

COUNCIL MINUTES
TOWNSHIP OF PARSIPPANY-TROY HILLS
REGULAR TOWNSHIP COUNCIL MEETING OF JULY 19, 2022

I. INTRODUCTION

A. POSTING OF NOTICE:

Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 22, 2021 where it has remained posted since that date. A legal notice appeared in the *Daily Record* on December 28, 2021 and the *Newark Star Ledger* on December 27, 2021.

Note: Council Meetings are videotaped and aired on Public Access Channel 21, at 7:00 p.m. Sundays and Wednesdays and are also available for viewing at www.parsippany.net.

B. FLAG SALUTE

C. ROLL CALL

Council President dePierro, Council Member Gragnani, Council Member Carifi, Council Member Musella and Council Member Neglia. Other members of the administration present at the meeting; Mayor James Barberio, Business Administrator Frederick Carr, Township Attorney Michael Selvaggi, CFO Juan Uribe and Township Clerk Khaled Madin.

D. UPCOMING MEETINGS:

- | | |
|------------------------|-----------------|
| 1. 8/2/22 @ 7:00 p.m. | Agenda Meeting |
| 2. 8/16/22 @ 7:00 p.m. | Regular Meeting |

E. APPROVAL OF MINUTES

1. Agenda Meeting – 6/14/22
2. Regular Meeting – 6/21/22

Motion to approve the minutes above by Mr. Neglia, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

II. PRESENTATION(S)/REPORTS

A. MAYOR

B. TOWNSHIP COUNCIL

Mr. Musella thanked the Business Administrator and Mayor for meeting with him to discuss his questions regarding the budget.

C. TOWNSHIP ATTORNEY – No Report

D. BUSINESS ADMINISTRATOR – No Report

E. TOWNSHIP CLERK – No Report

F. TOWNSHIP OFFICES COMMITTEES/REPORTS – No Report

G. ENGINEERING REPORT

Greenbank Road Safety and Improvements Project

The project is complete except for the guiderail replacement. Underground utilities could not be moved but we have received approval from the NJDEP to adjust the stream bed to allow more space for the new guiderail installation. Work will begin in the next few months once materials become available. **(No Council Action Required).**

2021 Road Resurfacing / Curb and Sidewalk Program

The annual road resurfacing / curb and sidewalk project will commence in a few weeks. **(No Council Action Required).**

Puddingstone Heights Road Improvement Project, Phase I

Construction on the Puddingstone Heights Improvement project is continuing. We anticipate the project being completed by the beginning of August. **(No Council Action Required).**

Rockaway River Floodwall / Levee Inspection

An inspection was conducted of the Rockaway River floodwall and levee system. The report indicated the system is in good shape and recommended several maintenance and repair items that should be addressed. We are presently working with our consultant on preparing design details and a cost estimate for the repair work. All vegetation within 5 feet of the wall and toe of slope is being cleared in accordance with our inspection requirements. **(No Council Action Required).**

Traffic Signal Maintenance for Littleton Rd. & Rita Dr./Beachwood Rd. and the Jefferson Rd. & Smith Rd. Intersections

This project is for improvements and maintenance to the traffic signals located at the Littleton Road & Rita Drive/Beachwood Road intersection and the Jefferson Road & Smith Road intersection. The

improvements include the replacement of various signal detection and controller equipment that have failed. Work will begin once equipment is available. **(No Council Action Required)**.

Mt. Tabor Street Improvements, Phase VII

The Mt. Tabor Street Improvements, Phase VII project is in design. We anticipate bidding this project next month. **(No Council Action Required)**.

Lake Intervale Area Street Improvements

The first phase of the Lake Intervale Area Street Improvement project is in design. We anticipate bidding this project next month. **(No Council Action Required)**.

Roadway Design Projects

The following projects are in design or proposals have been requested.

- Drumlin Drive Stream Cleaning
 - Jefferson Road Drainage Improvements
 - No. Beverwyck Road Streetscape Improvements
 - Troy Brook Stream Cleaning
 - Sylvan Way Sidewalk Improvements
 - River & Stream Desnagging Plans and Permits
 - Entin Road Traffic Study
- (No Council Action Required)**.

Major Soil Moving Permit – 169 Johnson Rd, LLC, Block 200 Lot 8

The Planning Board has recommended approval of a major soil moving permit in conjunction with the site plan application for the proposed development located at 169 Johnson Road. This office has reviewed the application and recommends the Township Council approve the permit. **(We recommend the Township Council approve the permit by resolution)**.

Major Soil Moving Permit – 2 Campus Dr. Multifamily Development, Block 202 Lots 3.1 & 3.2

The Planning Board has recommended approval of a major soil moving permit in conjunction with the site plan application for the proposed residential development located at the corner of Littleton Road and Campus Drive. This office has reviewed the application and recommends the Township Council approve the permit. **(We recommend the Township Council approve the permit by resolution)**.

Proposed Stop Sign – Kingston Road at Littleton Road

This office has received a request to investigate placing a stop sign on Kingston Road at the intersection with Littleton Road due to numerous vehicles not stopping at this uncontrolled “T” intersection. The Police Department and this office investigated this request and it was determined that a stop sign is warranted. **(An ordinance must be adopted by the Township Council).**

Endorsement of the NJDOT Municipal Aid Grant

We are in the process of preparing and submitting a grant application through the NJDOT Municipal Aid grant program. The application is for the south end of Edwards Road from Route 46 to New Road. The project will include drainage improvements, full depth road reconstruction in various locations, resurfacing of the roadway and enhanced traffic striping and markings. **(A Resolution endorsing the application will need to be adopted by the Township Council).**

Construct Retaining Wall in the Public Right of Way, 80 Fox Hill Rd., Block 101, Lot 22

The property owner at 80 Fox Hill Road is requesting permission to construct a retaining wall in the public right of way in order to stabilize the embankment which support his existing driveway to his residential house. This office reviewed the plan and visited the site and concludes that the retaining wall is necessary. The property owner will assume all responsibility to construct and maintain the wall as well as obtain all necessary permits and approvals. **(An ordinance must be adopted by the Township Council).**

H. CORRESPONDENCE

III. BIDS

A. Taken

B. To Be Taken

1. 7/20/22 – Base Bid – Well Redevelopment Services for Wells 10, 4 & 4A and Pumping System Replacements for Wells 10, 4 & 4A and Supplemental Bid – Well Redevelopment Services for Well 17 and Pumping System Replacements for Well 17
2. 8/11/22 – Well 1A Replacement

C. Quotation(s)/Proposal(s)/Qualification(s)

IV. PUBLIC HEARING

OPEN: I’d like to entertain a motion to open the public hearing. Motion to open the public hearing by Mr. Carifi Seconded by Mr. Musella

ROLL CALL: with all Council Members answering YES

No one came forward to speak.

CLOSE: I'd like to entertain a motion to close the public hearing. Motion to close the public hearing by Mr. Neglia Seconded by Mr. Carifi

ROLL CALL: with all Council Members answering YES

V. BUDGET

A. INTRODUCTION

1. ORDINANCE 2022:21

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2022 PURSUANT TO (N.J.S.A. 40A: 4-45.14)

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **July 19, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **August 16, 2022** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Motion to approve the above Resolution for Ordinance 2022:21 by Mrs. Gragnani, seconded by Mr. Musella.

ROLL CALL: with all Council Members answering YES

B. RESOLUTIONS

1. R2022-114 2022 Municipal Budget Introduction

BE IT RESOLVED, by the Mayor and Township Council of the Township of Parsippany – Troy Hills, in the County of Morris, State of New Jersey as follows:

1. Pursuant to N.J.S.A. 40A:4-4, the 2022 budget and tax resolution, a copy of which is on file in the Office of the Parsippany – Troy Hills Chief Financial Officer, is introduced and approved.
2. The Parsippany – Troy Hills Chief Financial Officer, the Business Administrator, Legal Counsel and the Municipal Clerk of the Township are authorized to take any necessary actions for the consideration of the adoption of the 2022 budget and tax resolution by the Mayor and Township Council at the meeting of July 19, 2022 at 7:00 p.m.

