, has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies Convergent Technologies, Inc., 429 Getty Avenue, Clifton, N.J. 07011 has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit Convergent Technologies, Inc., 429 Getty Avenue, Clifton, N.J. 07011 from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer as require by N.J.S.A. 40A:4-5, N.J.A.C. 5:34-5.1 et seq., hereby certifies subject to the Governing Body appropriating sufficient funds in the 2021 budget, funds NOT TO EXCEED \$22,500.00 will be encumbered as follows:

#### **2021 CURRENT BUDGET – Cencom OE – Contractual #1074317**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Convergent Technologies Inc. 429 Getty Avenue, Clifton, N.J. 07011 not to exceed \$22,500.00 for the 2021 calendar year; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification, Political Contribution Disclosure, and the Determination of Value be placed on file with this resolution.

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #65-2021

February 8, 2021

**“Authorize Credits Due Water and Sewer Utility Accounts”**

**WHEREAS**, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following accounts for amounts billed incorrectly due to the reason(s) stated:

**CREDIT FOR AN ACCOUNT THAT SHOULD HAVE BEEN INACTIVE:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
12944	11 Lawnwood Avenue	\$75.00

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #66-2021**

**February 8, 2021**

**"Appointment of John-Paul Couce as Town Council Liaison to the Advisory Shade Tree Commission"**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilman John-Paul Couce be and is hereby appointed as the Town of Newton liaison to the Advisory Shade Tree Commission for calendar year 2021.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #67-2021**

**February 8, 2021**

**"Resolution to Reject, ACB Services, Inc.  
for Bid 1-2021 Cleaning Services"**

**WHEREAS**, the Town advertised and received bids in a fair and open manner consistent with N.J.S.A.19:44A-204. et. Seq., on February 3, 2021 for Bid# 1-2021 Cleaning Services; and

**WHEREAS** ACB Services, Inc., responded without including the ownership disclosure form as required in mandatory documents; and

**WHEREAS** the New Jersey Local Publics Contract Law at N.J.S.A. 40A:11-23.2(c) requires when an ownership disclosure document is not provided where required, same constitutes a fatal defect that cannot be cured;

**NOW; THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, Sussex County, that the bid by ACB Services, Inc., is hereby rejected under the mandates at N.J.S.A. 40A:11-23.2.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #68-2021**

**February 8, 2021**

**“Approval of the Execution of a Shared Services Agreement with Montague Township to Provide Certified Tax Collection Services for February 19, 2021 through December 19, 2021”**

**WHEREAS**, the Township of Montague (“Montague”) wishes to obtain the services of one or more Certified Tax Collector's services on a limited basis; and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Montague to provide the services of both of its Certified Tax Collectors on a limited basis to Montague; and

**WHEREAS**, Newton has forwarded to Montague a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared tax collection services on a limited basis for the period of February 19, 2021 through December 19, 2021; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage the same;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town Manager and Municipal Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Township of Montague to provide certified tax collection services to Montague.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk

**SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MONTAGUE  
AND THE TOWN OF NEWTON REGARDING TAX COLLECTION SERVICES**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A: 65-4, any local unit may enter into an Agreement with one or more other local unit or units to provide services that either or both or all of the local units are empowered to provide and/or receive in their individual local unit; and,

**WHEREAS**, one of those services provided by the Town of Newton is the collection of taxes and such services can also be provided in the Township of Montague; and,

**WHEREAS**, the Township of Montague is in need of the services of one or more Certified Tax Collector(s) to provide tax collection services to the taxpayers of Montague Township; and,

**WHEREAS**, the Town of Newton has the ability to provide said services in Montague Township; and,

**WHEREAS**, Montague Township and Newton Town desire to enter into a Shared Services Agreement in which Montague Township shall utilize Newton Town's Certified Tax Collectors to provide Montague Township with tax collection services for the period of time set forth in this Shared Services Agreement.

