



**Minutes of Virtual Regular Meeting** of the Mayor and Council of the Borough of Bogota, held at the Bogota Council Chambers, 375 Larch Avenue, Bogota, NJ, on Thursday, July 15, 2021 at 7:30pm.

Salute to the Flag was led by Mayor Kelemen.

The notice requirements of the Open Public Meetings Law have been satisfied as notice was sent to two newspapers and posted on the Borough Hall bulletin board on July 7, 2021.

Roll Call: Mayor Kelemen and Councilmembers Carpenter, Connors, Fede, Granquist, Murphy, and Robbins were present. Also present were Borough Attorney Betesh and Borough Auditor Lerch.

Motion was made by Councilman Connors, seconded by Councilwoman Carpenter, to open the meeting to Citizen Remarks. Motion carried.

Susan Harper referred to a New York Times article from 2 weeks ago about trees and the effects due to climate change. The article explained that large trees with canopies can reduce the heat by 10 degrees and save lives. Trees should be viewed as infrastructure. She talked about trees that were planted years ago to save farms from strong winds. She said that trees are being replaced with different trees that are not as tall or as strong. This means that there is not as much protection against the environment, cement factory, and heat issues. She said that the Mayor said the concerns would be addressed, and the Engineer said that the landscaping could be modified. She is requesting modification of the trees that are being planted because these trees will not grow as high or have canopies that are needed.

Jorge Nunez said that he forwarded pictures to Council about the Central Avenue issue, and someone has to address it. Nothing has happened yet. He said that a sizeable amount of money was expended to repave the road and then the reopening was done. He asked who is safeguarding taxpayer funds. Winter weather will cause this road to be destroyed quickly. He continued that the administrator would not address it, and he asked that the governing body all put their heads together to resolve it.

Carmel Birney asked when dead trees will be coming down.

Motion to close Citizen Remarks was made by Councilwoman Fede, seconded by Councilman Robbins. Motion carried.

Councilwoman Carpenter said that Administrator Scarpa forwarded the email about the road issue to the Chief of Police. Councilman Connors spoke to the Chief of Police who will be attending this meeting after 8pm. He told Susan Harper that he loved her passion about the trees and said that everyone asked great questions about the Recreation Center Development. He said that he learned

a lot from the meeting as well. He learned that no trees will be removed where the basketball and tennis courts will be replaced. There is concern with the cement factory, but those trees will not be removed. The Engineer said that the trees will have to come down where the Recreation Center will be placed. He said that the Engineer will plant quick growing trees to muffle noise from the area behind where the building will go, and the building will muffle the noise as well. He said that Councilwoman Fede will be open to discussion. He told Carmel Birney that he will look into her dead tree. He told Jorge Nunez that he went to the road and feels that it needs to be fixed. He will get in touch with the administrator to address this issue. Councilwoman Granquist said there was a problem with the storm, so the DPW was very busy. They will get to the list as soon as possible. Councilwoman Fede said that the Borough has to go out to bid for the tree trimming and takedowns. She said that she would like weeping willows to be replaced at the park. She asked the grant writer for tree planting grants for the park and for Fireman's Park. She would like trees planted on the walking track. She said that the Borough received a \$30,000 tree grant several years ago which was lost. She said that a canopy goal is a priority of hers and the Environmental Commission.

Discussion: -Mayor and Council will discuss with Borough Auditor Lerch the possibility of bonding for a fire truck in the immediate future: Councilman Robbins said that he received the quote yesterday from the Fire Department for \$660,000 for the Hose 2 truck which is \$113,000 above the amount left in the bond ordinance. He continued that for Hook and Ladder, they met with E1 and requested the same type of truck that they have now with a larger compartment for the men. Also, the apparatus must be brought up to the current code. It will take 18 months to build the truck which will begin when the purchase order is received. The cost of the Hook and Ladder truck will be \$1.3 Million. No payment has to be made until the truck is delivered. The Hook and ladder truck is the most important truck for a fire scene. It is a search and rescue truck which contains every tool needed for a fire. The outrigger, which balances the truck at the site of the fire for the ladder, had to be repaired. There is no ladder truck available to borrow if the borough truck cannot be used. The Borough would have to rely on Mutual Aid. The Fire Department would like the trucks to begin to be built by the end of the year. E1 is a state contracted vendor.

Borough Auditor Lerch said that the debt capacity is \$15 Million. The 15.7 million rate is 1.87% based on the equalized evaluation. He said that to go out to bid for \$1.5 million will not have a negative impact on Bonding. It will increase the Debt from 1.87% to 2.04% which is still a reasonable limit. He said the town is on an aggressive repayment plan paying \$620,000 a year, and in 11 years all debt would be paid off.

Councilwoman Carpenter said that he borough received \$436,000 from the American Rescue Plan this year and will receive another \$436,000 next year. She is concerned that the Recreation Center will be very expensive and is not sure if two trucks should be purchased at this time. Councilman Robbins said that these trucks are very old and are being run into the ground. Mayor Kelemen said that he does not want to hold back on fire trucks if they are needed. He said that the governing body owes this to the residents. It is due diligence. He congratulated Councilman Robbins on a good job. He thanked Auditor Lerch for his presentation. Councilman Connors seconded everything that was said. He appreciates that Councilwoman Carpenter is concerned with financial needs of the town, but this is necessary. Councilwoman Murphy said that she motioned to move on a fire truck in 2018 and 2019 and would like to move forward now. An ordinance will have to be introduced at the next Council meeting.

Motion was made by Councilman Connors, seconded by Councilman Robbins, to have Bond Counsel move forward with a \$1.5 million bond ordinance. Motion carried and the following Resolution was added to the agenda:

21-128 To Authorize the Bond Counsel to Move Forward with a \$1.5 Million Bond Ordinance for Two New Fire Trucks

- 4<sup>th</sup> SLEO for Middle School: Discussion took place concerning an SLEOIII for the new middle school. The Board of Education reimburses for expenses. Auditor Lerch explained that a Chapter 159 can be done for the reimbursement by the Board of Education for the SLEOIII. The Shared Services Agreement for SLEOIIIs must be amended. Motion was made by Councilman Connors, seconded by Councilwoman Carpenter, to amend the Interlocal Service Agreement to add one more SLEOIII.

Motion carried and the following Resolution was added to the agenda:

21-129 To Authorize an Amendment for the Interlocal Services Agreement Between the Board of Education and the Borough of Bogota to Add a Fourth SLEOIII

Police Chief Maye said that He put expenses in the budget for 2021 for a fourth SLEOIII. He then requested permission to advertise for an SLEOIII. Motion was made by Councilwoman Fede, seconded by Councilwoman Murphy, to authorize the Police Chief to Advertise for an SLEOIII. Motion carried and the following Resolution was added to the agenda.

21-130 To Authorize the Chief of Police to Advertise for an SLEOIII

Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins, to approve the Resolutions on the Consent Agenda. Motion carried.

21-123 Roadway Improvements 2021 Municipal Roadway Improvement Program: Maplewood Avenue, Dunn Avenue, and Walnut Avenue

21-124 Agreement for Professional Services for 2021 Municipal Roadway Improvement Program

21-125 Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87

21-126 Hire Full-Time Assistant to Construction Official

21-127 Resolution Approving and Accepting State Funds for Body Worn Camera

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Granquist, to approve the following Resolution with a payment for Bergen Fence pulled to determine what it was for.

Motion carried:

PC21-12 Payment of Claims

The following Ordinance was Introduced:

#1565 An Ordinance Amending Chapter 21b of the Code of the Borough of Bogota, Entitled "Stormwater Control"

Approvals - Motion was made by Councilman Connors, seconded by Councilman Robbins, to approve the Minutes for 6/24/2021. Motion carried with Councilman Murphy abstaining as she was absent for that meeting, and Councilwoman Carpenter voting No.

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Granquist, to open the meeting to Citizen Remarks. Motion carried.

Jorge Nunez said that he saw that the email was forwarded to the Police Chief which he did not understand why. He commended the Council for moving forward with the fire equipment. He said

that it is good to set aside money to hold for large expenditures. He said that the Council may consider selling the Firehouse on Central Avenue to help offset soft costs.

Motion to close Citizen Remarks was made by Councilman Connors, seconded by Councilman Robbins. Motion carried.

Police Chief Maye said that he saw the email from Administrator Scarpa and commented that the police are not responsible for repairing the roadways. The construction Official issues permits etc. The Police job is public safety, rerouting traffic etc. – not issuing permits. Councilman Connors said that if the Police Chief is available, he would like to set up a meeting in front of Mr. Nunez' house to get this resolved. Mayor Kelemen said that he would like to discuss at the next Mayor and Council meeting how to have the Utility Company re-pave the road. He said there are questions about who is responsible for enforcing this ordinance. Councilman Connors said that Chief Maye had some good ideas to better the ordinance. Borough Attorney Betesh requested input from the Construction official as well to improve the ordinance. The issue needs to be resolved. Steps need to be put in place for solving this issue.

#### Reports:

Mayor Kelemen reported that COVID has been quiet for the last three weeks and now there are 4 cases reported. There are 921 cases all together in Bogota, and still only 15 deaths since March of last year. He said that a good percentage of residents have been immunized and immunization needs to continue. He heard that two residents who were vaccinated just tested positive for COVID, so he is asking everyone to continue to stay safe. He is looking forward to having the Victorian Clock put in Fireman's Park in honor of those residents that died from COVID. He thanked the Police Department, Fire Department, and Rescue Squad for their work during and after the rainstorm last week. There were high winds and flooding and the First Responders did a great job as they always do. He appreciated the efforts on Leonia Avenue which was a disaster. He said that he was happy to see that Fort Lee Road no longer has flooding. He reported that a resident sent a video Leonia Avenue during the storm. The gutters should be arriving soon for a senior citizen who has major issues in her senior apartment. He thanked the Bogota Fire Department and Rescue Squad for taking part in the Ridgefield Park parade and doing a great job representing Bogota. They also did a great job helping with protection during the Fireworks display. He said that the Seniors are adjusting well to having meetings again. He thanked Jim Moore for his kindness in helping the Seniors with food shopping and doctor visits. His kindness goes a long way. He said that Councilwoman Fede will be attending the next Senior Citizen meeting as their liaison, and he will attend the meeting as well if he can. He inquired about the Recreation Committee's plans for the Fall Festival and the Menorah and Tree lighting events. He would like to end the year on a high note. Last Tuesday, he met with School Superintendent Kennedy about improvements to Olsen Park. He said that there has been a lot of progress. He said that Councilman Robbins was stuck at work and could not attend a meeting. He said that if he or Council member Robbins or Connors cannot attend, that Councilwoman Carpenter should attend. He asked Chief Maye and his team about people parking in the Apollo parking lot. Signage and an ordinance for it are needed. He thanked DPW Superintendent Kohles and the DPW crew for working hard and keeping the town clean even on the hottest days. He told the Council about a new recording system that the Borough Clerk is requesting because of many issues with the present recording system for Council meetings and Planning and Zoning Board meetings. The information was sent to the governing body. Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins, to purchase upgraded recording software. Motion carried and the following Resolution was added to the agenda:

21-131 To Authorize Purchase of Upgraded Recording Software from BIS Digital

Councilwoman Granquist said that the Rescue Squad helped with the Ridgefield Park Fireworks for the Fourth of July and participated in the Fourth of July parade. Water Rescue Training is ongoing. They will do their Blood Born Pathogens Training in August. They were busy with flood and tree calls during the storm. She saw them working on Palisade Avenue doing an outstanding job. DPW will be taking down three oak trees on Fisher Avenue between Maplewood Avenue and Oakwood Avenue due to major sidewalk uplifting from the tree roots. They will need to close the road from Wednesday to Friday to do this. She reported that Sidewalks will be ripped up on Monday, and trees on Homestead Place and Palisade Avenue trees came down. Some tree limbs in Olsen Park came down as well and had to be removed. She said that the DPW starting painting curbs and will paint crosswalks next week. They will be cleaning up the Apollo lot and Engine company 3 will be outside tomorrow handling debris.