3. Notice is hereby given that a hearing on the budget and tax resolution will be held at the municipal building on August 16, 2022 at 7:00 p.m. at which time and place objections to said budget and tax resolution for the year 2022 may be presented by taxpayers or other interested persons.

Total of General Appropriations	\$ 86,963,726.92
Less: Anticipated Revenues	\$ 25,688,554.10
Less: Municipal Library Tax	<u>\$ 2,995,088.03</u>
Amount to be raised by taxation	<u>\$ 58,280,084.79</u>

4. A copy of the 2022 budget and tax resolution is on file in the Office of the Municipal Clerk.
5. The Municipal Clerk is authorized to forward a certified copy of the 2022 budget and tax resolution to the Morris County Board of Taxation for utilization in the County's abstract of ratables.
6. The within resolution shall take effect immediately.

Motion to approve the Resolution above by Mr. Carifi, seconded by Mrs. Gragnani.

DISCUSSION:

The Mayor made a statement regarding the 2022 budget. He stated that when he left office at the end of 2017 the town was in great shape. He stated in four years Mayor Soriano squandered all the funds and depleted all surpluses. Water fees increased by 39% in one year. Mayor Barberio stated that the township has a financial crisis which will not be resolved in one year. The town cannot cut itself into prosperity. The last thing he wants to do is increase the burden to taxpayers but unfortunately, he must raise revenues to begin to correct what Mayor Soriano did. The municipal portion of the budget will see an increase of 3.3%. The tax levy is different and will also be increasing, but the effect on the resident will be the 3.3%. The Mayor stated there is nothing left to cut from this budget. Going forward he will be operating the government in a more efficient manner. The police department is depleted and needs to be beefed up. Under Mayor Soriano and the previous Chief of Police they allowed the police department to become depleted. We are short in many other departments as well. He stated it was disheartening looking at the past four years and what was done to this township. He also stated that to increase revenues they will also increase the commercial ratable base. This will benefit the taxes for residents. He stated he has a bold path to bring Parsippany back to prosperity.

Mayor Barberio stated that this was a very tough budget and he wanted to present the best budget that he possibly could. If they didn't address what needed to be done this year the budget for next year would be worse. This budget will bring things back to par.

Mr. Carifi stated that in the past he did not vote for budgets with a significant increase, but this budget is like no other. Covid did affect the town but what happened with the previous administration is that spending continued to increase regardless of the circumstances. Ratables and revenue were way down. The previous administration kept dipping into surplus. Inflation is also affecting the township, gas is up which affects the town as well. To get this budget to where it should be the town would have to lay off over 100 people which would affect the services to residents. Mr. Carifi stated he has complete confidence in the Mayor and this administration and as painful as it is this needs to be done.

Mrs. Gragnani stated that she was on the Finance Committee last year and there were several anticipated revenue questions that she and former Council Member McCarthy had questions on, one of which was the hotel tax. Anticipated revenue was 2 million dollars and they only received \$900,000 which was way less. She stated that this new budget is necessary, and she knows that the Mayor worked tirelessly to get this done. She said that the police are needed to patrol our streets. She knows no one wants to do this but this will bring us back to where we need to be.

Mr. Neglia stated at the Finance Committee meeting they looked at the numbers to see what they could do to get the budget back on track. He stated that the prior mayor really hurt the town. The misappropriation of funds and over spending caused the town much damage in his four years as mayor. He stated that services and police cannot be neglected. He cannot understand why there were no police hired in the past four years under the previous mayor. Mr. Neglia stated he supports this budget and commended the Mayor for all he did to get the budget to where it is.

Mr. Musella stated he knew that when they won the election they were going to be walking into a very bad situation. They have found themselves in a financial crisis that needs to be addressed. He stated it will be a community effort to make everything move forward. He is in favor of making this a business hub and is in agreement with the Mayor on that.

Mr. dePierro said he released several statements to the public in 2021. He spoke about the severe deficits in the past administration's budgets. He stated that the Soriano budget pushed things further into the 2022 budget. He said the Soriano administration kicked the can down the road. The Township Council unanimously rejected the Mayor from borrowing \$5 million dollars. He stated this year's budget only puts out the fire and they still have a lot of work to be done for the 2023 budget next year.

ROLL CALL: with all Council Members answering YES

VI. ORDINANCES

A. INTRODUCTION

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1. ORDINANCE 2022:20

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 4, ARTICLE VII, ADMINISTRATION OF GOVERNMENT, DEPARTMENT OF PUBLIC WORKS AND CHAPTER A445-47, FEES

COMPILATION, OMNIBUS DRIVERS OF THE DEPARTMENT OF PUBLIC WORKS, OF THE CODE OF PARSIPPANY-TROY HILLS

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **July 19, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **August 16, 2022** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Motion to approve the above Resolution by Mr. Neglia, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2022:16

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 225, LAND USE, SUBDIVISION AND SITE PLAN, ARTICLE XVI, STORMWATER MANAGEMENT CONTROLS, OF THE TOWNSHIP CODE

WHEREAS, the Township of Parsippany-Troy Hills is obligated to implement ordinances that are consistent with its Tier A Stormwater General Permit as required by regulations adopted by the New Jersey Department of Environmental Protection; and

WHEREAS, the NJDEP model stormwater management ordinance establishes the minimum stormwater management requirements; and

WHEREAS, the Township seeks to adopt greater stormwater controls, as appropriate, which will provide significant water quality and flood risk reduction benefits to the Township and its residents; and

WHEREAS, the provisions of the within ordinance are intended to supplement existing requirements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey, that Chapter 225, entitled "Land Use, Subdivisions and Site Plans," of the Township Code be and hereby is

amended to incorporate the following provisions:

SECTION 1. Chapter 225, entitled “Land Use, Subdivisions and Site Plans,” of the Township Code be and is hereby amended to create new Article XVI, entitled “Stormwater Management Controls,” as follows:

Article XVI Stormwater Management Controls

§ 225-94 Scope and Purpose.

A. Policy Statement. As municipalities throughout New Jersey are developed, impervious surfaces create increased amounts and rates of stormwater runoff during precipitation events. This runoff picks up large amounts of pollutants that collect on parking lots, roadways, rooftops, and other paved or hardened surfaces, and then flows through stormwater conveyances to our streams, rivers, and beaches. The increased runoff rate and volume also lead to erosion and flooding in and downstream of developed areas.

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.

GI BMPs and LID practices not only address stormwater runoff but may also result in multiple benefits, including providing open space and beautifying neighborhoods, cooling and cleansing the air, reducing asthma and heat-related illnesses, and saving on heating and cooling energy costs.

B. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development” and “minor development” as defined below in §225-95.

The requirements of this ordinance are intended not only to meet, but also to exceed the design and performance standards found in the New Jersey Stormwater Management Rules at N.J.A.C. 7:8. The environmental objectives of these requirements are to reduce pollution in waterways from stormwater runoff,

reduce flooding and streambank erosion, and enhance groundwater recharge.

C. Applicability

(1) This Article shall be applicable to the following major and minor developments:

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

(2) This ordinance shall also be applicable to all major and minor developments within the Township of Parsippany-Troy Hills.

(3) This Article shall also be applicable to all major and minor developments as applicable under §225-94.C.1. and §225-94.C.2., whether public or private.

D. Compatibility with Other Permit and Ordinance Requirements

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

This Article is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Article 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.