**NOW, THEREFORE, IN CONSIDERATION OF** the mutual covenants, promises and the consideration recited herein, Montague Township and Newton Town agree as follows:

1. Newton Town will allow both of Newton's Certified Tax Collectors to be appointed by Montague Township as Montague's Interim Tax Collectors, pursuant to N.J.S.A. 40A:9-141, while Montague Township hires and trains one or more individuals to become Montague Township's permanent Tax Collector.
2. Newton's Certified Tax Collectors shall serve as Interim Tax Collectors for Montague Township from February 19, 2021 through December 19, 2021 (a ten (10) month period).
3. For these tax collection services, Montague Township shall pay to Newton Town a minimum total sum of \$27,500.00 for providing said services to Montague Township. Such sums shall be paid in equal installments of \$2,750.00 per month for the duration of this Agreement.
4. Newton Town shall be responsible for compensating the Tax Collectors for the services that the Tax Collectors provide to Montague Township by way of Newton Town's regular payroll.
5. Newton Town's Certified Tax Collectors regular available hours shall be a total of ten (10) hours per week. Any weekly increase in hours can only occur by written request from the Montague Township Committee or designee to Newton Town's Manager and such request shall not be unreasonably denied.

6. Should Newton Town's Certified Tax Collectors provide services to Montague Township which exceed four hundred fifty (450) total hours covered by this Shared Services Agreement, Montague Township shall compensate Newton at a rate of Seventy Five (\$75.00) Dollars per hour for every hour, or any partial hour thereof, in excess of the 450 total hours contracted for by Montague Township for these services. Montague Township shall be responsible for creating and maintaining complete and accurate records of the hours that each of the Newton Town Certified Tax Collectors performed services for Montague Township and report all such hours to Newton Town.
7. Both parties to this Shared Services Agreement retain the right to terminate this Shared Services Agreement by providing to the other party a written notice of termination at least thirty (30) calendar days prior to the date of termination for whatever reason they choose to terminate this Shared Services Agreement or for no reason whatsoever. Written notice shall be delivered to the following parties via email (with read/receipt), hand delivery, certified mail, return receipt requested, overnight mail, or regular mail.

The parties are:

**FOR TOWNSHIP OF MONTAGUE:**

Mayor Richard Innella  
Township of Montague  
277 Clove Road  
Montague, New Jersey 07827

**FOR THE TOWN OF NEWTON:**

Thomas S. Russo, Jr., MPA, CPM  
Town Manager  
Town of Newton  
39 Trinity Street  
Newton, New Jersey 07860

**IN WITNESS WHEREOF**, each of the parties to this Shared Services Agreement have caused their respective signatures to be placed on this Shared Services Agreement as authorized by their respective municipalities and caused their proper seals to be affixed hereto on the date(s) and year written below.

**ATTEST:**

**TOWN OF NEWTON**

\_\_\_\_\_  
Lorraine A. Reed, RMC  
Municipal Clerk

\_\_\_\_\_  
Thomas S. Russo, Jr., MPA, CPM  
Town Manager

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**ATTEST:**

**TOWNSHIP OF MONTAGUE**

\_\_\_\_\_  
Eileen DeFabiis, RMC  
Township Clerk, Township of Montague

\_\_\_\_\_  
Richard Innella, Mayor  
Township of Montague

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_



## TOWN OF NEWTON

### RESOLUTION #69-2021

February 8, 2021

**“A Resolution Authorizing the Town of Newton to Enter into a Cooperative Pricing Agreement with Hunterdon County Education Services Commission”**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Hunterdon County Educational Services Commission, hereinafter referred to as the “Lead Agency ” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS**, on February 8, 2021 the Governing Body of the **Town of Newton**, County of Sussex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED**, as follows:

#### **TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Town of Newton

#### **AUTHORITY**

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

#### **CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law* (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

#### **EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

#### **CERTIFICATION**

BY:

\_\_\_\_\_  
Matthew S. Dickson, Mayor

ATTEST BY:

\_\_\_\_\_  
Lorraine A. Read, Municipal Clerk

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk



## Hunterdon County Educational Services Commission

37 Hoffmans Crossing Road  
Califon, New Jersey 07830

Phone: 908-439-4280 Fax: 908-975-3753

*Marie Gorey/ Superintendent x4500  
Corinne Steinmetz, SBA/Board Secretary x4501  
Doreen Pirozzi, Purchasing Manager x1513*

### COOPERATIVE PRICING AGREEMENT

*This agreement, made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Board of Directors of Hunterdon County Educational Services Commission, referred to as the "Lead Agency" and various governing boards, authorities, commissions and other governmental contracting units within the State of New Jersey.*