Councilman Connors reported that the Board of Education had a special meeting this week evaluating the School Superintendent. He said that Dr. Collins resigned at Steen School. Dr. Collins was the principal of Steen School when it received Blue Ribbon Certification. He said that over 100 applications were received to replace Dr. Collins. He said that the new Middle School is coming along well, and Dr. Alphonso is working hard to be ready for September. He said that schools will open the Friday before Labor Day for half a day. He and the Mayor met with the Board of Education to discuss possibilities and plans to build a new football field and track since there is no track now around the grass field. He said there was agreement from both parties that something needs to be done and they plan to show that they are united in the effort to improve the lives of young people. He is hoping that there can be a joint Council and Board of Education meeting near the end of August, possibly August 26<sup>th</sup> at the High School. He reported that the Recreation Committee meeting has been rescheduled for next Wednesday. He said there was a decent turnout for the mini Recreation Football Camp. They are trying to keep the program afloat. He thanked the governing body and the Police for their work with getting an SLEOIII for the Middle School. The Police are working on having Interviews for Sergeants in August or September. He said that the Police Chief suggested bringing back "Back to School Safety Night" at the park since money is available since the Youth Academy did not happen this year. He would like to have demonstrations and some fun activities (like a bouncy house) and showcase volunteers. It should be discussed at the August meeting. It could help with recruitment for the Fire Department. He reported that the Police handled 183 Moving Violations out of a total of 471 violations, 222 parking tickets, 19 noise complaints, 14 lost animals, 153 building and Property Checks, and 50 calls for Medical Assistance throughout June. He thanked the police for a great job.

Councilwoman Carpenter reported that \$436,206 was received from American Rescue, and \$378,000 of this money was put aside for the Recreation Center. She said that another \$436,206 will be received next year as well. She said that we may have to let go of the Recycling Center and the grant and bid for it. She said that she spoke to the Managers of the Swim Club for Volunteer night. She just needs dates. She reported that her emails were hacked and asked for everyone to be careful.

*Mayor Kelemen interjected that the board of Education Committee consists of Mr. Robbins and Mr. Connors. He was very fair with committees making sure a Republican and a Democrat were on each committee. If one member cannot make a meeting, an alternate can be called.*

Councilwoman Murphy reported that Library Director Coleman extended the library use and browsing time to once a day for 60 minutes. Masks are still required. The staff is working towards compliance of vaccinations. She said that in partnership with the Recreation Department and the

Friends of the Library, two Movies in the Park are coming up in Olsen Park. July 30: Rhea & the Last Dragon and August 27: The Secret Life of Pets. There will be free snacks. She said that the Planning and Zoning Commission had a mishap at the Zoom meeting and it will be held over to the July 27<sup>th</sup> meeting. There was no action taken at that meeting. The development presentation will take place at the July 27<sup>th</sup> meeting.

Councilman Robbins said there was no noise complaint for June at TANAAC. He thanked the Mayor and Council for moving forward with the fire trucks purchases. Property Maintenance Inspector Nick Barese reported that the Golf Center will be painting the slipper factory and cleaning up the landscaping in that area. They are installing motion sensors and cameras to deter any more graffiti from happening. He said that he has been in contact with the property owners of Eastern Concrete to address issues of painting the buildings, repairing metal roof, landscaping, and the water issue at the front gate. Since West Fort Lee Road was paved, the trucks leaving the facility drag debris into the street which can cause damage to the street and to passing vehicles. They are working on resolving that issue. He thanked Nick Barese for getting the matters resolved.

Councilwoman Fede said the Borough received a Sustainable Jersey Grant for \$2,000 to replace appliances in the Senior Center. Seniors are meeting again, and the Borough purchased lunch for Seniors. She questioned the Senior Bus to Mr. Moore and Mr. Scarpa. She reported that Recreation Director Moore is driving the Recreation Van, and she is not clear on the status of the senior bus as the seniors are anxious to do things again with the bus. She and another member of the Environmental Commission attended two tree seminars, and the last one was on tree identification, the types of trees, and tree hazards. Eight hours of training is required for the Community Forestry Plan. She attended the Swim Club meeting, but no member of the Swim Club attended it. It is rescheduled for next Monday. She said that the Senior President, Mrs. Gasiewicz, wanted to extend thanks to the Mayor and Council, and to Mr. Moore, Mr. Scarpa, and the OEM. She said that the Seniors would like to receive a newsletter because they would like to know what is happening. She reported that she assisted in the arrest of a female suspect and realized how stressful it must be to be arrested. She said that the police officer handled the suspect with class and dignity. She was very impressed with the demeanor of the police officer. She is proud of the new officer and the police department.

Borough Attorney Betesh said that the Redevelopment was removed from the Closed Session agenda. He said there was a discussion about the Parking Lot at the Apollo Building. An amendment to section 7A Parking Regulations of the Borough Ordinances will have to be done. Parking will be limited to Borough employees and Fire Department members. Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to amend the Parking Regulations Ordinance. Motion carried and the following Resolution was added to the agenda:  
21-132 To Authorize the Borough Attorney to amend the Parking Regulations Ordinance for the Parking Lot at 31 Fairview Avenue.

Borough Clerk Cook said that she often sees the Police handling citizens that have issues with professionalism and patience and is very proud of the Bogota Police Department. She thanked the governing body for authorizing the purchase of new recording software.

Motion to move forward with the Recycling Center was made by Councilwoman Murphy, seconded by Councilwoman Carpenter. After some discussion concerning the escalated cost of the project, rebidding, and the concern of citizens about the location, motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to table the motion to move forward and continue

the discussion about the Recycling Center at the next meeting. Motion carried and the following Resolution was added to the agenda.

21-133 To Table the Motion to Move Forward with the Recycling Center and Continue the Discussion at the Next Meeting.

Mayor Kelemen read Administrator Scarpa's Report:

PSE&G will begin lighting improvement projects in in Bogota in August

DEP will not issue municipal permits until the end of July or in August. He reached out to Susquehanna Railroad about Dynamic Compaction at the new Recreation Center site to ensure that there will be no safety issues with the trains.

Bogota Senior Citizens met last week and the Borough provided lunch.

Electrical contractor said generator for the Fire Department was delayed but will be delivered next month. The outside grounds of 31 Fairview Avenue will be cleaned tomorrow. Inside cleaning will begin next week. The Quarterly Safety meeting required by the Risk Manager took place in late June. The Quarterly report was filed before today's deadline. He worked with Detective Sergeant Liriano on the cops grant reimbursement web program. The tax assessor will be making a re-valuation presentation to the governing body at the August meeting. Neglia Engineering will be going out to bid next month on the local road program.

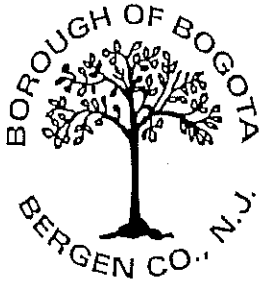
Motion to go into Closed Session to discuss litigation was made by Councilwoman Carpenter, seconded by Councilwoman Fede. Motion carried and the Mayor and Council went into closed session at 10:12pm.

Motion was made by Councilwoman Murphy, seconded by Councilwoman Fede, to reopen the meeting to the public. Motion carried at 10:36pm.

Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to adjourn the meeting. Motion carried and the meeting adjourned at 10:38PM.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.

A handwritten signature in cursive script, reading "Jeanne Cook". The signature is written in dark ink and is positioned to the right of the typed name "Jeanne Cook".

RESOLUTION # 21-123DATE: 7/15/2021

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

BE IT RESOLVED by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Gregory J. Polyniak, Neglia Engineering Associates that the plans & specifications for:

**ROADWAY IMPROVEMENTS –  
YEAR 2021 MUNICIPAL ROADWAY IMPROVEMENT PROGRAM**

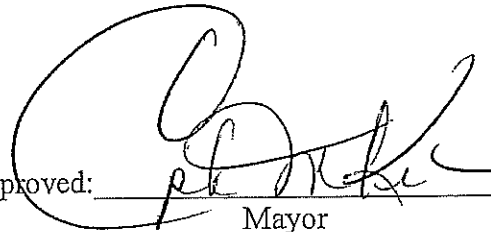
- Maplewood Avenue – Palisade Avenue to Queen Anne Road
- Dunn Avenue – Cypress Avenue to Fairview Avenue
- Walnut Avenue – Palisade Avenue to Queen Anne Road

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

Dated:

7/15/21

Approved: \_\_\_\_\_

  
Mayor

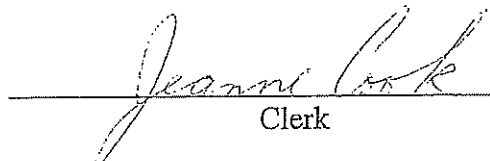
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CERTIFICATION

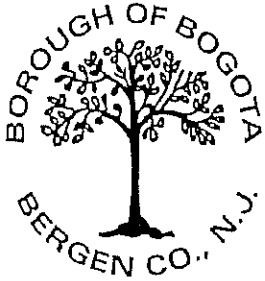
I, Jeanne Cook, Registered Municipal Clerk for the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing resolution was adopted by the Mayor and Council of the Borough of Bogota at a virtual regular meeting held

July 15, 2021.

Dated:

7-15-21  
Clerk





COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

### AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for various roadway improvements – Year 2021 Municipal Roadway Improvement Program: Walnut Avenue, Maplewood Avenue, and Dunn Avenue

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$43,650.00 for Phase 1 and includes surveying, design, and bidding services representing Engineering Services a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$26,300 for Phase 2 representing Construction Management Services; and

WHEREAS, the CFO has certified that these funds have been appropriately budgeted for; and

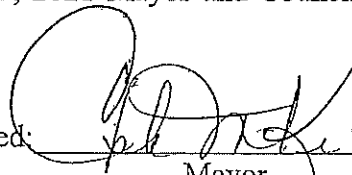
BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

Certified copy of a Resolution passed at the July 15, 2021 Mayor and Council Agenda meeting – Roll Call Vote – All in Favor.

Dated:

7/15/21

Approved:

  
Mayor

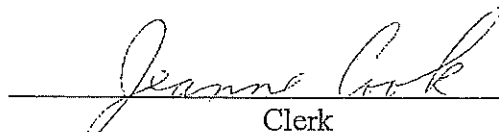
### CERTIFICATION

I, Jeanne Cook, Registered Municipal Clerk for the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing resolution was adopted by the Mayor and Council of the Borough of Bogota at a regular meeting held

July 15, 2021.

Dated:

7-15-21

  
Clerk

**AGREEMENT FOR PROFESSIONAL SERVICES**

**DATE:** May 19, 2021

**TO:** Mayor and Council  
Borough of Bogota  
375 Larch Avenue  
Bogota, New Jersey 07603  
Attn: Joseph Scarpa, Borough Administrator

**FROM:** Gregory J. Polyniak, P.E., P.P., C.M.E., C.P.W.M.

**RE:** Proposal for Surveying, Engineering, Bidding, & Construction Management Services  
Year 2021 Municipal Roadway Improvement Program  
Walnut Avenue, Maplewood Avenue, and Dunn Avenue  
Borough of Bogota, Bergen County, New Jersey

Neglia Engineering Associates has received the following request to provide Surveying, Engineering, and Construction Management Services for roadway improvements to the following roadways:

1. Maplewood Avenue - Palisade Avenue to Queen Anne Road
2. Dunn Avenue - Cypress Avenue to Fairview Avenue
3. Walnut Avenue - Palisade Avenue to Queen Anne Road

We understand that the funding appropriation for this project will be in the approximate amount of \$300,000 for these three roadways / roadway sections, but we will design all three roadways. The engineer's estimate for these three roadways is \$583,574.40.

**Requested By:** Borough of Bogota

**Date of Request:** May 18, 2021

This agreement, when approved by Borough of Bogota will be completed as follows:

1. On a lump sum basis for a cost of Forty-Three Thousand Six Hundred Fifty Dollars (\$43,650.00) representing Services for the surveying, design, permitting, and contract documents preparation.
2. On a hourly basis for a cost of Twenty-Six Thousand Three Hundred Dollars (\$26,300.00) representing Construction Management.

This document constitutes an agreement for services that will be provided subject to the attached Standard Terms and Conditions.

**I. BACKGROUND**

Neglia Engineering Associates has received the following request to provide Surveying, Engineering, and Construction Management Services for roadway improvements to the following roadways:

1. Maplewood Avenue - Palisade Avenue to Queen Anne Road
2. Dunn Avenue - Cypress Avenue to Fairview Avenue
3. Walnut Avenue - Palisade Avenue to Queen Anne Road

We understand that the funding appropriation for this project will be in the approximate amount of \$300,000 for these roadways / roadway sections, but we will design all three roadways. The engineer's estimate for these three roadways is \$583,574.40.