§ 225-95 Definitions.

For the purpose of this Article, 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 County Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

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

CURRENT DEFICIT AREA

Any United States Geological Survey 14-digit Hydrologic Unit Code subwatershed area that is identified in the Highlands Regional Master Plan as

having negative Net Water Availability, meaning that existing consumptive and depletive water uses exceed the capacity of the ground water supply to sustain.

DEPARTMENT

The 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 professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

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

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

DISTURBANCE

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.

EMPOWERMENT NEIGHBORHOODS

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

EROSION

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:

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

HUC 14 OR HYDROLOGIC UNIT CODE 14

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

Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements. To be considered an impervious surface, the structure, surface or improvement must have the effect of reducing or preventing stormwater absorption.

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.

LOW IMPACT DEVELOPMENT means a development approach that uses practices to manage stormwater close to its source that results in or mimics that of natural hydrologic processes in order to preserve hydrologic and ecologic functions of receiving waters, such as preservation of natural landscape features, minimizing impervious surfaces, infiltration, evapotranspiration, or other use of stormwater.

MAJOR DEVELOPMENT

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

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

combination area equals the threshold area.

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

MINOR DEVELOPMENT

An individual “development,” as well as multiple developments that individually or collectively result the creation of 500 square feet net increase in impervious area or disturbs 5,000 square feet or more of land area but do not meet the definition for “Major Development.” Additionally, any development that increases impervious areas over that which is permitted by the zone.

MITIGATION

An action by an applicant providing compensation or offset actions for onsite stormwater management requirements where the applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in NJAC 7:8, in an adopted regional stormwater management plan, or in this local ordinance, and has received a waiver from strict compliance from the municipality. Mitigation shall include the implementation of the approved mitigation plan within the same drainage area where the subject project is proposed, or a contribution of funding toward a municipal stormwater control project, or provision for equivalent treatment at an alternate location, or any other equivalent water quality benefit as approved by the municipality.

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” 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, township, or village

MUNICIPALLY IMPORTANT GROUND WATER RECHARGE AREA

Preserved or constrained lands that cannot be developed or built upon under current regulations. These areas have recharge rates above the median recharge rate for the subwatershed in which they are located; meaning they provide 40% or greater total recharge volume for the subwatershed. Constrained lands are comprised of undeveloped lands within the Highlands Open Water buffer as well as moderately and severely constrained steep slopes. Preserved lands are those that are permanently preserved by local, county, state, federal or non-profit entities.

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, 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 §225-97.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

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

NON-EXEMPT PROJECT

Any project not eligible for an exemption from the Highlands Water Protection and Planning Act Rules, pursuant to N.J.A.C. 7:38-2.3.

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 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 evaporated.

REGIONAL MASTER PLAN

The Highlands regional master plan or any revision thereof adopted by the Highlands Water Protection and Planning Council pursuant to N.J.S.A. C.13:20-8.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

1. Impervious surface within the project area limit of disturbance;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or

4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

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

SEDIMENT

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 or minor development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP

The geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

STORMWATER

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.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES

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

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

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

WATER CONTROL STRUCTURE

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

WATERS OF THE STATE

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.

§ 225-96 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. Stormwater management measures for minor development shall be designed to provide erosion control and stormwater runoff quantity control, 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 stormwater runoff quantity shall be met by incorporating green infrastructure.

C. The standards in this ordinance that apply to major development 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 or minor development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§ 225-97 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 §225- 104.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §225-97.P, Q and R:

(1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;

(2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and

(3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §225-97.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

(1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

(2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of §225-97.O, P, Q and R to the maximum extent practicable;

(3) The applicant demonstrates that, in order to meet the requirements of §225-97.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and

(4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under

§225-97.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §225-97.O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in §225-97.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at

N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at: https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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	(percent)			(feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	² (e) ₁ (f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device(a) (g)	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	² (b) ₁ (c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	² (b) ₁ (c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found following pages)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table

Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

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

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

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at §225-97.0.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at §225-95;

- (h) manufactured treatment devices that do not meet the definition of green infrastructure at §225-95.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at §225-97.0 only if the measures meet the definition of green infrastructure at §225-95. Alternative stormwater management measures that function in a similar manner to a BMP listed at §225-97 O.2 are subject to the contributory drainage area limitation specified at §225-97 O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at §225-97 O.2 shall have a contributory drainage area less than or equal to 1.0 acre, 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 §225-97.D is granted from §225- 97.0.

- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
 - (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §225-102.C;
 - (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21- 7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at §225-102; and
 - (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the

requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at §225-95 may be used only under the circumstances described at §225-97.O.4.

- K. Any application for a new agricultural development that meets the definition of major development at §225-95 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at §225-97.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §225-97.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Morris County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §225-97.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to §225-104.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within

180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to §225-97 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Morris County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with subsection M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with subsection M above.


O. Green Infrastructure Standards

- (1) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (2) To satisfy the groundwater recharge and stormwater runoff quality standards at §225-97.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at §225-97.F. and/or an alternative stormwater management measure approved in accordance with §225-97.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	0.75 acres
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed 3 times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

- (3) To satisfy the stormwater runoff quantity standards at §225-97.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with §225-97.G.
- (4) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §225-97.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with 225-97.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §225-97.P, Q and R.
- (5) For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at §225-97.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with §225-97.D.

P. Groundwater Recharge Standards

- (1) This subsection contains the minimum design and performance standards for onsite retention and groundwater recharge for Major Developments as follows:
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff, onsite retention, and groundwater recharge calculations at §225-99, the following criteria that results in the greatest infiltration volume:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated. 

Additional standards set forth in (c) and (d) below may apply as required.

- (c) Non-Exempt Projects located in a Current Deficit Area: Where the project is located in a Current Deficit Area as identified in Exhibit A, the project shall demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures provide for enhanced recharge standards set forth in (5.) below.
 - (d) Non-Exempt Projects located in a Municipally Important Ground Water Recharge Area: Where the project is located in a Municipally Important Ground Water Recharge Area as identified in Exhibit B, the following standards shall apply:
 - i. Where disturbance is permitted in accordance with this subsection, it shall be limited to no greater than 15% of the Municipally Important Ground Water Recharge Area on the site and shall preferentially be sited on that portion of Municipally Important Ground Water Recharge Area that has the lowest groundwater recharge rates.
 - ii. Where disturbance to the Municipally Important Ground Water Recharge Area is permitted, the project shall demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures provide for enhanced recharge standards set forth in (5.) below.
- (3) This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
- (4) The following types of stormwater shall not be recharged:
- (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved

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

- (b) Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; byproducts; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.
- (5) Enhanced Recharge Standards: Non-Exempt Projects that are subject to the enhanced recharge requirements by P(2)(c) or P(2)(d) above, shall apply the following standards, either:
- (a) Recharge 125 percent of the percentage of the average annual pre-construction groundwater recharge volume for the site; or
 - (b) In addition to complying with the recharge requirements of section IV.P, retain on-site with no discharge, the Stormwater Quality Design Volume (SWQDv), defined as the runoff from the 1.25-inch, 2-hour rainfall event. Where meeting the recharge requirement will not result in retention of the full SWQDv, the major development shall retain any additional volume to meet the requirements of this section through additional infiltration, or through evapotranspiration or capture and on-site re-use of rainfall.
- (6) Mitigation Required for Non-Exempt Projects: In lieu of on-site recharge, the applicant shall be responsible for providing mitigation of the groundwater recharge volume in the required amount. The applicant should provide mitigation within the following areas, in order of priority:
- (a) the same development site where feasible;
 - (b) the same HUC14 subwatershed, or
 - (c) an interrelated HUC14 subwatershed where no

feasible option exists in the same HUC14 subwatershed.

