

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
MARCH 1, 2021
6:00 PM EXECUTIVE SESSION
8:00 PM OPEN SESSION**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL

Mayor Carlos Rendo
Councilman Stephen Falanga
Councilwoman Jacqueline Gadaleta
Council President Angela Hayes
Councilwoman Josephine Higgins
Councilman Craig Marson
Councilman Richard Schnoll

CLOSED SESSION

- Resolution No. 21-61 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12
- Affordable Housing
 - 188 Broadway Litigation
 - BMW Litigation
 - Discussion on Borough Administrator

PLEDGE OF ALLEGIANCE

PRESENTATION OF PLAQUE HONORING JOHN STALB FOR 50 YEARS OF SERVICE

APPROVAL OF MINUTES

February 8, 2021 (Open)
February 8, 2021 (Closed)

PUBLIC COMMENT

(limited to 3 minutes per speaker)

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

COUNCIL MEMBERS' REPORTS/COMMENTS

CORRESPONDENCE

ORDINANCE

- Public Hearing Ordinance No. 21-04
An Ordinance to Amend Chapter 380 Entitled "Zoning" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey
- Public Hearing Ordinance No. 21-05
An Ordinance to Amend Chapter 320 Entitled "Stormwater Control" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

CONSENT AGENDA

- Resolution No. 21-62 Resolution Authorizing Payroll and Payment of Claims
- Resolution No. 21-63 Resolution Authorizing Payments to Qualified 2020 Members of the Woodcliff Lake Fire Department into their LOSAP Accounts
- Resolution No. 21-64 Resolution Establishing Policies and Procedure for the Payments of Claims, Claimant's Signature for Payment Pursuant to N.J.S.A. 40A:5-16, N.J.A.C. 5:30-9A.6 and N.J.A.C. 5:31-4.1
- Resolution No. 21-65 Resolution Authorizing a Refund of Overpaid Taxes (14 Stratford Court)
- Resolution No. 21-66 Resolution Authorizing a Refund of Overpaid Taxes (31 Rose Avenue)
- Resolution No. 21-67 Resolution Authorizing a Refund of Overpaid Taxes by Tax Court Judgement Docket #004721-2020
- Resolution No. 21-68 Resolution Authorizing a Refund of Overpayment of Taxes Caused by Tax Court Judgements Docket #001420-2016; #001852-2017; #004409-2018 and #005344-2019
- Resolution No. 21-69 Resolution Authorizing a Shared Services Agreement Between the Borough of Woodcliff Lake and the Borough of Old Tappan for the Mutual Use of the Old Tappan Golf Course, the Borough of Woodcliff Lake Swim Pool and Tennis Facility
- Resolution No. 21-70 Resolution Authorizing Reduced Pool, Tennis and Camp Fees for Disadvantaged Families in the Borough of Woodcliff Lake
- Resolution No. 21-71 Resolution Authorizing the Borough Administrator to Waive the Solicitation Fees for Municipal Special Events in the Borough of Woodcliff Lake
- Resolution No. 21-72 Resolution Establishing a 3% Convenience Use Fee for all Credit Card Payments Made to the Borough of Woodcliff Lake Recreation Department
- Resolution No. 21-73 Resolution Approving Corporate Sponsorship/Donations in the Borough of Woodcliff Lake
- Resolution No. 21-74 Resolution Approving Membership in Somerset County Cooperative Pricing System
- Resolution No. 21-75 Resolution Authorizing Settlement Agreement and Release
- Resolution No. 21-76 A Resolution in the Borough of Woodcliff Lake Authorizing a Contract with TGA of Bergen County for the Hosting of a Spring Break Youth Camp; Golf Pre-K-8 Grade (Spring & Fall); Pre-K – K2 (Spring & Fall) Youth Tennis Program; and Youth Summer Tennis Camp and Sport Classes in Conjunction with Camp Algonquin and Authorizing the Use of Borough Property for Same

Resolution No. 21-77	Resolution Authorizing Woodcliff Lake Pool and Tennis Rates for the 2021 Season
Resolution No. 21-78	Resolution Approving Cleaning Services
Resolution No. 21-79	Resolution Approving Transfers Between Budget Appropriations
Resolution No. 21-80	Resolution Authorizing Emergency Temporary Appropriations for the Year 2021
Resolution No. 21-81	Resolution Approving Change Order No. 1 and Payment No. 2 for the Town Pool Shell Reconstruction Project
Resolution No. 21-82	Resolution Approving Membership in the Union County Cooperative Pricing System
Resolution No. 21-83	Resolution Approving Membership in the Hunterdon County Cooperative Pricing System
Resolution No. 21-84	Resolution Authorizing a Refund of Permit Fees

NON-CONSENT AGENDA

Resolution No. 21-85 Resolution to Award Contract to Jesco for DPW Repair

ADJOURNMENT

******Disclaimer******

Subject to Additions and/or Deletions

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH
THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**RESOLUTION NO. 21-61
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ 1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ 2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ 3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

____6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: Affordable Housing, 188 Broadway Litigation, BMW Litigation and Discussion on Borough Administrator.