**II.**

**SCOPE OF SERVICES AND BUDGET**

**PHASE I - SURVEYING & DESIGN PHASE**

Neglia Engineering Associates will perform the following surveying and design tasks for the above road improvement project within the Borough of Bogota:

- A. Perform the necessary office / aerial photography work required to establish locations in connection with the roadway locations and sections. Please note that a detailed roadway survey will not be prepared at the selected roadway improvement locations as requested to expedite the construction document preparation schedule. Only aerial photography will be utilized as existing conditions mapping and will be utilized as a basis of design.
- B. Hold the necessary meetings and research required to coordinate the Municipal Departments. We have included two project meetings within the scope and budget of this proposal if necessary.
- C. Perform final design and prepare Final Plans and Construction Specifications in such a form and manner that they will meet with Municipal, County, State and Federal requirements. Said plans shall be in such a form that they are suitable for public bidding.
- D. Prepare a final estimate of the construction cost.
- E. Accept, review, tabulate and make recommendations to the Governing Body regarding the acceptance of bids and awarding of contract.

**PHASE II - CONSTRUCTION MANAGEMENT PHASE**

**A. Construction Management Services**

Neglia Engineering Associates will provide part-time construction management services as required for the above road improvement project. The services will include the following:

1. Technical Observation - Work under this category will be billed at per diem basis in accordance with our rates.
2. Any costs stated for the construction management phase of this proposal are based on estimated construction time. The actual time expended will depend on the ability and performance of the contractor. Any additional time expended will be billed at our hourly rates.

**NEGILIA**  
ENGINEERING ASSOCIATES

3. The hourly rates referred to herein shall be subject to review and change bi-annually.
  4. Any work required with NIDEP, NIDOT or other state agencies will be billed on a per diem basis in accordance with our rates.
  5. Provide Field Engineering during construction. These hours will be billed in accordance with attached billable rates.
    - a. Making visits to the site to observe the work in progress and providing reports to the Borough.
    - b. Observing initial operation on the project or of performance tests required by specifications.
    - c. Reviewing and approving requests for monthly and final payments to contractors.
    - d. Making a final inspection and report on the completed project.
    - e. Issue a certificate of completion to the Borough on completion of construction contracts.
- Be advised that site safety is the sole responsibility of the Contractor. However, should Neglia Engineering Associates observe conditions that are a detriment to vehicular and pedestrian traffic, along with their labor, we will advise the Contractor accordingly. In addition, we rely solely on the Borough's Financial Department to review Certified Payroll in regard to current wages. This proposal does not include any environmental services in regard to soil testing and disposal and will solely rely on the Borough's Licensed Site Remediation Professional (LSRP) for such.

**III. DELIVERABLES**

We will prepare and forward the aforementioned items as mentioned above. See below for mass reproductions.

**IV. ANTICIPATED TIME FRAME**

Neglia Engineering Associates is prepared to begin upon receipt of a signed copy of this agreement and the General Conditions. We anticipate completing the construction drawings and specification packages within thirty business days after receipt of authorization. These anticipated timeframes do not include any regulatory review time and begin once authorization has been received (fax, mail, E-mail of signed proposal with resolution). In addition, the schedule is dependant on comments, revision requests, and response timing from your office. We will notify your office should the schedule need to be revised.

**V. PAYMENTS AND COST OF SERVICES**

Invoices will be submitted to your attention on a monthly basis to monitor the progress of the project. It shall be noted that these budgets do not include any regulatory, submission, etc. fees and material testing fees.

**VI.**

**CONDITIONS AND EXCLUSIONS**

This proposal does not include any other site / civil design aspects other than those design items mentioned above. It assumes that off-site utility work / design will not be required for the project and that off-site utilities have sufficient capacity. The proposal does not include any survey and off-site survey, wetland delineation and wetland surveying services, construction stakeout or construction management service, as-built survey work and / or subdivision plat preparation unless otherwise included within the Scope of Services section of this proposal.

This proposal does not include the structural design of retaining walls, bridges, culverts, or any other proposed modified structure not mentioned within the scope unless specifically mentioned above. It also does not include irrigation design and plans unless specifically mentioned above.

This proposal does not include a geotechnical engineering studies / services which include but is not limited to soil borings, test pits and percolation tests, phase one audit, environmental impact statement or assessment, threatened and endangered species studies, flood studies, foundation design, professional planning services, Phase IV and Phase V environmental investigations / studies, archaeological studies, buoyancy calculations, visual impact assessment, underground garage structure design, environmental remediation, mitigation, UST remediation, asbestos removal, septic system design, holding tank design, pump station design, or other environmental concerns. This proposal does not include air quality studies or glare and noise studies. This proposal does not include any permitting other than those permits mentioned above. In addition, this proposal does not include fire flow test and / or study, any traffic / transportation studies, planning studies and / or testimony, and NIDOT permitting unless otherwise mentioned within the Scope of Services section of this proposal. The proposal has been prepared assuming that your project attorney will prepare all applications excluding those listed above.

Any deviation from the scope of work outlined in this proposal once the detailed engineering work has commenced will be immediately brought to your attention and a separate budget will be provided to you. In addition, revisions to the plans based on input received from public agencies, officials, adjacent property owners, your office, etc. through the course of the project are unforeseen and the extent is outside of our control. Revisions are also generated from input by the project team and possibly your construction manager. For this reason, revisions will not be completed unless a change order contract is reviewed and approved. In addition, Neglia Engineering Associates cannot guarantee the approval of any submitted application or package to review agencies or municipal boards.

Reimbursable expenses will be required for this project. They include but are not limited to reproductions for the municipal and regulatory review submittals, express mailings, mileage, and courier service. All reimbursable expenses will be invoice in addition to any lump sum or time and material budgets as illustrated on page one of this proposal. We will invoice your office on an as needed basis without further authorization required for all expenses. Should any sub-consultants be required for this project, Neglia Engineering Associates will invoice your office at cost plus ten percent. The ten percent cost adjustment has been provided as a maintenance, overhead, and profit fee for the third sub-consultant. Please be aware that detailed invoices for reimbursable expenses

**NEGILIA**  
ENGINEERING ASSOCIATES

will not be provided but are available if request. All filing, review, processing, and application fees will be provided by your office.

## VII. GENERAL TERMS AND CONDITIONS

**ARTICLE I - METHOD OF CHARGING AND PAYMENT CONDITIONS:** Compensation for the engineering and related Services ("Services") to be provided by Negilia Engineering Associates ("Negilia") shall be based on the Schedule of Fees and Charges identified in the Proposal. Negilia periodically shall submit invoices to the Client. Client shall pay each invoice within thirty (30) days of the date of the invoice. However, if Client objects to all or any portion of any invoice, Client shall so notify Negilia in writing of the same within fifteen (15) days from date of invoice, give reasons for the objection, and pay that portion of invoice not in dispute. Client shall pay an additional charge of one and one-half percent (1 1/2%) of the amount of the invoice per month for any payment received by Negilia more than thirty (30) days from the date of invoice. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal. The additional charge shall not apply to any disputed portion of any invoice resolved in favor of Client. In the event of a legal action brought by Negilia against Client for invoice amounts not paid, Attorneys' Fees, Court Costs, and other related expense shall be paid to the prevailing party by the other party.

**ARTICLE II - PROFESSIONAL RESPONSIBILITY:** Negilia represents that Services shall be performed, within the limits prescribed by Client, in accordance with the "Scope of Services" contained in the Proposal and in a manner consistent with that level of care and skill ordinarily exercised by other comparable professional engineering firms under similar circumstances at the time the Services are performed. No other representations to Client, expressed or implied, and no warranty or guarantee is included or intended, hereunder, or in any report, opinion, document, or otherwise.

**ARTICLE III - LIMITATIONS OF LIABILITY:** The liability of Negilia, its employees, agents, and subcontractors (hereinafter for purposes of this Article III referred to collectively as "Negilia") for Client's claims of loss, injury, death, damage or expense, including, without limitation, Client's claims of contribution and indemnification with respect to third party claims relating to the Services or to obligations imposed, hereunder, (hereinafter, "Client's Claims") shall not exceed the aggregate: (1) the total sum of Negilia's fee or \$50,000.00, whichever is greater, for Client's Claims arising out of professional negligence, including errors, omissions or other professional acts, and including unintentional breach of contract; or (2) the total sum of \$250,000 for Client's Claims arising out of negligence, or other causes for which Negilia has any legal liability, other than as described in (1) above.

In no event shall either Negilia or Client be liable for consequential or indirect damages, including, without limitation, loss of use or loss of profits, incurred by one another or their subsidiaries or successors, regardless of whether such damages are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.

**ARTICLE IV - INDEMNIFICATION:** If any claim is brought against Negilia, its employees, agents or subcontractors (hereinafter for purposes of this Article IV referred to collectively as "Negilia") and/or Client by a third party, relating in any way to the Services, the contribution and indemnification rights and obligations of Negilia and Client, subject to the limitations of liability under Article III above, shall be determined

as follows: (1) if any negligence, breach of contract, or willful misconduct of Negilia caused any damage, injury or loss claimed by the third party, then Negilia and Client shall each indemnify the other against any loss of judgment on a comparative responsibility basis under comparative negligence principles (Client responsibility to include that of its agents, employees and other contractors); and (2) unless Negilia was guilty of negligence, breach of contract, or willful misconduct which in whole or in part caused damage, injury or loss asserted in the third party claim, Client shall indemnify Negilia against the claim, liability, loss, legal fees, consulting fees and other costs of defense reasonably incurred.

**ARTICLE V - INSURANCE:** Negilia agrees to maintain (1) Statutory Workers' Compensation; and (2) Comprehensive General and Automobile Insurance Coverage in the sum of not less than \$1,000,000.

**ARTICLE VI - FORCE MAJEURE:** Neither party shall hold the other responsible for damages or delays in performance caused by force majeure, acts of God, or other events beyond the control of the other party or that could not have been reasonably foreseen and prevented. For this purpose, such acts or events shall include, but not be limited to, unusual weather affecting performance of the Services, floods, epidemics, war, riots, strikes, lockouts, or other industrial disturbances, protest demonstrations, man-made site conditions, and inability, with reasonable diligence, to supply personnel, equipment or material for the Services. Should such acts or events occur, both parties shall use their best efforts to overcome the difficulties and to resume as soon as reasonably possible the normal pursuit of the Services.

**ARTICLE VII - TERMINATION AND SUSPENSION OF WORK:** The obligation to provide further Services under this Agreement may be terminated by either party upon fourteen (14) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of termination, Negilia shall be paid for all services rendered up to and including the date of termination. The parties agree that Negilia may elect to suspend providing services under this Agreement if payment of any invoice is not made within thirty (30) days of the date of the invoice as provided in Article I. In the event that the termination was initiated by the Client, Client agrees to pay Negilia Engineering Associates an additional ten percent (10%) of the total fee earned by Negilia Engineering Associates.

**ARTICLE VIII - REUSE OF DOCUMENTS:** All documents, including Drawings and Specifications prepared by Negilia pursuant to this Agreement, are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by Client or others on extensions of the Project or on any other Project. Any reuse, without written verification of adaptation by Negilia for the specific purpose intended, will be at Client's sole risk and without liability or legal exposure to Negilia, and Client shall indemnify and hold harmless Negilia from all claims, damages, losses and expenses including Attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle Negilia to further compensation at rates to be agreed upon by Client and Negilia.

**ARTICLE IX - CONTROLLING LAW:** Any element of this Agreement later held to violate a law or regulation, or whose insurability cannot be confirmed by design professionals, shall be deemed void, and all remaining provisions shall continue in force. However, client and design professional will in good faith attempt to replace any such voided element with one that is enforceable and/or insurable, and which comes as close as possible to expressing the intent of the original provision.

**ARTICLE X - SUCCESSORS AND ASSIGNS:** Client and Neglia each bind themselves and their Partners, Successors, Executors, Administrators, Assigns, and Legal Representatives to the other party to this Agreement and to the Partners, Successors, Executors, Administrators, Assigns, and Legal Representatives of such other party in respect to all covenants, agreements, and obligations of this Agreement. Neither Client nor Neglia shall assign, sublet, or transfer any rights under, or interest in, this Agreement without the written consent of the other party, except as set forth below. Unless specifically stated to the contrary, in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Neglia from employing such independent consultants, associates, and subcontractors, as it may deem appropriate, to assist in its performance of services hereunder. Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than Client and Neglia.