If none of the above options are feasible or achievable, then the applicant shall comply with the mitigation requirements set forth in (7).

(7) Mitigation Required for Non-Exempt Projects: A waiver from strict compliance with the requirements of the Municipal Stormwater ordinance shall be approved by the municipality only in those cases where an applicant has demonstrated the inability to strictly comply with any standard of the municipal stormwater ordinance. A waiver from strict compliance for such projects can only be obtained if the applicant agrees to undertake a suitable mitigation measure identified in the mitigation section of the municipality's Stormwater Management Plan. In such cases, the applicant must submit a mitigation plan detailing how the project's failure to strictly comply will be compensated. In cases where a waiver is granted, an applicant should provide mitigation, if possible and/or practical, within the same drainage area within which the subject project is proposed, or contribute funding toward a municipal stormwater control project, or provide for equivalent treatment at an alternate location, or provide for another equivalent water quality benefit, in lieu of implementing the required stormwater control measures on their specific site.

Q. Stormwater Runoff Quality Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in the creation of $\frac{1}{4}$ acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - (a) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for

- the stormwater runoff from regulated motor vehicle surfaces.
- (b) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
- (3) The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- (4) The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4: Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500

11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

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

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

Where:

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

- (6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the

site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in §225- 97.P, Q and R.

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

R. Stormwater Runoff Quantity Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at 225-99, complete one of the following:
 - (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - (b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-

construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

- (c) Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed.

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

§ 225-98 Stormwater Management Requirements for Minor Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a minor development in accordance with §225-104. Single lot, single family properties do not need to submit a maintenance plan, but shall maintain their stormwater management measures in accordance with the maintenance guidelines described in the NJDEP BMP Manual. Single lot, single family properties are exempt from the soil testing requirements.
- B. This subsection contains the minimum design and performance standards for Minor Developments as follows:
- C. The design shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at 225-99, the following criteria:
 - (1) Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
 - (2) Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-

half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices. Test pits

shall be excavated, inspected and approved by the Municipal Engineer for suitability of the seepage pit.

- (3) Other Measures - Green Infrastructure: Alternative methods of stormwater management are acceptable as long as the calculations are based on the capacity to retain 3" of runoff per square foot of impervious surface or other approved calculations such that the BMPs meet the intent for runoff control. Other BMPs include but are not limited to the following: Infiltration chambers, rain gardens, infiltration beds, rain water harvesting. All proposed methods must be approved by the Township Engineer.
- (4) All underground roof leader pipes shall be constructed using perforated pipe and placed in a stone bed in accordance with Township Engineering details unless otherwise directed by the Township Engineer.

§ 225-99 Calculation of Stormwater Runoff, Onsite Retention, 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

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 §225-99.A. 1.a and the Rational and Modified Rational Methods at §225-99.A.1.b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design

engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

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

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

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

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

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 2901, Trenton, New Jersey 08625-0420.

- C. Onsite Retention Volume. Onsite retention volume shall be calculated as the prescribed depth of precipitation over all impervious surfaces proposed as part of a major development.

Onsite retention volume (ft³) = Precipitation Depth (in) x (1 ft / 12 in) x Impervious Area (ft²)

§ 225-100 Sources for Technical Guidance.

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

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

- (1) Guidelines for stormwater management measures are

contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

- (2) Additional maintenance guidance is available on the Department's website at:
https://www.njstormwater.org/maintenance_guidance.htm.

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

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

§ 225-101 Solids and Floatable Materials Control Standards

- A. Site design features identified under §225-97.F above, or alternative designs in accordance with §225-97.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §225-101.A.2 below.

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

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

from the surface into a storm drain or surface water body.

- (c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
- (2) The standard in A.1. above does not apply:
- (a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - (i) A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - (ii) A bar screen having a bar spacing of 0.5 inches.

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

- (d) Where flows are conveyed through a trash rack that has parallel bars with one inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:47.2(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.

§ 225-102 Safety Standards for Stormwater Management Basins:

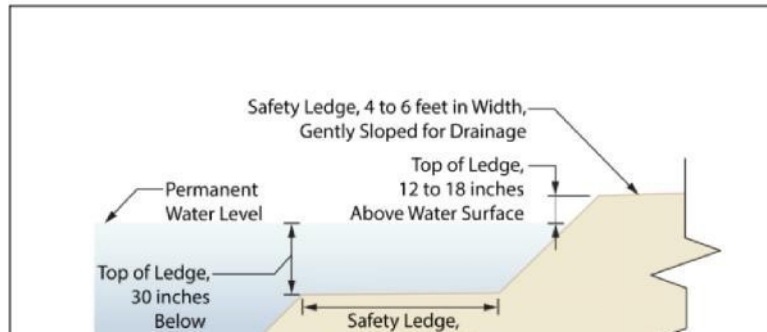
- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in §225-102.C.1, §225-102.C.2, and §225-102.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

- (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
- (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to §225-102.C, a free-standing outlet structure may be exempted from this requirement;
 - (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See §225-102.E for an illustration of safety ledges in a stormwater management BMP; and
 - (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

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

E. Safety Ledge Illustration



Elevation View - Basin Safety Ledge Configuration

§ 225-103 Requirements for a Site Development Stormwater Plan:

- A. Submission of Site Development Stormwater Plan
 - (1) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §225-103.C below as part of the submission of the application for approval.
 - (2) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
 - (3) The applicant shall submit 5 copies of the materials listed in the checklist for site development stormwater plans in accordance with §225-103.C of this ordinance.

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

C. Submission of Site Development Stormwater

Plan The following information shall be required:

- (1) Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following, if present: 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 §225- 96 through 225-98 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

(5) Stormwater Management Facilities Map

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

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

- to control and dispose of stormwater.
 - ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
6. Calculations
- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §225-97 of this ordinance.
 - ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of §225-104.
8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §225-103.C.1 through C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 225-104 Maintenance and Repair

A. Applicability

Projects subject to review as in §225-94.C of this ordinance shall comply with the requirements of §225-104.B and C.

B. General Maintenance

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development or minor 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) Maintenance plans shall be provided for all developments permitted after February 1, 2004.
- (5) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (6) If the party responsible for maintenance identified under §225-104.B.3 above is not a public agency, the maintenance plan and any future revisions based on §225-104.B.7 below shall be recorded with the Morris County Clerk 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 §225-104.B.3 above shall perform all of the following requirements:
- (a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - (c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by §225-104.B.6 and B.7 above; and
 - (d) shall submit inspection reports and maintenance logs to the Township Engineer before June 1 of each year; and
 - (e) in instances where a maintenance plan has not been created, the owner shall ensure that the stormwater facilities are inspected annually by a competent professional i.e. Professional Engineer, Landscape Architect, or other environmental professional with experience in stormwater systems and as approved by the Township Engineer.
 - (f) Inspection, maintenance and repair submissions in this section apply to all stormwater management systems constructed after February 7, 1984, as referenced in N.J.A.C. 7:14A - Tier A Municipal Stormwater General Permit.
- (8) The requirements of §225-104.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department. In all other cases where the Township does not take responsibility for repair and maintenance of the stormwater management resources, the applicant shall post a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

Maintenance and inspection guidance can be found on the Department's website at:

<https://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) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development or minor development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 225-105 Violations and Penalties

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the general penalty provisions set forth in Chapter 1-17 of the Township Code.

SECTION 2. Chapter 225-64(L) of the Township Code, entitled “Storm Drainage,” be and is hereby repealed in its entirety.

SECTION 3. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

The Notice for Ordinance 2022:16 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on June 23, 2022 and introduced at the June 14, 2022 Agenda Meeting.