*WITNESSETH*

*WHEREAS, the Lead Agency is conducting a voluntary Cooperative Pricing System with boards of education, municipalities, and other types of public bodies located within the State of New Jersey, utilizing the Lead Agency's administrative purchasing services and facilities in order to effect substantial economies in the purchase of work, materials and supplies; and*

*WHEREAS, the Cooperative Pricing System is authorized by N.J.S.A. 40A: 11-11 and has been approved by the Division of Local Government Services in the Department of community Affairs pursuant to N.J.A.C. 5:34-7.1 et seq., and*

*WHEREAS, all the parties hereto shall approve this Agreement by Ordinance or Resolution, as appropriate, in accordance with the aforesaid statute; and*

*NOW, THEREFORE, it is mutually agreed as follows:*

- 1) The work, materials or supplies to be priced cooperatively may include fuels, office supplies, paper products, instructional materials and equipment, vehicles, modulators and such other items and services as two or more participating contracting units in the system agree can be purchased on a cooperative basis.*
- 2) Upon approval of the Cooperative Pricing System and during each January thereafter, the Lead Agency shall publish a legal ad in such format as required by the State Division of Local Government Services in a newspaper normally used for such purpose by it, to include such information required by N.J.A.C. 5:34-7.9. as may be amended from time to time, including:*

- a. *The name of the participating contracting unit, and*
  - b. *The name of the Lead Agency soliciting competitive bids or informal quotations, and*
  - c. *The address and telephone number of Lead Agency, and*
  - d. *The State Identification Code for the Cooperative Pricing System, and*
  - e. *The expiration date of the Cooperative Pricing Agreement.*
- 3) *Each of the participating contracting units shall indicate, in writing to the Lead Agency, the items to be purchased by the contracting unit, the approximate quantities desired, the location for delivery and other such requirements necessary for the Lead Agency to prepare specifications as provided by law. Although the Lead Agency endeavors to serve the needs of all registered members of the Cooperative Pricing System, the Lead Agency may not be able to prepare specifications and/or solicit bids for all projects and makes no such guarantee.*
- 4) *The specifications shall be prepared and approved by the Lead Agency and filed as required by law, and no changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.*
- 5) *A single advertisement for bids/proposals or the solicitation of informal quotations for the work, materials or supplies to be purchased shall be presented by the Lead Agency on behalf of all registered members desiring to purchase any item in the Cooperative Pricing System. All advertisements and solicitations shall be made in compliance with the Public School Contracts Law.*
- 6) *The Lead Agency shall receive bids or quotations on behalf of all participating contracting units. The Lead Agency shall review said bids and, on behalf of all registered members, either reject all bids, or award a contract in compliance with the Public School Contract Law and the specifications. This award shall result in the Lead Agency entering into a master contract with the successful bidder(s) providing for two categories of purchases:*
- a. *The quantities ordered for the Lead Agency's own needs, and*
  - b. *The estimated aggregate quantities to be ordered by other participating contracting units by separate contract, subject to the specifications and prices set forth in the Lead Agency's overall (master) contract.*

*The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) when required by law and, only after the Lead Agency has certified the funds available only for its own needs.*

*Each registered member shall: (1) certify that it has the funds available necessary for its own order(s) from the Cooperative Pricing System; (2) enter into a formal written contract directly with the successful bidder(s) when required by law and the project specifications; (3) issue purchase orders in its own name directly to the successful bidder(s) against said contract; (4) accept its own deliveries; (5) be invoiced by and receive statements from the successful bidder(s) and (6) be responsible for any tax liability. No registered member shall be responsible for payment for any items ordered or for performance generally, by or to any other registered member. Each registered member shall accordingly be liable only for its own performance and for items ordered and received by it.*

*The provisions of this paragraph shall be quoted or referred to and sufficiently described in all advertisements for bids by the Lead Agency so that each bidder shall be on notice as to the respective responsibilities and liabilities of the registered members.*

- 7) *Nothing in this Agreement shall prevent any registered member from awarding contracts of purchase, individually and on its own behalf, with or without advertising, except that invitations for such individual bids shall not be advertised nor bids be received during the period in which the Lead Agency is advertising for and receiving bids for the same items or commodities other than, in the case of the registered member's emergency or hardship.*
- 8) *The Lead Agency reserves the right to exclude any item or commodity from within said system if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable as to the Lead Agency or the registered members..*
- 9) *The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement. It is understood that all fees for each participating contracting unit are paid to the Lead Agency by the successful bidder(s) with the exception of HCESC in-house order preparation (4%) and the fuel participation. This amount shall be paid forty-five (45) days from the receipt of billing from the Lead Agency.*
- 10) *This agreement shall become effective upon approval of the Director of the Division of Local Government Services and shall continue in effect for a period of five (5) years pursuant to N.J.A.C. 5:34-7.5(f), or until a party to this Agreement shall give written notice of its intention to terminate its participation in the Cooperative Pricing System..*
- 11) *All records or documents maintained or utilized pursuant to terms of this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services and such other numbers*