**ARTICLE XI - ARBITRATION:** All claims, counterclaims, disputes and other matters in question between the parties, hereto arising out of or relating to this Agreement or the breach thereof, will be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. This Agreement to arbitrate and any other agreement or consent to arbitrate entered into will be specifically enforceable under the prevailing arbitration law of any court having jurisdiction. Notice of demand for arbitration must be filed in writing with the other parties to this Agreement and with the American Arbitration Association. The demand must be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event may the demand for arbitration be made after institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

All demands for arbitration and all answering statements thereto, which include any monetary claim, must contain a statement that the total sum or value in controversy as alleged by the party making such demand or answering statement is not more than \$ 200,000.00 (exclusive of interest and costs.) The arbitrators will not have jurisdiction, power or authority to consider, or make findings (except in denial of their own jurisdiction) concerning any claim, counterclaim, dispute or other matter in question where the amount in controversy thereof is more than \$ 200,000.00 (exclusive of interest and costs) or to render a monetary award in response thereto against any party which totals more than \$ 200,000.00 (exclusive of interest and costs.)

No arbitration arising out of, or relating to, this Agreement, may include, by consolidation, joinder, or in any other manner, any person or entity who is not a party to this Agreement. The award rendered by the arbitrators will be final, not subject to appeal, and judgment may be entered upon it in any court having jurisdiction thereof.

**GENERAL TERMS**

1. Client agrees to assist Neglia Engineering Associates (NEA), by placing to NEA disposal, all available information pertinent to the Project including previous reports, maps, deeds, surveys, easement descriptions and any other data relative to design or construction of the Project.
2. Client will arrange for access to and make all provisions for NEA to enter upon public and private property, as required for NEA to perform services.
3. Client shall be responsible for such legal services as Client may require or NEA may reasonably request with regard to legal issues pertaining to the Project.
4. In any dispute involving the accuracy of surveying services, NEA will have no liability to anyone if referenced points set by NEA have not been preserved. NEA field notes will govern in any dispute.
5. Client understands that NEA cannot, and does not, assure favorable action or timely action by any governmental entity.
6. Client agrees that any work not specifically included in this proposal or work beyond the scope of this proposal will be classified as extra work. If additional services are required from NEA by the Client, fees for such services will be incurred on the basis of either time and material or on terms that the parties mutually agree upon. NEA will provide the client with an estimate of the amount anticipated for the extra, prior to commencing any extra work.
7. Suspension of work on this project in excess of 60 days (if directed by Client) will cause NEA to sustain unexpected costs to resume work. Client agrees that additional compensation, as agreed by the parties, will be paid to NEA before such work resumes. The fee for uncompleted portions of the work is subject to re-negotiation after a suspension period of 120 days.
8. The individual(s) executing this contract, if acting on behalf of a municipality, municipal authority, corporation, or funding agency, represent that they have the authority to do so.
9. This proposal is good for sixty (60) days from the submission date.
10. This proposal is subject to a six (6%) percent annual inflation adjustment every January 1st.

# NEGILIA

34 Park Avenue - PO Box 426  
LYNDHURST, NEW JERSEY 07071  
Tel: 201.939.8805 • Fax: 201.939.0846

# NEGILIA

200 Central Avenue - Suite 102  
MOUNTAINVIEW, NJ 07092  
Tel: 201.939.8805 • Fax: 732.943.7249

The person signing below has read and understood all of the provisions of this agreement and represents and warrants that they are authorized to sign this agreement on behalf of Borough of Bogota. Please sign one copy of this proposal and return same to this office.

Thank you for affording us the opportunity to be of service. We look forward to working with the Borough of Bogota. Please call if there are any questions, or if we can be of further assistance.

Very truly yours,  
Neglia Engineering Associates  
Gregory J. Polymak, P.E., P.P., C.M.E., C.P.W.M.  
For the Borough Engineer  
Borough of Bogota

Attachments: 2021 Municipal Rates

Accepted this 15<sup>th</sup> day of July 2021  
By: [Signature]  
Title: Mayor  
V:\2021\BOROUGH\2021\BOROUGH\ADMIN\DOCK

2-124

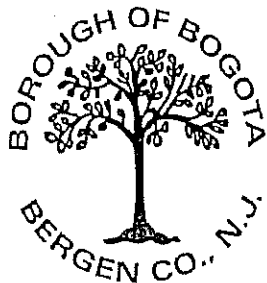
## NEGILIA ENGINEERING ASSOCIATES 2021 MUNICIPAL HOURLY BILLING RATES

PRINCIPAL	\$195.00
SENIOR ENGINEER / SENIOR MANAGER/SR. PROJ. PLANNER	\$185.00
PROFESSIONAL ENGINEER / PROJECT MANAGER	\$180.00
SENIOR DESIGN ENGINEER	\$160.00
DESIGN ENGINEER/ENVIRONMENTAL SCIENTIST	\$140.00
ENGINEERING ASSISTANT	\$ 99.00
PROFESSIONAL PLANNER	\$180.00
PROFESSIONAL LANDSCAPE ARCHITECT	\$155.00
LANDSCAPE DESIGN	\$120.00
COMPUTER AIDED DESIGNER	\$120.00
CONSTRUCTION MANAGER	\$145.00
RESIDENT ENGINEER	\$175.00
TECHNICAL OBSERVER	\$120.00
PROFESSIONAL SURVEYOR / PROJECT MANAGER	\$165.00
SURVEY PROJECT MANAGER	\$145.00
3 MAN SURVEY CREW	\$220.00
2 MAN SURVEY CREW	\$190.00
1 MAN SURVEY CREW (GPS AND EQUIPMENT)	\$175.00
CERTIFIED WETLAND DELINEATOR	\$185.00
LICENSED COLLECTION SYSTEM OPERATOR	\$160.00
DRONE PILOT AND VISUAL OBSERVER	\$710.00
DRONE EDITOR	\$145.00
GIS MANAGER	\$155.00
GIS SPECIALIST	\$135.00
GIS DATA PROCESSOR	\$ 99.00
REIMBURSABLE EXPENSES	
PAPER PRINTS (All Sizes)	\$ 3.00/sheet
AXIPLARS	\$25.00/sheet
COLOR PRINTS	\$35.00/sheet
PHOTOCOPIES (Black & White)	\$ 22/page
PHOTOCOPIES (Color)	\$ 35/page
MILEAGE	\$ .58/mile
SUB-CONSULTANTS	10% administrative fee

### Notes:

1. Expert testimony for deposition or trial is billed at 1 1/2 standard billing rate.
2. Labor billings include miscellaneous direct costs such as telephone calls, faxes, copying and postage. No charges are levied for use of computers, plotters, or CAD systems.
3. After hour and Holiday Call Outs
  - a. 7:00pm to 5:00am - 1.5 times the hourly rate and a 4 hour minimum
  - b. Holidays - 2 times the hourly rate and a 4 hour minimum
4. Reimbursable expenses are subject to change annually based on industry fluctuation.

Civil Engineering • Municipal Engineering • Landscape Architecture • Traffic Engineering  
Planning • Land Surveying • GIS • Construction Management  
www.negliaengineering.com



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

**FORM OF RESOLUTION REQUESTING APPROVAL OF  
ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Bogota in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$2,000.00 which is now available from "Sustainable Jersey Small Grants Program" in the amount of \$2,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$2,000.00 is hereby appropriated under the caption "Sustainable Jersey Small Grants Program"; and

BE IT FURTHER RESOLVED that the above is the result of funds from the PSEG Foundation in the amount of \$2,000.00.

Resolution No. 21-125  
Offered by C. Carpenter  
Adopted 7-15-2021

Seconded by R. Robbins  
Municipal Clerk Jeanne Cook

I, Jeanne Cook, Municipal Clerk of the Borough of Bogota in the County of Bergen in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota in the County of Bergen in the State of New Jersey.

7-15-2021

*Jeanne Cook*

RESOLUTION # 21-126DATE: 7/15/2021

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

**RESOLUTION HIRING BUILDING DEPARTMENT CLERICAL ASSISTANT**

WHEREAS, the Borough of Bogota had an opening for the Building Department Clerical Assistant position; and

WHEREAS, applications were obtain by the Borough and reviewed by the Administrator and Construction Official; and

WHEREAS, after the interview and review of references, it is recommended that a conditional offer of employment, with a 6-month probationary period, be granted to:

*Ms. Crissy Tedesco of Woodland Park, NJ*

WHEREAS, an annual full-time salary of \$45,000, along with a voluntary waiver of health benefits, shall be included in this offer; now

BE IT RESOLVED, the Mayor and Council of Bogota hereby appoints Ms. Tedesco to the aforementioned position effective July 19, 2021.

I hereby certify that this is a true copy of an Resolution adopted by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15 day of July, 2021

*Joanne Cook*  
Borough Clerk





COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY SFY21 BODY-WORN CAMERA  
GRANT PROGRAM AND ACCEPTING AN AWARD PURSUANT TO SAID  
PROGRAM**

**WHEREAS**, the Borough of Bogota did previously submit a grant application for the New Jersey Department of Law and Public Safety's SFY21 Body-Worn Camera Grant Program, and;

**WHEREAS**, the Borough did receive an award pursuant to said program, under Award Number BFY21-100-066-1020-495, dated June 22, 2021, for a grant in the total amount of \$95,992.62, and;

**WHEREAS**, the aforesaid award is a matching grant, whereby \$50,950 shall be provided pursuant to the grant, and \$45,042.62 shall be provided by the Borough of Bogota, and;

**WHEREAS**, the period of said grant shall run for five (5) years, from June 22, 2021 through June 22, 2026, and;

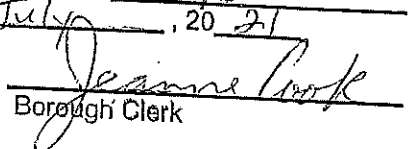
**WHEREAS**, the Borough of Bogota is authorized to accept said grant award and does accept such award, and;

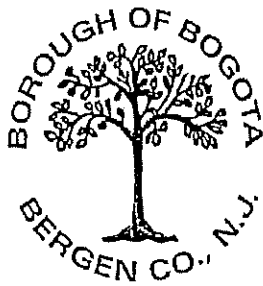
**WHEREAS**, the Borough is accepting the grant funds for the specific purposes set forth in the Borough's application and the award, which includes funds for the purpose of purchasing more body-worn cameras for the Bogota Police Department, in accordance with the Attorney General's directives implementing the Body-Worn Camera program for police departments in the State of New Jersey, and;

**WHEREAS**, the Borough agrees to abide by all terms and conditions of the grant program.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bogota as follows:

1. The Mayor and Borough Administrator are hereby directed, authorized and empowered to execute the grant agreement with the State of New Jersey concerning grant Award Number BFY21-100-066-1020-495, and to execute all other documents necessary to effectuate the provisions and purposes of this resolution.
2. The Chief of Police is hereby directed to assist the Mayor and Borough Administrator in providing all documents and otherwise complying with the terms and conditions of the grant award.
3. All other Borough officials, officers and employees are hereby directed, authorized and empowered to take all steps reasonably necessary to effectuate the provisions and purposes of this resolution.

I hereby certify that this is a true copy of an  
Resolution adopted by the Mayor and  
Council of the Borough of Bogota at a Public  
Meeting held on the 15<sup>th</sup>  
day of July, 2021  
  
Borough Clerk

RESOLUTION # 21-128DATE: 7-15-21

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓					
M. Connors	✓				✓	
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

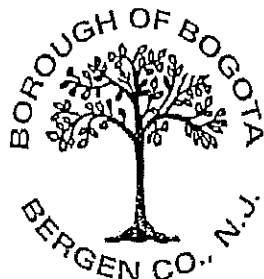
To Authorize Bond Counsel to Move Forward with a \$1.5 Million Bond Ordinance for  
Two New Fire Trucks

Discussion took place concerning the need for a new Hook and Ladder truck at the cost of \$1.3 million as well as a need to order the Hose 2 Truck which was already bonded for in Bond Ordinance #1511, but the cost increased to \$660,000. The amount remaining in the bond ordinance for the Hose 2 truck is \$113,000 short of the new quote and needs to be added to the bond ordinance with the Hook and Ladder truck.