Motion to accept Ordinance 2022:16, be heard in their second and final reading by title only, by Mr. Musella, seconded by Mr. Neglia. **ROLL CALL:** with all Council

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:16 by Mr. Musella, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:16 by Mr. Musella, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that Notice of Final Passage of said ordinance be published in the newspaper according to law.

Motion to approve the Resolution above for Ordinance 2022:16 by Mr. Musella, seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

2. **ORDINANCE 2022:17**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 225, LAND USE, SUBDIVISIONS AND SITE PLANS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the Township of Parsippany-Troy Hills (the “Township”) regulates zoning and development within its various districts; and

WHEREAS, the Township Council finds and declares that it is in the best interests of the Township and its residents to update certain provisions of its zoning code.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey as follows, that:

SECTION 1. Chapter 225, Land Use, Subdivisions and Site Plans, Section 225-17, Fees, Subsections L, M, and O, of the Code of the Township of Parsippany-Troy Hills are hereby repealed and replaced as follows:

L. Upon the filing of an application for a conditional use, payment for fees shall be made as follows:

(1) Customary Home Occupation:

(a) Application Fee: \$200.00

(b) Escrow Fee: \$2,500.00

(2) Professional Home Office:

(a) Application Fee: \$300.00

(b) Escrow Fee: \$3,000.00

(3) Nonresidential Conditional Use:

(a) Application Fee: \$500.00

(b) Escrow Fee: \$1,000.00

M. Upon the filing of an application for a conditional use approval in conjunction with a site plan, payment for fees shall be made as follows:

(1) Minor Site Plan:

(a) Application Fee: Total Proposed Parking Spaces

i. Fewer than 10 parking spaces: \$100.00

ii. 11-50 parking spaces: \$200.00

iii. More than 50 parking spaces: \$300.00

(b) Escrow Fee: \$2,500.00

(2) Preliminary Major Site Plan (Residential):

(a) Application Fee: Dwelling Units

i. 1-30 Dwelling Units: \$50.00 per unit

- ii. 31-100 Dwelling Units: \$30.00 per unit
- iii. 101 and more Dwelling Units: \$20.00 per unit
- iv. Minimum Fee: \$300.00

(b) Escrow Fee: \$5,000.00

(3) Preliminary Major Site Plan (Nonresidential):

(a) Application Fee: Square Footage of Gross Floor Area

- i. Per 1,000 square foot: \$50.00
- ii. Minimum: \$300.00
- iii. Maximum: \$4,000.00
- iv. Apartments or Multifamily: \$10.00 per unit

(b) Escrow Fee: \$3,000.00

(4) Final Major Site Plan

(a) Application Fee: Percentage of Preliminary Application

- i. 50% of Fee for Preliminary Application

(b) Escrow Fee: \$3,000.00

O. Reserved

SECTION 2. Chapter 225, Land Use, Subdivisions and Site Plans, Section 225-27, Fees, Subsections A and F, of the Code of the Township of Parsippany-Troy Hills are hereby amended and supplemented as follows:

A. Upon the filing of an application for development pursuant to § 225-22B and C(1) of this chapter:

(1) Construction of not more than 400 square feet:

(a) Residential: \$60.00

(b) Nonresidential: \$150.00

(c) Escrow fee: \$500.00

(2) Construction of 400 or more square feet:

(a) Residential: \$100.00

(b) Nonresidential: \$250.00

(c) Escrow fee: \$750.00

F. Upon the filing of an application for a development pursuant to § 225-22C(2) of this chapter:

(1) Residential: \$300.00

(2) Nonresidential: \$300.00

(3) Escrow fee: \$2,500.00

SECTION 3. Chapter 225, Land Use, Subdivisions and Site Plans, Section 225-38, Plats to conform to requirements, of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented as follows:

No plat shall be accepted for consideration unless it fully conforms to the requirements of this article as to quantity, form, content and accompanying information, and shall be submitted as follows:

- A. Four (4) copies of the Plat Map in one of the following standard sizes: 8 1/2 inches by 13 inches, 24 inches by 36 inches or 15 inches by 21 inches, as measured from cutting edges;
- B. Twenty (20) copies of the Plat Map in size 11 inches by 17 inches, as measured from cutting edges; and
- C. One (1) PDF copy of the Plat Map.

All prints shall be folded, with the nameplate on the outside, to a size not to exceed 8 1/2 inches by 13 inches.

SECTION 4. Chapter 225, Land Use, Subdivisions and Site Plans, Section 225-45, Preliminary site plan, Subsection A, of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented as follows:

A. Except for small additions or changes as above, the preliminary major site plan, as required, shall be submitted, as follows:

- (1) Twenty (20) copies, size 11 inches by 17 inches; and
- (2) Four (4) copies, size 24 inches by 36 inches; and
- (3) One (1) PDF copy.

SECTION 5. Chapter 225, Land Use, Subdivisions and Site Plans, Section 225-46, Final site plan, of the Code of the Township of Parsippany-Troy Hills is hereby repealed and replaced as follows:

A. An application for final site plan approval shall be submitted to the board secretary, at least thirty (30) days prior to the date of the regular board meeting, as follows:

- (1) Four (4) copies of the final site plan, size 24 inches by 36 inches;
- (2) Twenty (20) copies of the final site plan, size 11 inches by 17 inches;
- (3) Three (3) copies of the application form; and
- (4) One (1) PDF copy of the application form and final site plan.

B. Unless the preliminary site plan is approved without changes, the final plat shall have incorporated all changes or modifications by the board. The plan shall be drawn in accordance with § 225-45 of this chapter and, further, as-built drawings of all site improvements to be dedicated to the Township shall accompany the final site plan submission.

C. The final site plan shall be accompanied by a statement by the Township Engineer that he/she is in receipt of a map showing all utilities or extensions thereof in exact location and elevation, identifying those portions already installed and those to be installed, and that the developer has complied with one or both of the following:

- (1) Installed all improvements in accordance with the requirements of these regulations; and/or
- (2) A performance guaranty in sufficient amount to assure the completion of all required improvements.

SECTION 6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 7. All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2022:17 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on June 27, 2022 and introduced at the June 21, 2022 Regular Meeting.

Motion to accept Ordinance 2022:17, be heard in their second and final reading by title only, by Mrs. Gragnani, seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:17 by Mrs. Gragnani, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:17 by Mrs. Gragnani, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that Notice of Final Passage of said ordinance be published in the newspaper according to law.

Motion to approve the Resolution above for Ordinance 2022:17 by Mrs. Gragnani, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

3. **ORDINANCE 2022:18**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILL, MORRIS COUNTY, NEW JERSEY AUTHORIZING THE CONVEYANCE OF BLOCK 765, LOTS 66 AND 81.1 TO WILDLIFE PRESERVES, INC.