*as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.*

- 12) *Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.*
- 13) *This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.*

*IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed.*

**GOVERNING BOARD / BOARD OF EDUCATION**

**DISTRICT/MUNICIPALITY:** \_\_\_\_\_

ATTEST: \_\_\_\_\_  
*Secretary to the Board*

BY: \_\_\_\_\_  
*Board President*

DATE: \_\_\_\_\_

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**LEAD AGENCY  
HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION**

ATTEST: \_\_\_\_\_  
*Secretary to the Board*

BY: \_\_\_\_\_  
*Board President*

DATE: \_\_\_\_\_



**TOWN OF NEWTON  
RESOLUTION #70-2021**

**February 8, 2021**

**“Approval of the Execution of a Shared Services Agreement with Hardyston Township to Provide Certified Tax Collection Services for March 1, 2021 through December 31, 2021”**

**WHEREAS**, the Township of Hardyston (“Hardyston”) wishes to obtain the services of one or more Certified Tax Collector’s services on a limited basis; and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Hardyston to provide the services of both of its Certified Tax Collectors on a limited basis to Hardyston; and

**WHEREAS**, Newton has forwarded to Hardyston a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared tax collection services on a limited basis for the period of March 1, 2021 through December 31, 2021; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage the same;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town Manager and Municipal Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Township of Hardyston to provide certified tax collection services to Hardyston.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk

**SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF HARDYSTON  
AND THE TOWN OF NEWTON REGARDING TAX COLLECTION SERVICES**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A: 65-4, any local unit may enter into an Agreement with one or more other local unit or units to provide services that either or both or all of the local units are empowered to provide and/or receive in their individual local unit; and,

**WHEREAS**, one of those services provided by the Town of Newton is the collection of taxes and such services can also be provided in the Township of Hardyston; and,

**WHEREAS**, the Township of Hardyston is in need of the services of one or more Certified Tax Collector(s) to provide tax collection services to the taxpayers of Hardyston Township; and,

**WHEREAS**, the Town of Newton has the ability to provide said services in Hardyston Township; and,

**WHEREAS**, Hardyston Township and Newton Town desire to enter into a Shared Services Agreement in which Hardyston Township shall utilize Newton Town's Certified Tax Collectors to provide Hardyston Township with tax collection services for the period of time set forth in this Shared Services Agreement.

**NOW, THEREFORE, IN CONSIDERATION OF** the mutual covenants, promises and the consideration recited herein, Hardyston Township and Newton Town agree as follows:

1. Newton Town will allow both of Newton's Certified Tax Collectors to be appointed by Hardyston Township as Hardyston's Interim Tax Collectors, pursuant to N.J.S.A. 40A:9-141, while Hardyston Township hires and trains one or more individuals to become Hardyston Township's permanent Tax Collector.
2. Newton's Certified Tax Collectors shall serve as Interim Tax Collectors for Hardyston Township from March 1, 2021 through December 31, 2021 (a ten (10) month period).
3. For these tax collection services, Hardyston Township shall pay to Newton Town a minimum total sum of \$11,000.00 for providing said services to Hardyston Township. Such sums shall be paid in equal installments of \$1,100.00 per month for the duration of this Agreement.
4. Newton Town shall be responsible for compensating the Tax Collectors for the services that the Tax Collectors provide to Hardyston Township by way of Newton Town's regular payroll.
5. Newton Town's Certified Tax Collectors regular available hours shall be a total of four (4) hours per week. Any weekly increase in hours can only occur by written request from the Hardyston Township Manager or designee to Newton Town's Manager and such request shall not be unreasonably denied.