Motion was made by Councilman Connors, seconded by Councilman Robbins, to have Bond Counsel move forward with a \$1.5 million bond ordinance. Motion carried.

I hereby certify that this is a true copy of an  
Resolution adopted by the Mayor and  
Council of the Borough of Bogota at a Public  
Meeting held on the 15<sup>th</sup>  
day of July, 2021

[Signature]  
Borough Clerk

RESOLUTION # 21-129DATE: 7-15-21

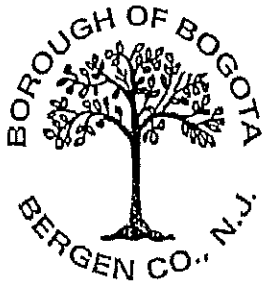
COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓					✓
M. Connors	✓				✓	
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					

Authorize Amendment for the Interlocal Services Agreement Between the Board of Education and the Borough of Bogota to Add a Fourth SLEOIII

Discussion took place concerning an SLEOIII needed for the new Middle School. It was decided that the Shared Services Agreement for SLEOIII must be amended to include the 4<sup>th</sup> SLEOIII. Motion was made by Councilman Connors, seconded by Councilwoman Carpenter to authorize an amendment to the Interlocal Service Agreement to add one more SLEOIII. Motion carried.

I hereby certify that this is a true copy of an Resolution adopted by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15<sup>th</sup> day of July, 2021

*Jeannette Clark*  
Borough Clerk

RESOLUTION # 21-130DATE: 7-15-21

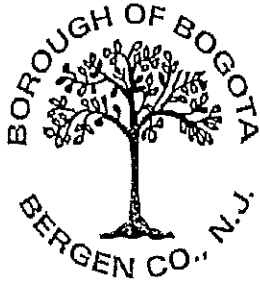
COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓					
M. Connors	✓					
D. Fede	✓				✓	
J.E. Granquist	✓					
M.E. Murphy	✓					✓
R. Robbins	✓					

Authorize the Chief of Police to Advertise for an SLEOIII

Police Chief Maye requested permission to advertise for a fourth SLEOIII. Motion was made by Councilwoman Fede, seconded by Councilwoman Murphy, to authorize the Police chief to advertise for an SLEOIII. Motion carried.

I hereby certify that this is a true copy of an Resolution adopted by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15<sup>th</sup> day of July, 2021

*Jeanne Cook*  
Borough Clerk

RESOLUTION # 21-131DATE: 7-15-21

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

### Authorize Purchase of Upgraded Recording Software from BIS Digital

Discussion took place concerning the issues with the present recording system for Mayor and Council meetings and for Planning and Zoning board meetings. Information pertaining to an upgrade from BIS Digital had been sent to the governing body before the meeting. Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins, to authorize the purchase of upgraded software from BIS Digital for recording Mayor and council meetings and Planning and zoning board meetings. Motion carried.

I hereby certify that this is a true copy of an Resolution adopted by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15<sup>th</sup> day of July, 2021

Joanna Cook  
Borough Clerk

RESOLUTION # 21-132DATE: 7-15-21

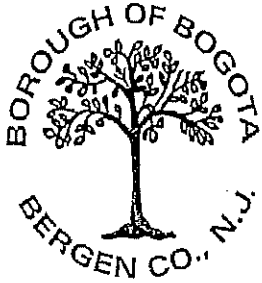
COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓					✓
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓				✓	
R. Robbins	✓					

Authorize Borough Attorney to Amend Section 7A Parking Regulations of the Borough Ordinances

Borough Attorney Betesh explained that an amendment will have to be made to Section 7A Parking Regulations of the Borough Ordinances to limit parking at the 31 Fairview Avenue parking lot to Borough employees and Fire Department members. Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to authorize the Borough Attorney to amend Section 7A Parking Regulations of the Borough Ordinances. Motion carried.

I hereby certify that this is a true copy of an  
Resolution adopted by the Mayor and  
Council of the Borough of Bogota at a Public  
Meeting held on the 15<sup>th</sup>  
day of July, 20 21

Jeanne Clark  
Borough Clerk

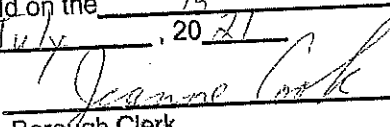
RESOLUTION # 21-133DATE: 7-15-21

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓					✓
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓				✓	
R. Robbins	✓					

To Table the Motion to Move Forward with the Recycling Center and Continue the Discussion at the Next Meeting

Motion to move forward with the Recycling Center was made by councilwoman Murphy and seconded by councilwoman Carpenter. After discussion concerning the escalating cost of the project, rebidding, and the concern of citizens about the location, motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to table the motion to move forward and continue the discussion about the Recycling Center at the next meeting. Motion carried.

I hereby certify that this is a true copy of an Resolution adopted by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15<sup>th</sup> day of July, 2021

  
Borough Clerk



RESOLUTION # PC21-12DATE: 7-15-21

COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					✓
M.E. Murphy	✓					
R. Robbins	✓					

WHEREAS, as required by NJSA 40A:4-57 and any other applicable requirements, the Chief Financial Officer of the Borough of Bogota has certified there are sufficient funds available in the appropriations of the municipal budget line items to make payment to claimants per the payment of claims;

BE IT RESOLVED that the Mayor and Council of the Borough of Bogota authorizes payment in the aggregate amounts of:

<u>Fund</u>	<u>Amount</u>
Total fund 01 CURRENT FUND	2,040,118.77
Total fund 04 General Capital Fund	189,257.01
Total fund 14 Trust Fund	14,250.00
Total fund 16 ACCUTRACK ACCOUNT	585.00
Total fund 17 PAYROLL	473.20
Total fund 18 Animal Control Trust Fund	16.20
Total fund 19 COAH	156.00
<b>GRAND TOTAL:</b>	<b>2,244,856.18</b>

*Pull 210683 Fence for Swim Club.*

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
01-2010-20-1001-000		Appropriation Control General Administration - S&W Salary &			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	5,980.95	06/25/21
Total for		Appropriation Control General Administration -		5,980.95	
Department Total:		Appropriation Control General Administration -		5,980.95	
01-2010-20-1010-001		Appropriation Control Grantsperson - O/E Other Expenses			
210369	04/12/21	MILLENNIUM STRATEGIES	11633, JUNE 2021 PROF SRVCS	3,000.00	07/13/21
Total for		Appropriation Control Grantsperson - O/E Other		3,000.00	
Department Total:		Appropriation Control Grantsperson - O/E		3,000.00	
01-2010-20-1101-000		Appropriation Control Mayor & Council - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	729.59	06/25/21
Total for		Appropriation Control Mayor & Council - S&W		729.59	
Department Total:		Appropriation Control Mayor & Council - S&W		729.59	
01-2010-20-1201-000		Appropriation Control Municipal Clerk - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	5,654.34	06/25/21
Total for		Appropriation Control Municipal Clerk - S&W		5,654.34	
Department Total:		Appropriation Control Municipal Clerk - S&W		5,654.34	
01-2010-20-1202-000		Appropriation Control Municipal Clerk - O/E Other Expenses			
210653	06/24/21	NORTH JERSEY MEDIA GROUP	3852715,3765351, 3721353, VARIOUS	2,761.73	06/24/21
Total for		Appropriation Control Municipal Clerk - O/E		2,761.73	
Department Total:		Appropriation Control Municipal Clerk - O/E		2,761.73	
01-2010-20-1301-000		Appropriation Control Financial Administration - S&W Salary &			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	539.62	06/25/21
Total for		Appropriation Control Financial Administration		539.62	
Department Total:		Appropriation Control Financial Administration		539.62	
01-2010-20-1302-000		Appropriation Control Financial Administration - O/E Other			
210099	02/03/21	BATTAGLIA ASSOCIATES, LLC.	BO-2021-06, JUNE 2021 FINANCE/TAX	9,180.00	07/13/21
210713	07/02/21	PITNEY BOWES GLOBAL	INV #3313776123; POSTAGE LEASE	444.99	07/13/21
Total for		Appropriation Control Financial Administration		9,624.99	
01-2010-20-1302-002		Appropriation Control Financial Administration - O/E Payroll			
210711	07/09/21	ACTION DATA SERVICES	DEMAND DEBIT - 07/09/2021	534.72	07/09/21

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
Total for		Appropriation Control Financial Administration		534.72	
Department Total:		Appropriation Control Financial Administration		10,159.71	
01-2010-20-1352-000		Appropriation Control Audit Services - O/E Other Expenses			
210645	06/22/21	LERCH, VINCI & HIGGINS	36639; SRVCS THRU 05/06/21; BUDGET	3,667.50	07/13/21
210339	03/30/21	WIELKOTZ & COMPANY, LLC	21-18-01265 & 21-18-01282; 2020 AFS	6,600.00	07/13/21
Total for		Appropriation Control Audit Services - O/E		10,267.50	
Department Total:		Appropriation Control Audit Services - O/E		10,267.50	
01-2010-20-1402-001		Appropriation Control Data Processing - O/E Miscellaneous			
210643	06/22/21	PITNEY BOWES	INVOICE # 1018296640, INK PAD	19.54	07/13/21
210695	07/13/21	PITNEY BOWES	8000-9000-0132-8594, POSTAGE	1,020.99	07/13/21
210698	07/13/21	TRI-STATE TECHNICAL	31222, JULY EMAIL BILLING	124.00	07/13/21
210699	07/13/21	TRI-STATE TECHNICAL	33820; CLERK & FINANCE SCANNING	95.00	07/13/21
210700	07/13/21	TRI-STATE TECHNICAL	28800; MARCH 2021 EMAIL BILLING	136.00	07/13/21
Total for		Appropriation Control Data Processing - O/E		1,395.53	
01-2010-20-1402-002		Appropriation Control Data Processing - O/E Copy Machine Lease			
210674	07/06/21	MUNICIPAL CAPITAL FINANCE	3063010721, JUNE 2021 COPIER LEASE	987.75	07/13/21
Total for		Appropriation Control Data Processing - O/E		987.75	
Department Total:		Appropriation Control Data Processing - O/E		2,383.28	
01-2010-20-1451-000		Appropriation Control Revenue Administration - S&W Salary &			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	425.00	06/25/21
Total for		Appropriation Control Revenue Administration -		425.00	
Department Total:		Appropriation Control Revenue Administration -		425.00	
01-2010-20-1452-000		Appropriation Control Revenue Administration - O/E Other			
210099	02/03/21	BATTAGLIA ASSOCIATES, LLC.	BO-2021-06, JUNE 2021 FINANCE/TAX	5,916.00	07/13/21
Total for		Appropriation Control Revenue Administration -		5,916.00	
Department Total:		Appropriation Control Revenue Administration -		5,916.00	
01-2010-20-1501-000		Appropriation Control Tax Assessment - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	679.29	06/25/21
Total for		Appropriation Control Tax Assessment - S&W		679.29	
Department Total:		Appropriation Control Tax Assessment - S&W		679.29	