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) owns certain real property designated as Block 765, Lots 66 and 81.1 on the Township’s official tax map (collectively, the “Property”) which is no longer needed for public use; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-21, authorizes a municipality to sell and convey all or any part of a tract of land, with or without improvements, not needed for municipal purposes, to certain organizations upon nominal consideration; and

WHEREAS, Wildlife Preserves, Inc. (“Wildlife”) is a nonprofit organization, duly incorporated in the State of New Jersey, dedicated to the protection of natural areas, open space, wildlife, and wildlife habitats for conservation, education, and research for the benefit of the general public, including residents of the Township; and

WHEREAS, Wildlife is the current owner of land that is adjacent and contiguous to the Property, constituting part of the Troy Meadows, and it desires to purchase the Property from the Township for nominal consideration in furtherance of Wildlife’s purposes as a land conservancy and environmental advocacy nonprofit organization; and

WHEREAS, the Property is unsuited for development and wetland-encumbered, and is therefore of little to no value or other use to the Township; and

WHEREAS, the Township previously agreed to convey the Property to Wildlife in connection with the settlement of litigation captioned Wildlife Preserves, Inc. v. the Township of Parsippany-Troy Hills, et al., and bearing Docket No. MRS-L2704-16; and

WHEREAS, in accordance with N.J.S.A. 40A:12-21, any conveyance of the Property is subject to the limitation that the Property shall be used only in furtherance of Wildlife’s purposes as a land conservancy and environmental advocacy nonprofit organization and not for commercial business, trade or manufacture and that, unless waived, released, modified, or subordinated pursuant to N.J.S.A. 40:60-51.2, if the Property is not used in accordance with said limitation, title thereto shall revert to the Township without any entry or reentry made thereon behalf of the Township; and

WHEREAS, the Township Council has determined it to be in the best interests of the citizens of the Township to authorize the sale of the Property to the Wildlife; and

WHEREAS, by Ordinance 2020:12, the Township Council previously authorized conveyance of the Property to Wildlife and the Township Council desires to reauthorize this conveyance by bargain and sale deed.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, in Morris County, State of New Jersey as follows:

1. The Township Council hereby approves the conveyance of Block 765, Lots 66 and 81.1 as designated on the Township's official tax map (collectively, the "Property") to Wildlife Preserves Inc. ("Wildlife"), in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. for nominal consideration in the amount of One Dollar (\$1.00), and subject to the limitation, as required by N.J.S.A. 40A:12-21, that the Property shall be used only for the purposes of the organization as a land conservancy and environmental advocacy nonprofit organization and not for commercial business, trade, or manufacture, and that, unless waived, released, modified, or subordinated pursuant to N.J.S.A. 40:60-51.2, if the Property is not used in accordance with said limitation, title thereto shall revert to the Township without any entry or reentry made thereon behalf of the Township.
2. The Mayor is hereby authorized to execute a bargain and sale deed and any other documents necessary to effectuate the conveyance of the Property to Wildlife.
3. The Property shall be conveyed subject to all existing encumbrances, liens, zoning regulations, easements or other restrictions, such facts as an accurate survey may reveal, and any present or future assessments for the construction and improvements benefitting the Properties.
4. The conveyance of the Property to Wildlife is strictly "AS IS". No representation is made by the Township as to the utility, usability or environmental condition of the Property.
5. The Property is listed on the Township's ROSI and therefore the sale and conveyance of the Property requires approval of the New Jersey Department of Environmental Protection in accordance with N.J.A.C. 7:36-1.1 et seq.
6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.
7. All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
8. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2022:18 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on June 27, 2022 and introduced at the June 21, 2022 Regular Meeting.

Motion to accept Ordinance 2022:18, be heard in their second and final reading by title only, by Mr. Carifi, seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:18 by Mr. Carifi, seconded by Mr. Musella.

ROLL CALL: with all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:18 by Mr. Carifi, seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that Notice of Final Passage of said ordinance be published in the newspaper according to law.

Motion to approve the Resolution above for Ordinance 2022:18 by Mr. Carifi, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

4. **ORDINANCE 2022:19**

AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS (TOWNSHIP CODE CHAPTER 430) TO PERMIT LIMITED CONTINUUM OF CARE (LCoC) COMMUNITIES AS A CONDITIONAL USE IN THE ROL ZONING DISTRICT, AND AMENDING §430-8 (TERMS DEFINED) IN CONNECTION WITH SUCH USE

WHEREAS, the State of New Jersey, by enacting the Municipal Land Use Law (N.J.S.A. 40: 55d-1 et seq. - “MLUL”), permits municipalities to adopt and subsequently amend a zoning ordinance governing the nature and extent of the uses of land, buildings and structures within a municipality (N.J.S.A. 40:55d-62); and

WHEREAS, section 62 of the MLUL requires that a zoning ordinance be drawn “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land”; and

WHEREAS, in or about August 1978, the Township of Parsippany – Troy Hills (“Township”) first adopted a comprehensive Zone Plan and Zoning Ordinance, the latter being codified as Chapter 430 (Zoning) of the Township Code (“Chapter 430”); and

WHEREAS, Chapter 430, which has been amended from time-to-time, remains the current zone plan for the Township; and

WHEREAS, Article XXV of Chapter 430 establishes the (ROL) Research, Office and Laboratory Zoning District. §430-178 through §430-185 of Article XXV regulate land uses in such Zone; and

WHEREAS, §430-178 A. permits the following as Principal Uses in the ROL Zone:

- Offices for executive or administrative purposes;
- Scientific research laboratories or other experimental testing or research facilities, including pilot plants in connection therewith to such operations as production, development, fabrication, assembly, processing, packaging and warehousing of products;
- Limited pharmaceutical production plants...;
- Professional and business offices;
- Medical and dental offices, testing laboratories and clinics; and
- Banks.

and

WHEREAS, §430-181 permits Hotels as a Conditional Use in the ROL Zone; and

WHEREAS, the senior housing market has evolved to include a product that combines Independent Living, Assisted Living and Memory Care, along with expanded residential amenities, into a single Continuum of Care Community; and

WHEREAS, the Township has determined that it is proper and appropriate to amend Chapter §430 to permit Limited Continuum of Care (LCoC) Communities as a Conditional Use in the ROL Zone, subject to the certain conditions detailed.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY – TROY HILLS, that the Township’s Zoning Ordinance (Chapter 430) shall be amended as follows:

1. §430-8 (Terms Defined) shall be amended to replace:

ASSISTED LIVING FACILITY — A residential health-care facility which is licensed by the New Jersey Department of Health to provide housing with congregate dining and a coordinated array of supportive personal and health-care services, available 24 hours per day, to four or more elderly and/or handicapped residents unrelated to the proprietor. Each unit in an assisted living facility shall, as part of the living quarters, include a private bathroom, kitchenette and lockable entrance door. Common dining, recreational and laundry facilities, housekeeping and maintenance services, personal

and health-care services and community and administrative facilities and services, all in support of and for the sole benefit of the residents of the facility, shall be considered customary accessory uses to an assisted living facility. An assisted living facility shall provide its own ambulance and transportation services.

with

ASSISTED LIVING FACILITY (a.k.a. ASSISTED LIVING RESIDENCE) - a residential facility which is licensed by the New Jersey Department of Health to provide apartment-style housing with congregate dining and a coordinated array of supportive personal and health-care services and appropriate residential amenities, available 24 hours per day, 7 days per week, 365 days per year, to 4 or more adult residents unrelated to the proprietor. Each apartment unit shall, as part of the living quarters, include, at a minimum, one unfurnished room, one private bathroom, kitchenette and lockable entrance door. Common recreation and laundry facilities, housekeeping and maintenance services and community and administrative facilities and services, all in support of and for the sole benefit of the residents of the Facility, shall be considered customary Accessory Uses to the Facility.

An Assisted Living Facility / Assisted Living Residence may offer Memory Care (as defined in §430-8) services, provided that the Facility has established criteria for admission to and discharge from the program(s) when the Resident's needs can no longer be met, based upon a registered professional's assessment of the cognitive and functional status of the Resident, or the guidelines set forth and agreed upon in Facility's Residency Lease agreement

2. The definition of Independent Living in §430-8 (Terms Defined) shall be amended to eliminate the phrase "including persons who require nursing home level of care". Such definition is therefore amended to read:

INDEPENDENT LIVING - A community which provides a living unit chosen by the Resident for his or her exclusive use in which the resident can safely live and function independently. The Facility can offer a coordinated array of personal and supportive services, available to the Resident either 24 hours a day or during clearly designated times defined in the facility's Residency Lease Agreement.