6. Should Newton Town's Certified Tax Collectors provide services to Hardyston Township which exceed one hundred and eighty (180) total hours covered by this Shared Services Agreement, Hardyston Township shall compensate Newton at a rate of Seventy Five (\$75.00) Dollars per hour for every hour, or any partial hour thereof, in excess of the 180 total hours contracted for by Hardyston Township for these services. Hardyston Township shall be responsible for creating and maintaining complete and accurate records of the hours that each of the Newton Town Certified Tax Collectors performed services for Hardyston Township and report all such hours to Newton Town.
7. Both parties to this Shared Services Agreement retain the right to terminate this Shared Services Agreement by providing to the other party a written notice of termination at least thirty (30) calendar days prior to the date of termination for whatever reason they choose to terminate this Shared Services Agreement or for no reason whatsoever. Written notice shall be delivered to the following parties via email (with read/receipt), hand delivery, certified mail, return receipt requested, overnight mail, or regular mail.

The parties are:

**FOR TOWNSHIP OF HARDYSTON:**

Carrine Piccolo-Kaufer, P.P., AICP  
Township Manager/Planner  
Township of Hardyston  
277 Clove Road  
Hardyston, New Jersey 07827

**FOR THE TOWN OF NEWTON:**

Thomas S. Russo, Jr., MPA, CPM  
Town Manager  
Town of Newton  
39 Trinity Street  
Newton, New Jersey 07860

**IN WITNESS WHEREOF**, each of the parties to this Shared Services Agreement have caused their respective signatures to be placed on this Shared Services Agreement as authorized by their respective municipalities and caused their proper seals to be affixed hereto on the date(s) and year written below.

**ATTEST:**

**TOWN OF NEWTON**

\_\_\_\_\_  
Lorraine A. Reed, RMC  
Municipal Clerk

\_\_\_\_\_  
Thomas S. Russo, Jr., MPA, CPM  
Town Manager

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**ATTEST:**

**TOWNSHIP OF HARDYSTON**

\_\_\_\_\_  
Jane Bakalarczyk, RMC  
Township Clerk, Township of Hardyston  
Township Clerk, Township of Hardyston

\_\_\_\_\_  
Carrine Piccolo-Kaufer, P.P., AICP  
Township Manager/Planner  
Township of Hardyston

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_



# TOWN OF NEWTON

## RESOLUTION #71-2021

February 8, 2021

**"Approval of Campbell Freightliner of Sussex County for Auto Services Bid 2-2021 Repair of Road Heavy Vehicles"**

**WHEREAS**, there is a need for auto and equipment repair at times outside of the Town of Newton requiring added expertise; and

**WHEREAS**, the Town of Newton publicly advertised and received bids for auto repair on February 3, 2021 at 10:00A.M.; and

**WHEREAS**, W. Campbell Supply of Sussex County has provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document for category 5, "On Road Heavy Vehicles", to wit:

<b>Cat 5 On Road/ Heavy Vehicles</b>	
On Road/ Heavy Trucks A5a. Standard Labor rate p/hour	\$136.00
On Road/ Heavy Trucks A5b. P.M. Labor rate p/hour	\$130.00
On Road/ Heavy Trucks Materials/Parts cost plus _____ %	30.00%

**WHEREAS** it is the desire of the Town of Newton to enter into a two (2) year contract with W. Campbell Supply of Sussex County for repair of On Road Heavy Vehicles under the tenets of Bid 2-2021;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, in the County of Sussex as follows:

W. Campbell Supply of Sussex County is authorized to enter a two (2) year contract from the date of this authorization to provide for electrical On Road Heavy Vehicle Repairs under Bid 2-201 at the following rates:

<b>Cat 5 On Road/ Heavy Vehicles</b>	
On Road/ Heavy Trucks A5a. Standard Labor rate p/hour	\$136.00
On Road/ Heavy Trucks A5b. P.M. Labor rate p/hour	\$130.00
On Road/ Heavy Trucks Materials/Parts cost plus _____ %	30.00%

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #72-2021

February 8, 2021

“Approve Bills and Vouchers for Payment”

**BE IT RESOLVED** by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2020 and 2021 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

#### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, February 8, 2021 via video conferencing.