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
01-2010-20-1552-001	04/12/21	BOGGIA & BOGGIA, LLC	Appropriation Control Legal Services - O/E Retainer - Municipal	6,500.00	07/13/21
210368	04/12/21	BOGGIA & BOGGIA, LLC	JUNE 2021 RETAINER		
Total for		Appropriation Control Legal Services - O/E		6,500.00	
01-2010-20-1552-002	07/13/21	BOGGIA & BOGGIA, LLC	Appropriation Control Legal Services - O/E Other Matters	2,379.00	07/13/21
210701	07/13/21	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 04/30/2021		
Total for		Appropriation Control Legal Services - O/E		2,379.00	
Department Total:		Appropriation Control Legal Services - O/E		8,879.00	
01-2010-21-1802-002	06/24/21	PHILLIPS PREISS GRYGIEL	Appropriation Control Planning/Zoning Board - O/E Legal	620.00	07/13/21
210652	06/24/21	PHILLIPS PREISS GRYGIEL	33459, 33319, PROF SRVCS PB		
Total for		Appropriation Control Planning/Zoning Board -		620.00	
Department Total:		Appropriation Control Planning/Zoning Board -		620.00	
01-2010-22-1951-000	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Construction Code - S&W Salary & Wages	3,601.54	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		
Total for		Appropriation Control Construction Code - S&W		3,601.54	
Department Total:		Appropriation Control Construction Code - S&W		3,601.54	
01-2010-23-2102-001	07/06/21	SOUTH BERGEN MUNICIPAL JIF	Appropriation Control Liability Insurance SBMJIF	61,245.50	07/13/21
210672	07/06/21	SOUTH BERGEN MUNICIPAL JIF	THIRD INSTALLMENT 2021		
Total for		Appropriation Control Liability Insurance		61,245.50	
Department Total:		Appropriation Control Liability Insurance		61,245.50	
01-2010-23-2150-000	07/06/21	SOUTH BERGEN MUNICIPAL JIF	Appropriation Control Workers Compensation Insurance SBMJIF	93,539.50	07/13/21
210672	07/06/21	SOUTH BERGEN MUNICIPAL JIF	THIRD INSTALLMENT 2021		
Total for		Appropriation Control Workers Compensation		93,539.50	
Department Total:		Appropriation Control Workers Compensation		93,539.50	
01-2010-23-2202-003	07/13/21	DELTA DENTAL PLAN OF N.J.,	Appropriation Control Group Insurance - O/E Dental	4,651.33	07/13/21
210710	07/13/21	DELTA DENTAL PLAN OF N.J.,	EMPLOYEE DENTAL COVERAGE AUGUST		
Total for		Appropriation Control Group Insurance - O/E		4,651.33	
01-2010-23-2202-004	07/01/21	RELIANCE STANDARD LIFE	Appropriation Control Group Insurance - O/E Life/AD&D	300.74	07/01/21
210659	07/01/21	RELIANCE STANDARD LIFE	JULY EMPLOYEE INSURANCE COVERAGE		
Total for		Appropriation Control Group Insurance - O/E		300.74	
01-2010-23-2202-092			Appropriation Control Group Insurance - O/E Medical Insurance		

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
210660	07/01/21	SHBP - STATE PENSIONS &	EE HEALTH BENEFITS JULY 2021	59,264.22	07/01/21
Total for		Appropriation Control Group Insurance - O/E		59,264.22	
Department Total:		Appropriation Control Group Insurance - O/E		64,216.29	
01-2010-25-2401-000	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Police - S&W Regular	58,058.18	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		
Total for		Appropriation Control Police - S&W Regular		58,058.18	
01-2010-25-2401-002	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Police - S&W Overtime	9,326.20	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		
Total for		Appropriation Control Police - S&W Overtime		9,326.20	
01-2010-25-2401-005	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Police - S&W School Security	4,620.00	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		
Total for		Appropriation Control Police - S&W School		4,620.00	
Department Total:		Appropriation Control Police - S&W		72,004.38	
01-2010-25-2402-001	06/21/21	INTRALOGIC SOLUTIONS	Appropriation Control Police - O/E Communications	387.50	07/13/21
210631	06/21/21	INTRALOGIC SOLUTIONS	INVOICE # 54952, BATTERY CHANGE ON		
Total for		Appropriation Control Police - O/E		387.50	
01-2010-25-2402-004	07/12/21	LEXIS NEXIS RISK SOLUTIONS	Appropriation Control Police - O/E Computer / IT	0.00	07/13/21
210693	07/12/21	LEXIS NEXIS RISK SOLUTIONS	2021 JANUARY-JUNE, 3 USERS		
210693	07/12/21	LEXIS NEXIS RISK SOLUTIONS	2021 JANUARY-JUNE, 3 USERS	1,881.54	07/13/21
Total for		Appropriation Control Police - O/E Computer /		1,881.54	
01-2010-25-2402-007	06/15/21	TOM'S SERVICE CENTER	Appropriation Control Police - O/E Vehicle Maintenance	4,799.29	07/13/21
210600	06/15/21	TOM'S SERVICE CENTER	It's		
Total for		Appropriation Control Police - O/E Vehicle		4,799.29	
Department Total:		Appropriation Control Police - O/E		7,068.33	
01-2010-25-2411-000	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Police Clerical - S&W Salary & Wages	1,593.75	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		
Total for		Appropriation Control Police Clerical - S&W		1,593.75	
Department Total:		Appropriation Control Police Clerical - S&W		1,593.75	
01-2010-25-2421-000	06/25/21	BOROUGH OF BOGOTA	Appropriation Control Crossing Guards - S&W Salary & Wages	3,398.89	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR		

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<u>PO Number</u>	<u>Po Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
Total for		Appropriation Control Crossing Guards - S&W		3,398.89	
Department Total: Appropriation Control Crossing Guards - S&W				3,398.89	
01-2010-25-2501-000		Appropriation Control Police Dispatching/911 - S&W Salary &			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	7,927.09	06/25/21
Total for		Appropriation Control Police Dispatching/911 -		7,927.09	
Department Total: Appropriation Control Police Dispatching/911 -				7,927.09	
01-2010-25-2522-000		Appropriation Control OEM - O/E Other Expenses			
210143	02/16/21	RAVE MOBILE SAFETY	RAVE ALERT FOR PUBLIC SAFETY	-5,900.00	06/24/21
210143	02/16/21	RAVE MOBILE SAFETY	RAVE ALERT FOR PUBLIC SAFETY	5,900.00	06/24/21
Total for		Appropriation Control OEM - O/E Other Expenses		0.00	
Department Total: Appropriation Control OEM - O/E				0.00	
01-2010-25-2552-001		Appropriation Control Fire - O/E Other Expenses			
210632	06/21/21	BOGOTA FIRE DEPT	MEMORIAL DAY EXPENSES	214.54	07/13/21
210719	07/13/21	FIRE AND SAFETY SERVICES	SI21-0741, SI21-0704, ENG 1 REPAIRS	2,105.32	07/13/21
210635	06/22/21	HY-VIZ INCORPORATED	TYL-626A, REPLACEMENT HYDRANT	249.90	07/13/21
210630	06/21/21	KENNETH GUIDA	ORDER # 151188, PAGER BATTERIES	85.00	07/13/21
210634	06/22/21	LEAVIT COMMUNICATIONS	QUOTE 6/17, NEW PAGERS + SHIPPING	3,905.00	07/13/21
Total for		Appropriation Control Fire - O/E Other		6,559.76	
Department Total: Appropriation Control Fire - O/E				6,559.76	
01-2010-25-2651-000		Appropriation Control Uniform Fire Safety - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	1,543.10	06/25/21
Total for		Appropriation Control Uniform Fire Safety -		1,543.10	
Department Total: Appropriation Control Uniform Fire Safety -				1,543.10	
01-2010-25-2652-001		Appropriation Control Uniform Fire Safety - O/E Other Expenses			
210601	06/15/21	A.M. TERESI AUTO MARINE	INVOICE #'s 4902 & 4901, SERVICE ON	161.88	07/13/21
210602	06/15/21	B.C. FIRE PREVENTION	INVOICE 2021, ANNUAL MEMBERSHIP	150.00	07/13/21
Total for		Appropriation Control Uniform Fire Safety -		311.88	
Department Total: Appropriation Control Uniform Fire Safety -				311.88	
01-2010-26-2901-000		Appropriation Control DPW - S&W Regular			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	23,950.25	06/25/21

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<u>PO Number</u>	<u>Po Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
Total for		Appropriation Control DPW - S&W Regular		23,950.25	
01-2010-26-2901-002		Appropriation Control DPW - S&W Overtime			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	207.13	06/25/21
Total for		Appropriation Control DPW - S&W Overtime		207.13	
Department Total: Appropriation Control DPW - S&W				24,157.38	
01-2010-26-2902-001		Appropriation Control DPW - O/E Snow Removal			
210169	02/23/21	STAPLES ADVANTAGE	3469310256, ICE MELT BLEND	589.00	07/13/21
Total for		Appropriation Control DPW - O/E Snow Removal		589.00	
01-2010-26-2902-002		Appropriation Control DPW - O/E Miscellaneous			
210640	06/22/21	FIRST ENVIRONMENT	INVOICE # 41479, STORMWATER	600.00	07/13/21
210650	06/24/21	HOLY NAME MEDICAL CENTER	POLICY # 154983789 & 146787364,	140.00	07/13/21
Total for		Appropriation Control DPW - O/E Miscellaneous		740.00	
01-2010-26-2902-003		Appropriation Control DPW - O/E Vehicle Repairs & Maintenance			
210690	07/12/21	SUPERIOR DISTRIBUTORS	INVOICE # 211900204, 55 GAL DRUM OF	231.60	07/13/21
Total for		Appropriation Control DPW - O/E Vehicle		231.60	
01-2010-26-2902-007		Appropriation Control DPW - O/E Office Supplies			
210649	06/24/21	DIAMOND ROCK SPRING WATER	INVOICE # 137757, 5 GALLONS OF	20.00	07/13/21
210168	02/23/21	STAPLES ADVANTAGE	3469382335, WIRELESS KEYBOARD /	25.98	07/13/21
Total for		Appropriation Control DPW - O/E Office		45.98	
01-2010-26-2902-008		Appropriation Control DPW - O/E Tools & Equipment			
210665	07/02/21	AGL WELDING SUPPLY CO, INC	INVOICE # 10045534, ACETYLENCE & O2	48.60	07/13/21
210684	07/08/21	ROGO FASTENER CO, INC	INVOICE # 420989, SUPPLIES &	196.32	07/13/21
Total for		Appropriation Control DPW - O/E Tools &		244.92	
Department Total: Appropriation Control DPW - O/E				1,851.50	
01-2010-26-3001-000		Appropriation Control Shade Tree - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	110.54	06/25/21
Total for		Appropriation Control Shade Tree - S&W Salary		110.54	
Department Total: Appropriation Control Shade Tree - S&W				110.54	
01-2010-26-3052-001		Appropriation Control Solid Waste Collection - O/E Contract			
210720	07/13/21	SUBURBAN DISPOSAL INC	#7796, SOLID WASTE REMOVAL &	31,800.00	07/13/21

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
Total for		Appropriation Control Solid Waste Collection -		31,800.00	
Department Total:		Appropriation Control Solid Waste Collection -		31,800.00	
01-2010-26-3102-001		Appropriation Control Buildings & Grounds - O/E Contract -			
210648	06/24/21	MATERA'S NURSERY	INVOICE # 9374918, REPAIR REDMAX	286.70	07/13/21
210663	07/02/21	MATERA'S NURSERY	INVOICE # 337773, SHORT REACH GAS	439.00	07/13/21
210688	07/12/21	MATERA'S NURSERY	INVOICE # 9375330, REPAIR REDMAX	222.20	07/13/21
Total for		Appropriation Control Buildings & Grounds -		947.90	
01-2010-26-3102-003		Appropriation Control Buildings & Grounds - O/E Other Expenses			
210667	07/02/21	ANZO, INC	INVOICE #'s 74861, 74803, 74805	1,877.75	07/13/21
210485	05/12/21	ATD HIGHWAY PRODUCTS	INVOICE #1445, PAT SCHUBER & LEONIA	459.00	07/13/21
210683	07/08/21	BERGEN FENCE	INVOICE # 54720, FENCE AT SWIM CLUB	7,998.00	07/13/21
210668	07/02/21	G & S HARDWARE	INVOICE # 303639, PAINT SUPPLIES	78.61	07/13/21
210664	07/02/21	QUALITY COOLING CORP	INVOICE #'s 2021-037 & 2021-038	475.00	07/13/21
210689	07/12/21	QUALITY COOLING CORP	INV 2021-041, 2021-042, 2021-039,	1,600.00	07/13/21
210552	06/01/21	TRANSLUCENT SECURITY, LLC	1980, MONITORING FIRE ALARM DPW	588.00	07/13/21
210662	07/01/21	TREASURER - STATE OF NJ	21088139; ANNUAL SITE REMEDIATION	1,750.00	07/13/21
210670	07/02/21	VERIZON	ACCOUNT #250-718-378-0001-23 JUNE	39.94	07/13/21
210191	02/23/21	WAYNE SORGE	FV CART KIT REIMBURSEMENT	31.64	07/13/21
Total for		Appropriation Control Buildings & Grounds -		14,897.94	
Department Total:		Appropriation Control Buildings & Grounds -		15,845.84	
01-2010-27-3301-000		Appropriation Control Board of Health - S&W Salary & Wages			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	110.54	06/25/21
Total for		Appropriation Control Board of Health - S&W		110.54	
Department Total:		Appropriation Control Board of Health - S&W		110.54	
01-2010-28-3701-000		Appropriation Control Recreation Services - S&W Regular			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	1,823.43	06/25/21
Total for		Appropriation Control Recreation Services -		1,823.43	
01-2010-28-3701-002		Appropriation Control Recreation Services - S&W Counselors			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	553.01	06/25/21
Total for		Appropriation Control Recreation Services -		553.01	