3. §430-8 (Terms Defined) shall be amended to add:

ACUTE CARE / ACUTE CARE SERVICES – the level of attention or services an individual receives while recovering from an injury, illness or surgery upon hospital discharge but not rising to the level of Long-Term Care such as, but not limited to, Hospice Care, Oxygen Treatment, Wound Care, Physical Therapy and like and similar services.

ASSISTED LIVING - as defined in N.J.A.C. 8:33H, a coordinated array of supportive personal and health services, available 24 hours per day, to residents who have been assessed to need these services, including residents who require formal

long-term care. Assisted living promotes resident self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity, and homelike surroundings.

CONTINUING CARE RETIREMENT COMMUNITY - the provision of lodging and nursing, medical, or other related services at the same or another location to an individual pursuant to an agreement effective for the life of the individual or for a period greater than one year, including mutually terminable contracts, and in consideration of the payment of an entrance fee with or without other periodic charges. A fee which is less than the sum of the regular periodic charges for one year of residency is not considered an entrance fee.

HEALTH CARE SERVICE – as defined in N.J.A.C. 36, any service provided to a Resident of an Assisted Living Residence or Comprehensive Personal Care Home that is ordered by a physician and required to be provided or delegated by a licensed, registered or certified Health Care Professional. Any other service, whether or not ordered by a physician, that is not required to be provided by a licensed, registered or certified Health Care Professional shall not be considered a Health Care Service.

HOMELIKE ENVIRONMENT - a residential setting where a sense of family and community pervades to foster emotional attachment to people and place and in which a Resident's preferred lifestyle, habits and use of personal belongings are encouraged and supported.

INDEPENDENT LIVING FACILITY (a.k.a. INDEPENDENT LIVING RESIDENCE) - a residential facility which is not licensed by the New Jersey Department of Health, which provides apartment-style housing with congregate dining and a limited array of supportive personal and health-care services that do not rise to the level of Assisted Living, and appropriate residential amenities, available 24 hours per day, 7 days per week, 365 days per year, to 4 or more adult residents unrelated to the proprietor. Each apartment unit shall, as part of the living quarters, include, at a minimum, one unfurnished room, one private bathroom, full kitchen or kitchenette and lockable entrance door. Common recreation and laundry facilities, housekeeping and maintenance services and community and administrative facilities and services, all in support of and for the sole benefit of the residents of the Facility, shall be considered customary Accessory Uses to the Facility.

LIMITED CONTINUUM OF CARE (LCoC) COMMUNITY - a facility which is licensed by the New Jersey Department of Health combining apartment-style Independent Living Residences and Assisted Living Residences (both defined herein) in a Homelike Environment within a single building, and providing a variety of continuum of care services typical of such Residences, as well as Acute Care Services (as defined in §430-8).

Accessory Uses typical of Independent Living Residences and Assisted Living Residences shall be for the exclusive use of the LCOC Residents, their guests and the staff of the facility.

LCoC Communities shall not be construed to include Continuing Care Retirement Communities, Hospice Facilities, Long-Term Care Facilities, Nursing Homes / Nursing Facilities or Respite Care Facilities (as defined in §430-8 and/or N.J.A.C. 8:33H or 8:36), nor shall they provide services typical thereof.

LONG-TERM CARE FACILITY – a residential facility offering an array of personal care, psycho-social, nursing, and other supportive services that are available to people with functional limitations due to chronic - and frequently degenerative - physical or cognitive disorders. Long-Term Care encompasses a broad spectrum of care that includes ongoing skilled nursing care and subacute rehabilitative services provided by medical professionals.

MEMORY CARE – programs to meet the needs of residents with Alzheimer's disease or other dementias providing individualized care based upon assessment of the cognitive and functional abilities of the participant.

NURSING HOME (a.k.a. NURSING FACILITY) - a facility that is licensed by the New Jersey Department of Health to provide health care under medical supervision and continuous nursing care for 24 or more consecutive hours to two or more patients who do not require the degree of care and treatment which a hospital provides and who, because of their physical or mental condition, require continuous nursing care and services above the level of room and board.

NURSING HOME-LEVEL CARE - care provided to individuals who have chronic medical condition(s) resulting in moderate to severe impairments in physical, behavioral, cognitive, and/or psychosocial functioning. The need for nursing home-level care and services is determined by a registered nurse and identified in a plan of care, in accordance with 8:36-7.1 "Nursing home-level care" includes, but is not limited to, partial or total assistance with activities of daily living (for example, bathing, dressing, eating, toileting, mobility), assistance with self-administering or administration of medications, and provision of treatments and periodic reassessments as directed by the plan of care. It may also include the provision of physiotherapy, occupational therapy, therapeutic counseling, and other rehabilitative services as indicated by the individual's medical condition.

LCoC RESIDENT - an individual who lives in a Limited Continuum of Care (LCoC) Community (as defined in §430-8).

LCoC RESIDENTIAL UNIT - a separate apartment or dwelling unit where one or more individuals reside within a Limited Continuum of Care (LCoC) Community (as defined in §430-8). LCoC Residential Units shall house no more than two residents.

PORTICO - an open-sided structure attached to a building sheltering an entrance or serving as a semi-enclosed space.

RESPITE CARE - a service that provides a brief period of relief from caregiving responsibilities for the family members and friends of individuals who require long-term care. It may be offered either on an outpatient basis, for example, in the form of adult day health care, or an inpatient basis, for example, in the form of residential health care.

4. §430-181 (Conditional Uses) shall be amended to add a new subsection B. as follows:

B. Limited Continuum of Care (LCoC) Communities (as defined in §430-8), subject to the following conditions (deviation from which will require 'd-3' Variance relief from the Zoning Board of Adjustment):

- (1) The maximum building height permitted shall be 65' measured from the mean natural level of the lot immediately adjacent to the building foundation to the midpoint of highest peaked roof or 6 stories, whichever is the lesser.
- (2) The principal structure shall be located a minimum of 200' from any residential lot line.
- (3) For the purposes of Front Yard Setbacks, Porticos (as defined in §430-8) shall be considered an Accessory Building and setback a minimum of 25'.
- (4) Maximum Building Height for Porticos (as defined in §430-8) shall be 25'.
- (5) The remaining height, area and yard requirements shall be as specified in the schedule of regulations in Article VI and shall not be considered Conditions subject to 'd-3' Variance relief.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

The Notice for Ordinance 2022:19 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on June 27, 2022 and introduced at the June 21, 2022 Regular Meeting.

Motion to accept Ordinance 2022:19, be heard in their second and final reading by title only, by Mr. Neglia, seconded by Mr. Carifi. **ROLL CALL:** with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:19 by Mr. Neglia, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:19 by Mr. Neglia, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that Notice of Final Passage of said ordinance be published in the newspaper according to law.

Motion to approve the Resolution above for Ordinance 2022:19 by Mr. Neglia, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

VII. NON-CONSENT AGENDA

A. RESOLUTIONS

1. R2022-115 Authorizing the Award of a Contract to DMR Architects as Architectural Consultant

WHEREAS, the Township of Parsippany-Troy Hills (the "Township") has a need to retain an architectural firm that has special expertise in providing architectural consulting services; and

WHEREAS, the Township desires to retain DMR Architects to perform the necessary financial advisory services and to enter into a contract with the firm for said services; and

WHEREAS, the financial services to be performed by DMR Architects are services which predominantly require mental or intellectual skill and knowledge, and as such, are awarded without competitive bidding as an "extraordinary unspecifiable service" pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of these services may exceed \$17,500; and

WHEREAS, DMR Architects will complete and submit a Business Entity Disclosure Certification, which Certification provides that it has not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit Special Legal Counsel from making any reportable contributions through the term of the contract that would bar the award of a contract pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, DMR Architects will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that DMR Architects and the members of the firm have not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS the Chief Financial Officer will certify to the availability of funds when services are rendered.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey, as follows:

1. That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. That the Township Council hereby confirms the appointment of DMR Architects as Architectural Consultant, and hereby authorizes the award of a contract with the same; and
3. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and

4. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as a professional service, pursuant to N.J.S.A. 40A:11-1 et seq.; and
5. That a notice of this award be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

Motion to approve the Resolution above for Ordinance 2022:19 by Mr. Musella, seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

VIII. CONSENT AGENDA

BE IT RESOLVED, all items listed with an asterisk (*) are routine and noncontroversial by the Township 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.