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Lorraine A. Read, RMC  
Municipal Clerk

## List of Bills - CLEARING/CLAIMS

Check#	Vendor	Description	Payment	Check Total
3065	1846 - ADVANCE AUTO PARTS	PO 58610 Clamps/Cleaner A/C #6271030269	36.36	36.36
3066	4062 - ALL STATE TECHNOLOGY INC.	PO 56767 POOL RENOVATIONS	250.00	
		PO 56767 POOL RENOVATIONS	20,000.00	
		PO 57462 POOL PLUMBING REPAIR	3,000.00	23,250.00
3067	4212 - BR WELDING INC	PO 57529 REPAIRS TO FINAL CLARIFIERS	203,498.67	203,498.67
3068	3893 - CAMPBELL SUPPLY OF SUSSEX CTY LLC	PO 58589 Truck #14 Tarp Motor RPR	669.21	669.21
3069	192 - CAMPBELL'S SMALL ENGINE INC.	PO 58433 24" SNOW BLOWER MORRIS LAKE	899.99	
		PO 58622 REPLACEMENT CHAIN SAW BLADES/NEW EQUIP/S	1,260.37	2,160.36
3070	506 - CARR, JOSEPH	PO 58618 Training Class - Water&Wastewater Operat	132.50	
		PO 58619 REIMB RENEWAL PHYSICAL CONNECTION PERMIT	204.50	337.00
3071	3770 - CINTAS	PO 58613 DPW/WS: Water Filtration/Cooler/Cleaning	45.00	
		PO 58613 DPW/WS: Water Filtration/Cooler/Cleaning	45.00	90.00
3072	178 - COUNTY OF SUSSEX	PO 58498 2020 A&O CNTY LIBRARY TAX	383.63	383.63
3073	1425 - COUNTY OF SUSSEX	PO 58499 2020 A&O CNTY OPEN SPACE TAX	25.03	25.03
3074	176 - COUNTY OF SUSSEX	PO 58507 2020 A&O CNTY PURPOSE TAX	5,278.97	5,278.97
3075	176 - COUNTY OF SUSSEX	PO 58508 CNTY PURPOSE TAX -1ST QTR	941,169.53	941,169.53
3076	178 - COUNTY OF SUSSEX	PO 58509 CNTY LIBRARY TAX -1ST QTR	67,568.14	67,568.14
3077	1425 - COUNTY OF SUSSEX	PO 58510 CNTY OPEN SPACE TAX -1ST QTR	3,873.65	3,873.65
3078	4069 - DELL MARKETING L.P.	PO 58492 SERVER UPGRADE DPW	789.99	
		PO 58492 SERVER UPGRADE DPW	1,579.97	2,369.96
3079	2386 - DOMINICK'S PIZZA LLC	PO 58606 DPW Snow Meal	138.25	138.25
3080	1307 - DOVER BRAKE & CLUTCH	PO 58608 Mach RPR MAIN ACCT #46	17.99	17.99
3081	373 - GALLS, LLC	PO 58414 Pd MEDICAL SUPPLIES	93.73	93.73
3082	70 - HACH COMPANY	PO 58537 LAB SUPPLIES / WATER TREATMENT PLANT / S	306.45	306.45
3083	230 - HAYEK'S MARKET INC.	PO 58016 Flags of Honor Lunch	720.00	
		PO 58276 Council Reorg Meeting 1-5-2021	1,083.88	1,803.88
3084	3876 - HOLLAND COMPANY, INC.	PO 56396 B: EPIC 2400 (\$85,800)	6,642.90	
		PO 58484 B: EPIC 2400 (\$85,800)	6,636.30	13,279.20
3085	332 - J & D SALES & SERVICE,LLC.	PO 58603 RECYCL MAINT RENEW 1/2021-12/2021	190.00	190.00
3086	113 - JCP&L	PO 58563 W/S ELECTRIC -DEC	14,118.63	14,118.63
3087	266 - LAFAYETTE AUTO PARTS	PO 58617 Snow Plow/ LightsCUST #NJSPA0642	25.00	25.00
3088	1141 - MCGUIRE, INC.	PO 58604 TRUCK #1 RADIATOR REPAIR	487.25	487.25
3089	496 - MICROSYSTEMS-NJ COM, LLC.	PO 58546 TAX COLLECTOR FORMS	40.00	40.00