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PO Number	Po Date	Vendor	Description	Amount	Paid Date
Department Total:		Appropriation Control Recreation Services -		2,376.44	
01-2010-28-3702-001		Appropriation Control Recreation Services - O/E Other Expenses			
210677	07/07/21	BOUNCE PARTY MANIA	INVOICE # 56559, OUTDOOR MOVIE	650.00	07/13/21
210681	07/07/21	QUILL CORPORATION	INVOICE #17347999, 2 WAY RADIOS	275.96	07/13/21
210679	07/07/21	SAL STAMILLA	JUNE OLSEN PARK FIELD PREPARE AND	120.00	07/13/21
210680	07/07/21	UNITED SITE SERVICES	0006234462, JULY PORTA JOHNS OLSEN	493.20	07/13/21
Total for		Appropriation Control Recreation Services -		1,539.16	
01-2010-28-3702-002		Appropriation Control Recreation Services - O/E Senior Citizens			
210676	07/07/21	INSERRA SUPERMARKETS	INVOICE #01340226016, SR LUNCH	128.74	07/13/21
210678	07/07/21	INSERRA SUPERMARKETS	SENIOR SHOPPING 6/17, 6/23, 6/24,	443.13	07/13/21
210675	07/07/21	JOSEPH SCARPA	Q-CHECK SANDWICHES FOR SR MEETING	231.64	07/13/21
Total for		Appropriation Control Recreation Services -		803.51	
Department Total:		Appropriation Control Recreation Services -		2,342.67	
01-2010-29-3901-000		Appropriation Control Free Public Library - 1/3 mil S&W			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	8,557.15	06/25/21
Total for		Appropriation Control Free Public Library -		8,557.15	
Department Total:		Appropriation Control Free Public Library -		8,557.15	
01-2010-31-4402-001		Appropriation Control Telephone SPECTROTTEL #320604			
210721	07/13/21	METROPOLITAN-TELECOMMUNICA	JULY 2021 PHONE CHARGES	1,981.62	07/13/21
Total for		Appropriation Control Telephone SPECTROTTEL		1,981.62	
01-2010-31-4402-006		Appropriation Control Telephone Internet - Verizon			
210658	06/29/21	VERIZON WIRELESS	ACCT# 282164140-00001; 5/23-6/22	979.86	07/13/21
Total for		Appropriation Control Telephone Internet -		979.86	
01-2010-31-4402-022		Appropriation Control Telephone VERIZON - ELEVATOR LINE			
210654	06/24/21	VERIZON	MAY 2021 ELEVATOR LINE	44.94	06/24/21
Total for		Appropriation Control Telephone VERIZON -		44.94	
01-2010-31-4402-025		Appropriation Control Telephone CABLEVISION - WEATHER STATION			
210655	06/24/21	OPTIMUM	JUNE CABLE/ISP CHARGES FOR WEATHER	239.88	06/24/21
Total for		Appropriation Control Telephone CABLEVISION -		239.88	
Department Total:		Appropriation Control Telephone		3,246.30	

BILLS LIST

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PO Number	PO Date	Vendor	Description	Amount	Paid Date
01-2010-31-4452-002		Appropriation Control Water Meter #88505411 - 69 Main St			
210646	06/23/21	SUEZ WATER NEW JERSEY	MAY 2021 WATER CHARGES	294.03	06/24/21
Total for		Appropriation Control Water Meter #88505411 -		294.03	
01-2010-31-4452-004		Appropriation Control Water Meter #88417708 - Cypress Ave			
210646	06/23/21	SUEZ WATER NEW JERSEY	MAY 2021 WATER CHARGES	41.97	06/24/21
Total for		Appropriation Control Water Meter #88417708 -		41.97	
01-2010-31-4452-007		Appropriation Control Water Meter #88228192 - Rec Bldg			
210646	06/23/21	SUEZ WATER NEW JERSEY	MAY 2021 WATER CHARGES	0.00	06/24/21
210646	06/23/21	SUEZ WATER NEW JERSEY	MAY 2021 WATER CHARGES	68.59	06/24/21
Total for		Appropriation Control Water Meter #88228192 -		68.59	
Department Total:		Appropriation Control Water		404.59	
01-2010-31-4553-		Appropriation Control Sewer Processing BCUA - Debt Service			
210671	07/06/21	BCUA (SEWER CHARGES)	2021 Q3 WASTEWATER SERVICE CHARGE	184,427.00	07/13/21
Total for		Appropriation Control Sewer Processing BCUA -		184,427.00	
Department Total:		Appropriation Control Sewer Processing		184,427.00	
01-2010-31-4602-001		Appropriation Control Gasoline DPW			
210691	07/12/21	VILLAGE OF RIDGEFIELD PARK JUNE 2021 FUEL CHARGES		2,249.32	07/13/21
Total for		Appropriation Control Gasoline DPW		2,249.32	
01-2010-31-4602-002		Appropriation Control Gasoline Police			
210691	07/12/21	VILLAGE OF RIDGEFIELD PARK JUNE 2021 FUEL CHARGES		1,905.74	07/13/21
Total for		Appropriation Control Gasoline Police		1,905.74	
01-2010-31-4602-003		Appropriation Control Gasoline Recreation			
210691	07/12/21	VILLAGE OF RIDGEFIELD PARK JUNE 2021 FUEL CHARGES		59.74	07/13/21
Total for		Appropriation Control Gasoline Recreation		59.74	
01-2010-31-4602-004		Appropriation Control Gasoline Rescue			
210691	07/12/21	VILLAGE OF RIDGEFIELD PARK JUNE 2021 FUEL CHARGES		0.00	07/13/21
Total for		Appropriation Control Gasoline Rescue		0.00	
01-2010-31-4602-005		Appropriation Control Gasoline Fire Department			
210691	07/12/21	VILLAGE OF RIDGEFIELD PARK JUNE 2021 FUEL CHARGES		546.66	07/13/21
Total for		Appropriation Control Gasoline Fire Department		546.66	

Bills List

BOROUGH OF BOGOTA

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PO Number	PO Date	Vendor	Description	Amount	Paid Date
Department Total:		Appropriation Control Gasoline		4,761.46	
01-2010-32-4652-002		Appropriation Control Solid Waste Disposal Miscellaneous			
210647	06/24/21	ENVIRONMENTAL RENEWAL, LLC INVOICE # 309975 & 309977, CMPT MX		800.00	07/13/21
210669	07/02/21	ENVIRONMENTAL RENEWAL, LLC INVOICE #'s 310160 & 310161, CMP MX		800.00	07/13/21
210682	07/08/21	ENVIRONMENTAL RENEWAL, LLC INVOICE # 310386 & 310326		1,107.00	07/13/21
210692	07/12/21	ENVIRONMENTAL RENEWAL, LLC INVOICE # 310430, CMPT MX YARD		700.00	07/13/21
Total for		Appropriation Control Solid Waste Disposal		3,407.00	
Department Total:		Appropriation Control Solid Waste Disposal		3,407.00	
01-2010-36-4722-000		Appropriation Control Social Security System			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	0.00	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	6,579.38	06/25/21
Total for		Appropriation Control Social Security System		6,579.38	
Department Total:		Appropriation Control Social Security System		6,579.38	
01-2010-42-4901-000		Appropriation Control Municipal Court - S&W			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	1,289.71	06/25/21
Total for		Appropriation Control Municipal Court - S&W		1,289.71	
Department Total:		Appropriation Control Municipal Court - S&W		1,289.71	
01-2010-42-4902-001		Appropriation Control Municipal Court - O/E Little Ferry			
210651	06/24/21	BOROUGH OF LITTLE FERRY	INVOICE # 2021-19, COURT SERVICES	21,146.00	07/13/21
210673	07/06/21	BOROUGH OF LITTLE FERRY	INVOICE # 2021-31, COURT SERVICES	21,146.00	07/13/21
Total for		Appropriation Control Municipal Court - O/E		42,292.00	
Department Total:		Appropriation Control Municipal Court - O/E		42,292.00	
01-2070-55-0000-000		Local School Taxes Payable Local School Taxes Payable			
210714	07/13/21	BOGOTA BOARD OF EDUCATION	JULY 2021 SCHOOL TAXES	1,325,189.17	07/13/21
Total for		Local School Taxes Payable Local School Taxes		1,325,189.17	
Department Total:		Local School Taxes Payable Local School Taxes		1,325,189.17	
01-2800-		RESERVE FOR CREDIT CARD FEES RESERVE FOR CREDIT CARD FEES			
210712	07/02/21	MERCHANT SERVICE FEES	DEMAND DEBIT - 07/02/2021	364.08	07/02/21
Total for		RESERVE FOR CREDIT CARD FEES RESERVE FOR		364.08	
Department Total:		RESERVE FOR CREDIT CARD FEES RESERVE FOR		364.08	

## BOROUGH OF BOGOTA

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PO Number	PO Date	Vendor	Description	Amount	Paid Date
04-2150-55-1532-002		Improvment Authorizations 1532 - Rec/Community			
210147	02/16/21	BILOW GARRETT GROUP,	200088, PROF SRVCS REC	28,190.00	07/13/21
210697	07/13/21	COSTA ENGINEERING	20860; BOGOTA COMMUNITY CENTER	2,175.00	07/13/21
Total for Improvment Authorizations 1532 - Rec/Community				30,365.00	
Department Total: Improvment Authorizations 1532 - Rec/Community				30,365.00	
04-2150-55-1541-009		Improvment Authorizations 1541 - Var. Cap. Impvts Police			
210510	05/17/21	STALKER RADAR	INVOICE #2043710, RADAR MOUNTS WITH	1,309.45	07/13/21
Total for Improvment Authorizations 1541 - Var. Cap.				1,309.45	
Department Total: Improvment Authorizations 1541 - Var. Cap.				1,309.45	
04-2150-55-1549-001		Improvment Authorizations 1549 - Purchase 31 Fairview FD			
210701	07/13/21	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 04/30/2021	1,209.31	07/13/21
Total for Improvment Authorizations 1549 - Purchase 31				1,209.31	
Department Total: Improvment Authorizations 1549 - Purchase 31				1,209.31	
04-2150-55-1560-001		Improvment Authorizations 1560 - Var. Cap. Impvts DPW Vehicles &			
210611	06/16/21	FOLEY INC	CO-OP #032119-CAT 2021 CAT MODEL	150,337.00	07/06/21
Total for Improvment Authorizations 1560 - Var. Cap.				150,337.00	
04-2150-55-1560-005		Improvment Authorizations 1560 - Var. Cap. Impvts Roads/Sanitary			
210661	07/01/21	MONTANA CONSTRUCTION CORP.	EMERGENCY ROAD REPAIR; EAST GROVE &	6,036.25	07/13/21
Total for Improvment Authorizations 1560 - Var. Cap.				6,036.25	
Department Total: Improvment Authorizations 1560 - Var. Cap.				156,373.25	
14-0005-00-0005-062		Outside Police Employment Fees			
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	0.00	06/25/21
210657	06/25/21	BOROUGH OF BOGOTA	2021-06-30 PR	14,250.00	06/25/21
Total for Outside Police Employment Fees				14,250.00	
Department Total: Outside Police Employment Fees				14,250.00	
16-2000-18-0001-		ACCUTRACK ACCOUNT RCB URBAN RENEWAL, LLC.			
210701	07/13/21	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 04/30/2021	585.00	07/13/21
Total for ACCUTRACK ACCOUNT RCB URBAN RENEWAL, LLC.				585.00	
Department Total: ACCUTRACK ACCOUNT				585.00	
17-2000-00-1000-		NET PAYROLL NET PAYROLL			