Motion to approve the Consent Agenda by Mrs. Gragnani seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

A. RESOLUTIONS

1. **R2022-108*Authorizing the Cancellation and Refund of Property Taxes for Block 92, Lot 7 – 100% Permanently Disabled Veteran**

WHEREAS, N.J.S.A. 54:4-3.30 exempts 100% permanently and totally disabled veterans or surviving spouses of veterans from the payment of real estate taxes; and

WHEREAS, David Rene Gaetan is the owner of the residential property assessed as Block 92, Lot 7, having an address of 4 Dogwood Lane and purchased on February 16, 2021 and

WHEREAS, David Rene Gaetan has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service connected disabled veteran effective July 19, 2019 and

WHEREAS, David Rene Gaetan submitted a 100% disabled veteran exemption application with the Tax Assessor's office January 10, 2022 and the for the past 30 years the municipality has exempted residential properties for the year or partial year that the veteran applied for the exemption,

NOW, THEREFORE, BE IT RESOLVED by the Township of Parsippany-Troy Hills that the 2022 real estate taxes on the above parcel are hereby exempt/canceled for the period January 1, 2022 through December 31, 2022; and

BE IT FURTHER RESOLVED that said 2022 taxes *paid* for the period from January 1, 2022 to December 31, 2022 be refunded to the owner of the property.

2. **R2022-109*Granting a Major Soil Moving Permit to 169 Johnson Road, LLC: Block 200, Lot 8**

WHEREAS, 169 Johnson Road, LLC has applied to the Township of Parsippany-Troy Hills to move approximately 19,944 cubic yards of soil as part of the proposed work at, **Block 200, Lot 8, 169 Johnson Road**; and

WHEREAS, the Planning Board considered this application at its meeting of June 6, 2022, and recommends approval to the Township Council; and

WHEREAS, the application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Township Clerk dated June 24, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to 169 Johnson Road, LLC for the moving of approximately 19,944 cubic yards of soil as part of the proposed work at, **Block 200, Lot 8, 169 Johnson Road**, subject to the following terms and conditions:

1. The applicant shall comply with all the recommendations and requirements included in the memorandum from Justin Lizza, Municipal Engineer, dated April 26, 2022.
2. The applicant shall comply with the recommendations and requirements stipulated by the Planning Board at its meeting of June 6, 2021.
3. All inspection fees and performance guarantees shall be paid prior to the issuance of the permit.

3. **R2022-110*Granting a Major Soil Moving Permit to RRT 2 Campus Drive, LLC: Block 202, Lot 3.20**

WHEREAS, RRT 2 Campus Drive, LLC has applied to the Township of Parsippany-Troy Hills to move approximately 13,274 cubic yards of soil as part of the proposed work at, **Block 202, Lot 3.20, 2 Campus Drive**; and

WHEREAS, the Planning Board considered this application at its meeting of June 6, 2022, and recommends approval to the Township Council; and

WHEREAS, the application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Township Clerk dated June 24, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to 169 Johnson Road, LLC for the moving of approximately 19,944 cubic yards of soil as part of the proposed work at, **Block 202, Lot 3.20, 2 Campus Drive** subject to the following terms and conditions:

4. The applicant shall comply with all the recommendations and requirements included in the memorandum from Justin Lizza, Municipal Engineer, dated March 31, 2022.
5. The applicant shall comply with the recommendations and requirements stipulated by the Planning Board at its meeting of June 6, 2021.

All inspection fees and performance guarantees shall be paid prior to the issuance of the permit

4. **R2022-111*Authorizing the Construction of a Retaining Wall in the Right of Way Fox Hill Road, Block 101, Lot 22 (80 Fox Hill Road)**

WHEREAS, Frank J. Dapiran (“Owner”) is the owner of real property located at Lot 22 in Block 101 on the tax assessment map of the Township of Parsippany commonly known as 80 Fox Hill Rd. (hereinafter “the Subject Property”); and

WHEREAS, the Subject Property proposes to construct a retaining wall in the Township’s right of way; and

WHEREAS, in accordance with N.J.S.A. 40:67-1 et seq., and Chapter 225-70 of the Municipal Code of the Township, Township has established a public street known as Fox Hill Road which is adjacent to the Subject Property; and

WHEREAS, as depicted on the Grading Plan for 80 Fox Hill Road Lot 22, Block 101 dated April 26, 2022 prepared by Alfred A. Stewart, Jr., P.E. of Stewart Surveying and Engineering Services, LLC the proposed retaining wall encroaches into the Township’s right of way; and

WHEREAS, the existing driveway is demonstrating signs of slope failure; and

WHEREAS, the construction of a retaining wall is necessary in the Township’s right-of-way because of steep slope from Fox Hill Road to dwelling; and

WHEREAS, the Township’s engineering department has reviewed proposed plan and visited the site and concludes that the retaining wall is necessary in the Township’s right-of-way to enforce driveway; and

WHEREAS, the retaining wall will not be the responsibility of the Township to construct, maintain or any other responsibility; and

WHEREAS, the owner and future owners of 80 Fox Hill Road have all responsibilities in the construction, maintenance and any other responsibilities of the retaining wall, and

WHEREAS, the owner shall obtain a right of way opening permit, tree removal permit, building permit and zoning permit if needed for the construction of the retaining wall, and

WHEREAS, accordingly, the Township desires to grant permission to the Owner to permit the construction of the retaining wall in the Township's right of way, subject to the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Township Council hereby approves the construction of the retaining wall. The Mayor and Township Clerk are hereby authorized to execute this resolution in a form acceptable to the Business Administrator and Township Attorney.

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized and directed to further negotiate the terms and conditions of said resolution.

BE IT FURTHER RESOLVED, that all Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. **R2022-112*Awarding a Contract for Ambulance Billing and Collection Services for EMS**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for Ambulance Billing and Collection Services for EMS on June 23, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Director of EMS have reviewed the bid received and recommend that a contract be awarded to the lowest responsible bidder, Coronis Health RCM, LLC, 50 US Highway 9, Building B, Morganville, NJ 07751 for the percentages of collections proposed of 6.00% for collections from \$0.00 to \$400,000.00, 7.00% for collections from \$401,000.00 to \$800,000.00 and 8.00% for collections from \$801,000.00 to (No Max), and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify the availability of funds at the time collections are received and billed under the following:

2022 Temporary Budget/Current Account
"Ambulance Billing"

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Ambulance Billing and Collection Services for EMS be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

B. **APPLICATIONS**

1. **R2022-113*Approving a New Limousine License for R&S Executive, LLC**

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner's Licenses be issued for the year 2022.

**R&S Executive LLC
235 Lake Shore Drive
Lake Hiawatha, NJ 07034**

(1 Vehicle)

IX. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the July 22, 2022 regular and miscellaneous payroll estimated at \$1,600,000.00.
2. Payment of bills from voucher list of 7/15/22 through 7/17/22 is \$2,069,317.76

Motion to approve the authorization for payment above by Mr. Carifi, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

X. ADJOURNMENT

Motion to Adjourn the Meeting by Mr. Neglia Seconded by Mr. Carifi

ROLL CALL: with all Council Members answering YES

Respectfully submitted,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: August 16, 2022