3090	4381 - MID-AMERICAN ELEVATOR CO., INC.	PO 58605 B: ELEVATOR MAINT (TH & POLICE) Jan - Ma	475.00	475.00
3091	409 - MINISINK PRESS INC	PO 58587 RECYCLING NEWSLETTERS (2,125)	388.00	388.00
3092	4219 - MONTAGE ENTERPRISES	PO 58609 TRK #12/HydMtr	265.73	265.73
3093	116 - NEW JERSEY HERALD, INC.	PO 58586 NJ Herald Delivery/ Publication 12/10/20	215.80	215.80
3094	1325 - NJRPA	PO 58558 NJRPA 2021 CONFERENCE	200.00	200.00
3095	1762 - NJSACOP	PO 58560 2021 ANNUAL MEMBERSHIP	275.00	275.00
3096	4350 - NW FINANCIAL GROUP LLC	PO 58519 PILOT analysis/review	2,360.00	2,360.00
3097	1416 - PETRO-MECHANICS, INC.	PO 58616 GAS PUMP RPR	165.00	165.00
3098	4204 - PLANET NETWORKS INC.	PO 58412 B: POLICE INTERNET/WEB HOSTING/FIREWALL	1,359.72	
		PO 58612 B: INTERNET est.\$339.90 x 4=\$1359.60 ID#	679.80	
		PO 58627 BUSINESS FIBER INTERNET 175 JAN 28-FEB2	99.95	2,139.47
3099	2212 - PROCESS TECH SALES AND SERVICE	PO 58624 Rosemount Chlorine Sensor	2,466.50	2,466.50
3100	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 56304 B: GAS (JAN-MAR)	2,264.17	2,264.17
3101	2828 - Ryan Herco Flow Solutions, INC.	PO 58535 Chemical Pumps ACCT #103262	1,214.80	1,214.80
3102	126 - SCMUA	PO 58556 TRASH REMOVAL 12/31	123.05	
		PO 58556 TRASH REMOVAL 12/31	119.04	
		PO 58557 TRASH REMOVAL	366.42	
		PO 58557 TRASH REMOVAL	286.25	894.76
3103	2145 - SEELY BROTHERS, INC.	PO 57799 Flags of Honor Event 2020 FLAGS	600.00	600.00
3104	4024 - SPECTROTEL	PO 58408 B: LOCAL/LONG DISTANCE PHONE (ACCT #37	609.00	609.00
3105	2390 - STALKER RADAR INC.	PO 58352 NPD ANTENNA MOUNTS ACCT #101828	201.15	201.15
3106	2257 - STAPLES	PO 58505 WEBCAMS	29.99	
		PO 58505 WEBCAMS	139.98	169.97
3107	3442 - SUNLIGHT GENERAL	PO 58625 January Solar Bill	225.61	
		PO 58625 January Solar Bill	509.64	735.25
3108	1214 - SUSSEX CO.ASSOC.-CHIEFS-POLICE	PO 58554 2021 DUES AND TRAINING	600.00	600.00
3109	130 - SUSSEX COUNTY P & H, INC.	PO 58611 Caps/Couplings/Mach	15.45	15.45
3110	3897 - SYNCHRONY BANK	PO 58419 PARTS FOR DPW/WS ACCT #6271030269	79.98	
		PO 58419 PARTS FOR DPW/WS ACCT #6271030269	61.92	
		PO 58427 Radio programming cable	32.86	
		PO 58506 MEAL PREP PLASTIC TREE LIGHTING	47.08	221.84
3111	2479 - TAYLOR OIL CO., INC.	PO 56305 B: DIESEL	598.31	598.31
3112	2675 - TIRE KING, INC.	PO 58536 Replace Fleet Tires	2,632.00	
		PO 58601 Replace Fleet Tires	700.00	3,332.00
3113	2880 - TRACTOR SUPPLY	PO 58615 Plow Equip/ Batteries/Pump	181.96	181.96
3114	1151 - TREASURER, STATE OF NEW JERSEY	PO 58620 SITE REMEDIATION 2021 Permit Fee 1/10/20	880.00	880.00
3115	219 - TRI-STATE RENTALS, INC.	PO 58607 TRACTOR PLOW PARTS	24.02	24.02