## Bills List

## BOROUGH OF BOGOTA

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PO Number	PO Date	Vendor	Description	Amount	Paid Date
210656	06/29/21	NICHOLAS A. BARESE	2021-06-30 P/R CHECK REISSUE	473.20	06/29/21
Total for NET PAYROLL NET PAYROLL				473.20	
Department Total: NET PAYROLL NET PAYROLL				473.20	
18-2860-56-8520-001		Due State of NJ Due State of NJ			
210722	07/13/21	NJ Dept of Health	MAY 2021 DOG REPORT	16.20	07/13/21
Total for Due State of NJ Due State of NJ				16.20	
Department Total: Due State of NJ Due State of NJ				16.20	
19-2000-		RESERVE FOR EXPENDITURES			
210701	07/13/21	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 04/30/2021	78.00	07/13/21
210701	07/13/21	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 04/30/2021	78.00	07/13/21
Total for RESERVE FOR EXPENDITURES INTEREST ON				156.00	
Department Total: RESERVE FOR EXPENDITURES INTEREST ON				156.00	
Total Bill List:				2,244,856.18	



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					✓
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					

# AUTHORIZING MEETING NOT OPEN TO THE PUBLIC, PURSUANT TO NJSA 10:4-12

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that an executive session, not open to the public, may be lawfully held by a public body in certain circumstances when authorized by a resolution; and

WHEREAS, the Mayor and Council finds that it is necessary for the Mayor and Council to discuss, in a session, not open to the public, certain matters relating to the item or items authorized by NJSA 10:4-12(b) and designated below as follows:

- \_\_\_\_\_ Matters, which, by express provisions of federal law or state statute or rule of court shall be rendered confidential
- \_\_\_\_\_ Matters in which the release of information would impair a right to receive funds from the Government of the United States
- \_\_\_\_\_ Matters which, if disclosed, would constitute an unwarranted invasion of Privacy, as further defined by NJSA 10:4-12(b) (3)
- \_\_\_\_\_ Collective bargaining agreements or negotiations therefore with public employees and/or their representatives
- \_\_\_\_\_ Matters involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or the investment of public funds, where the setting of banking rates or the investment of public funds, where the disclosure could adversely affect the public interest, if the discussion were disclosed
- \_\_\_\_\_ Tactics or techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection, and any investigation of violations or possible violations of the law
- ✓ \_\_\_\_\_ Pending or anticipated litigation or contract negotiations in which the Borough is or may become a party
- \_\_\_\_\_ Matters involving the employment, appointment, termination of employment, Terms and conditions of employment, evaluation, promotion, or disciplinary action of any specific current or prospective public employee(s), unless all the individual(s) affected request(s) in writing that the matters be discussed at a public meeting
- \_\_\_\_\_ Deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of a license or permit or a party as a result of the actions or missions of the party.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Bogota that an executive session, not open to the public shall be held to discuss matters of topic(s) referred to above as permitted by law and the matters so discussed will be disclosed to the public as soon as possible and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel. A copy of this resolution will be kept on file in the Borough Clerk's office and is available for public inspection during regular business hours.



BOROUGH OF BOGOTA  
ORDINANCE NO. 1565  
AN ORDINANCE AMENDING CHAPTER 21B OF THE  
CODE OF BOROUGH OF BOGOTA, ENTITLED  
"STORMWATER CONTROL"

WHEREAS, Article I of Chapter 21B of the Bogota Code defines and regulates the Borough's stormwater management measures, which are aimed to promote flood control, groundwater recharge and pollution reduction through green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies; and;

WHEREAS, Section 7/8 of the New Jersey Administrative Code contains the State of New Jersey's Municipal Stormwater Management Program, which sets forth the stormwater control guidelines that must be administered and followed by each municipality in the State; and;

WHEREAS, the New Jersey Department of Environmental Protection, Division of Water Quality, (hereinafter "NJDEP") had made several amendments to Section 7/8, effective March 2, 2020, and;

WHEREAS, the Borough is required to amend its stormwater management rules to reflect the newly-revised language in the State's Municipal Stormwater Management Program.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Article I of Chapter 21B of the Bogota Code is hereby deleted in its entirety and replaced with the following:

SECTION I: SCOPE AND PURPOSE.

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce

stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section II herein. Unmitigated stormwaters from areas altered by major development may pose public health and safety threats. This Chapter establishes the administrative mechanisms necessary for the Borough of Bogota to ensure proper stormwater management.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
  - a. Non-residential major developments; and
  - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5.21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Bogota.

D. Compatibility with Other Permit and Ordinance Requirements

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

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

SECTION II: DEFINITIONS.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the

context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

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

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

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

"Compactor" means the increase in soil bulk density.

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

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

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

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

"Department" means the Department of Environmental Protection.

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

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

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

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

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

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

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

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

"Empowerment Neighborhoods" means neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-59.

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

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

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

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

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

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

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

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

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

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval

under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

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

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

"Municipality" means any city, borough, town, township, or village.

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

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

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

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

"Pollutant" means any dredged spoil, solid waste, inorganic residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance

(except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### SECTION III: DESIGN AND PERFORMANCE STANDARDS FOR STORMWATER MANAGEMENT MEASURES.

A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

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

B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative

design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

### SECTION IV: STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT.

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.

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

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

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

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

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that

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

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

[https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm).

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

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

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

(Notes corresponding to annotations (a) through (f) are found on Page 14)

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

(Notes corresponding to annotations (a) through (h) are found on Page 14)

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

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.Q.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 fifty (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 (2%) percent;
- (f) designed with a slope of equal to or greater than two (2%) percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.

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

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoll, 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

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shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C.

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII, and
5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

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

K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

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

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the 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 "K" 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 "K" above.

#### O. Green Infrastructure Standards

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

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

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7-8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

#### P. Groundwater Recharge Standards

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1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
  2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section Y, either:
    - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one-hundred (100%) percent of the average annual pre-construction groundwater recharge volume for the site; or
    - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
  - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored, areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility that is directly or indirectly related to process, manufacturing, or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

#### Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major developments. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:

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- i. Eighty (80%) percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
  - ii. If the surface is considered a 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.

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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	0.01826	51	0.2700	91	1.1566
12	0.01992	52	0.2817	92	1.1632
13	0.02158	53	0.2933	93	1.1698
14	0.02324	54	0.3050	94	1.1764
15	0.02490	55	0.3167	95	1.1830
16	0.02656	56	0.3283	96	1.1896
17	0.02822	57	0.3400	97	1.1962
18	0.02988	58	0.3517	98	1.2028
19	0.03154	59	0.3633	99	1.2094
20	0.03320	60	0.3750	100	1.2160
21	0.03486	61	0.3867	101	1.2226
22	0.03652	62	0.3983	102	1.2292
23	0.03818	63	0.4100	103	1.2358
24	0.03984	64	0.4217	104	1.2424
25	0.04150	65	0.4333	105	1.2490
26	0.04316	66	0.4450	106	1.2556
27	0.04482	67	0.4567	107	1.2622
28	0.04648	68	0.4683	108	1.2688
29	0.04814	69	0.4800	109	1.2754
30	0.04980	70	0.4917	110	1.2820
31	0.05146	71	0.5033	111	1.2886
32	0.05312	72	0.5150	112	1.2952
33	0.05478	73	0.5267	113	1.3018
34	0.05644	74	0.5383	114	1.3084
35	0.05810	75	0.5500	115	1.3150
36	0.05976	76	0.5617	116	1.3216
37	0.06142	77	0.5733	117	1.3282
38	0.06308	78	0.5850	118	1.3348
39	0.06474	79	0.5967	119	1.3414
40	0.06640	80	0.6083	120	1.3480

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

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

Where

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P.Q and R.
  7. In accordance with the definition of FWI 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 FWI.
  8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establishes 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(f)3, 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 ninety-five (95%) percent of the anticipated load from the developed site, expressed as an annual average.
  10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.
- R. Stormwater Runoff Quantity Standards
1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
  2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
    - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the

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

#### SECTION V: CALCULATION OF STORMWATER RUNOFF AND GROUNDWATER RECHARGE.

- A. Stormwater runoff shall be calculated in accordance with the following:
  1. The design engineer shall calculate runoff using one of the following methods:
    - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the

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methodology is available from the Natural Resources Conservation Service website at:

[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs10441\\_71.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs10441_71.pdf)

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

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

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

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

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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/nies/gwics/estreport/gsr32.pdf>

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

SECTION VI: SOURCES FOR TECHNICAL GUIDANCE.

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

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

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

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

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

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

SECTION VII: SOLIDS AND FLOATABLE MATERIALS CONTROL STANDARDS.

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

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

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

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

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

a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

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

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

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8, or

- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

#### SECTION VIII: SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.

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

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

#### C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
  - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.

- ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
- iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack, and
- iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
- ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
- iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

3. Stormwater management BMPs shall include escape provisions as follows:

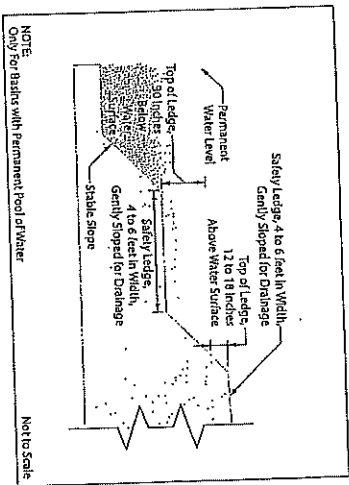
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

#### D. Variance or Exemption from Safety Standard

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

## B. Safety Ledge Illustration

Elevation View - Basin Safety Ledge Configuration



## SECTION IX: REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN.

### A. Submission of Site Development Stormwater Plan

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

### B. Site Development Stormwater Plan Approval

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

### C. Submission of Site Development Stormwater Plan

The following information shall be required:

#### 1. Topographic Base Map

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

#### 2. Environmental Site Analysis

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

#### 3. Project Description and Site Plans

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

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

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

#### 5. Stormwater Management Facilities Map

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

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

#### 6. Calculations

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

#### 7. Maintenance and Repair Plan

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

#### 8. Waiver from Submission Requirements

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

### SECTION X: MAINTENANCE AND REPAIR.

#### A. Applicability

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

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#### B. General Maintenance

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

4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure, removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:

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- i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.
- D. Alteration of Maintenance Plan. Any alteration is maintenance responsibility or alterations to maintenance plans and agreements must be reviewed and approved by the Borough of Bogota Building Department Official or Board that reviewed the application under this Chapter in consultation with the borough engineer, superintendent of public works and building department official.

#### SECTION XI: PENALTIES.

- A. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

1. Any person who is convicted for violating any of the provisions of this Chapter shall be subject to one (1) or more of the following: a fine of not more than two thousand (\$2,000.00) dollars, imprisonment for any term not exceeding ninety (90) days, and/or a period of community service not exceeding ninety (90) days.
2. A separate offense or violation shall be deemed to be committed on each day that a violation occurs or continues.

B. Responsibility for Administration. The superintendent of the department of public works, borough engineer and building department official shall administer, implement and enforce the provisions of this Chapter. Any powers granted or duties imposed upon the superintendent of the department of public works, borough engineer or building department official may be delegated in writing to the person(s) or entities acting in the best interest of or in the employment of the Borough of Bogota.

C. Enforcement of Penalties and Liens. Should the applicant/owner fail to take the corrective actions, the Borough of Bogota shall then have the right to take the available appropriate remedies it deems necessary to correct the violations, and to assert a lien on the subject property in an amount equal to the costs of the remedial actions. The lien shall be enforced in the manner provided or authorized by law for the enforcement of common law liens on personal property. The lien shall be recorded with the Borough of Bogota and shall incur legal interest from the date of recording. The imposition of any penalty shall not exempt the offender from compliance with the provisions of this Chapter.

#### SECTION XII: SEVERABILITY.

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

#### SECTION XIII. EFFECTIVE DATE.

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

Introduced 7/15/21

I hereby certify that this is a true copy of an Ordinance introduced by the Mayor and Council of the Borough of Bogota at a Public Meeting held on the 15th day of July, 2021.

*Jeanne Cook*  
Borough Clerk

ORDINANCE # 1565

*Stormwater*

# VOTING RECORD FOR ORDINANCE INTRODUCTION

Mayor reads title of the ordinance.

Motion to introduce ordinance C. Carpenter

Seconded by R. Robbins

Roll Call



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
C. Carpenter	✓				✓	
M. Connors	✓					
D. Fede	✓					
J.E. Granquist	✓					
M.E. Murphy	✓					
R. Robbins	✓					✓

Date of public hearing: August 19, 2021