### List of Bills - CLEARING/CLAIMS

Check#	Vendor	Description	Payment	Check Total
3116	4305 - UGI ENERGY SERVICES LLC	PO 58626 NATURAL GAS - DEC	1,411.93	
		PO 58626 NATURAL GAS - DEC	3,717.86	5,129.79
3117	1280 - VERIZON WIRELESS, INC.	PO 58402 REPLACEMENT PHONE WATER FOREMAN	149.99	149.99
3118	1500 - WALMART	PO 58614 Office Supplies	54.64	54.64
3119	633 - WEIS MARKETS, INC.	PO 58602 B: FOOD SNOW STORMS	365.15	365.15
TOTAL				1,308,403.64

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
101261	DUE COUNTY - ADDED & OMITTED TAX			5,687.63	
101262	DUE COUNTY - LIBRARY TAX			67,568.14	
101263	DUE COUNTY - PURPOSE TAX			941,169.53	
101266	DUE COUNTY - OPEN SPACE TAX			3,873.65	
101299	Due to Clearing			0.00	1,047,616.49
1052200A	(2020) TOWN COUNCIL - OTHER EXPENSES		1,083.88		
1056200	COLLECTION OF TAXES - OTHER EXPENSES	40.00			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	529.64			
1062200	PLANNING BOARD - OTHER EXPENSES	69.99			
1074200	POLICE DEPARTMENT - OTHER EXPENSES	968.73			
1074200A	(2020) POLICE DEPARTMENT - OTHER EXPENSES		201.15		
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	1,359.72			
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	32.86			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	1,403.36			
1080200A	(2020) ROAD REPAIR & MAINT - OTHER EXPENSES		215.80		
1081200	SNOW REMOVAL - OTHER EXPENSES	749.83			
1081200A	(2020) SNOW REMOVAL - OTHER EXPENSES		899.99		
1082200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE	880.00			
1083200	RECYCLING/SANITATION - OTHER EXPENSES	281.15			
1083200A	(2020) RECYCLING/SANITATION - OTHER EXPENSES		115.32		
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	4,817.43			
1083300A	(2020) VEHICLE MAINTENANCE - OTHER EXPENSES		53.10		
1087200	RECREATION - OTHER EXPENSES	269.99			
1087200A	(2020) RECREATION - OTHER EXPENSES		1,320.00		
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	1,779.36			
1089200A	(2020) UTILITY EXP/BULK PURCH - OTHER EXPENSES		6,580.34		
1090200A	(2020) SWIMMING POOL - OTHER EXPENSES		3,250.00		
1092200A	(2020) CELEBRATION OF PUBLIC EVENTS - OE		47.08		
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP	5.10			
1094550A	(2020) RECYCLING TAX (PL2007 c.311)O/S CAP		3.72		
1095200A	(2020) CAPITAL IMPROVEMENTS - OTHER EXPENSES		2,360.00		
<b>TOTALS FOR</b>	<b>CURRENT FUND</b>	<b>13,187.16</b>	<b>16,130.38</b>	<b>1,018,298.95</b>	<b>1,047,616.49</b>
301299	Due to Clearing			0.00	20,000.00
3091813	ORD 2018-13 reapprop for Pool \$27,244	8,964.36			
3091981	ORD 2020-17 Var Imp Pool FF	11,035.64			
<b>TOTALS FOR</b>	<b>CAPITAL</b>	<b>20,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>20,000.00</b>
601299	DUE TO CLEARING			0.00	36,900.48
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	13,703.98			
6051200A	(2020) W&S OPERATING - TOTAL OTHER EXPENSES		23,196.50		
<b>TOTALS FOR</b>	<b>WATER/SEWER UTILITY</b>	<b>13,703.98</b>	<b>23,196.50</b>	<b>0.00</b>	<b>36,900.48</b>
611299	DUE TO CLEARING			0.00	203,498.67
6192008	ORD 2020-11 WWTP - CLARIFIER, FUNDED	203,498.67			
<b>TOTALS FOR</b>	<b>WATER/SEWER CAPITAL</b>	<b>203,498.67</b>	<b>0.00</b>	<b>0.00</b>	<b>203,498.67</b>

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
711210	RESERVE FOR RECYCLING			388.00	
711299	DUE TO CLEARING			0.00	388.00
<b>TOTALS FOR</b>	<b>TRUST</b>	<b>0.00</b>	<b>0.00</b>	<b>388.00</b>	<b>388.00</b>

Total to be paid from Fund 10	CURRENT FUND	1,047,616.49
Total to be paid from Fund 30	CAPITAL	20,000.00
Total to be paid from Fund 60	WATER/SEWER UTILITY	36,900.48
Total to be paid from Fund 61	WATER/SEWER CAPITAL	203,498.67
Total to be paid from Fund 71	TRUST	388.00
		-----
		1,308,403.64