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

____8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____ 9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on March 1, 2021 that an Executive Session closed to the public shall be held on March 1, 2021 at 6:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 21-62
MARCH 1, 2021**

BE IT RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby ratified and approved:

Payroll Released 2/15/2021	\$ 206,786.45
Payroll Released 2/28/2021	\$ 220,040.12

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$2,790,246.24
Trust/Other:	\$ 829.06
Open Space:	\$ 4,777.00
Affordable Housing:	\$ 4,357.50
General Capital:	\$ 10,347.14
Escrow:	\$ 1,508.00

CERTIFICATION OF FUNDS

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENTS TO QUALIFIED 2020 MEMBERS OF THE WOODCLIFF LAKE FIRE DEPARTMENT INTO THEIR LOSAP ACCOUNTS

**RESOLUTION NO. 21-63
March 1, 2021**

WHEREAS, the Borough Auditor has advised that a certified list of eligible LOSAP volunteer members must be approved by Resolution of the Governing Body; and

WHEREAS, the lists of members meeting their LOSAP requirements for the year 2020 has been submitted to the CFO by the Captain of the Woodcliff Lake Volunteer Fire Department.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake to certify the following list of eligible LOSAP volunteer members and authorize payments into the LOSAP accounts:

Matthew Buesser
Tim Ennis
Herbert Kuehlke
Chris Derienzo
Francis Meredith
Richard Sparke
Vicky Patel

Craig Feustel
Joseph Franzetti
James Kuehlke
Raphael Maurrasse
Tom Derienzo
John Stalb

Joseph Derienzo
George Fusco
Robert Kuehlke
Kevin McGovern
Al Figueroa
John Whelan

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION ESTABLISHING POLICIES AND PROCEDURE FOR THE PAYMENT OF
CLAIMS, CLAIMANT'S SIGNATURE FOR PAYMENT PURSUANT TO
N.J.S.A. 40A:5-16, N.J.A.C. 5:30-9A.6 AND N.J.A.C. 5:31-4.1**

**RESOLUTION NO. 21-64
MARCH 1, 2021**

WHEREAS, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

WHEREAS, NJSA 40A:5-16 requires that the governing body of any local unit shall not pay out of its monies unless

(a) the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification).

(b) the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department).

WHEREAS, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 gives local units discretion to not require claimant certification by enacting a standard policy by

resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

WHEREAS, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

WHEREAS, N.J.A.C. 5:30-9A.6 allows that municipalities may by resolution set forth the circumstances when they will or will not require a vendor (claimant) signature on a purchase order; and

WHEREAS, Subsection (a) of N.J.A.C. 5:30-9A.6 as well as 5:31-4.1 clarify that the certification may be executed by a vendor or claimant by signature stamp, facsimile signature, or by electronic signature in addition to a "wet" signature; and

WHEREAS, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

Vendor Signature Required (stamp, fax electronic or wet is acceptable)	Vendor Signature not Required
Employee Reimbursements	Vendors who are paid through EFT technologies
For services provided exclusively and entirely by an individual or professional service	Vendors who do not provide certifications part of the normal course of business and/or Purchase orders \$6,600.00 or less.
Refund of municipal revenue	Debt Service
Retiree reimbursements	Non-Municipal Taxes
Individual /sole proprietor or single member LLC	Utilities regulated by tariff
Any situation deemed necessary by the CFO or his designee	Professional Development expenses

NOW, THEREFORE BE IT RESOLVED on the 1st day of March, 2021, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES
(14 STRATFORD COURT)**

**RESOLUTION NO. 21-65
MARCH 1, 2021**

WHEREAS, a resolution authorizing the Borough of Woodcliff Lake to refund an overpayment of taxes for the property located at 14 Stratford Court, also known as Block 704, Lot 6; and

WHEREAS, a duplicate payment was made by the mortgage company in error.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Tax Collector be and is hereby authorized to refund Christopher Burbidge, in the amount of \$3,860.59, to be mailed to 14 Stratford Court, Woodcliff Lake, NJ 07677

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES
(31 ROSE AVENUE)**

**RESOLUTION NO. 21-66
MARCH 1, 2021**

WHEREAS, a resolution authorizing the Borough of Woodcliff Lake to refund an overpayment of taxes for the property located at 31 Rose Ave, also known as Block 1504, Lot 14; and

WHEREAS, a duplicate payment was made by the mortgage company in error.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Tax Collector be and is hereby authorized to refund Paul Miniatis, in the amount of \$2,926.17, to be mailed to 31 Rose Ave, Woodcliff Lake, NJ 07677

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT
DOCKET #004721-2020**

**RESOLUTION NO. 21-67
MARCH 1, 2021**

WHEREAS, the owners of Block 2406; Lot 6, 123-125 Broadway, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2020 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
571,400 LAND	571,400 LAND
573,700 IMPROVEMENTS	473,600 IMPROVEMENTS
<u>1,145,100 TOTAL ASSESSMENT</u>	<u>1,045,000 TOTAL ASSESSMENT</u>
\$24,058.55 taxes paid	\$21,955.45 taxes

WHEREAS, this has resulted in overpaying their property tax for the year 2020 in the amount of **\$2,103.10**; and

TOTAL REFUND FOR 2020 = \$2,103.10

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Tax Collector and/or CFO be authorized to refund the overpayment of **\$2,103.10** for the year **2020** to the owner of record LA SALA BROADWAY, LLC c/o Irwin & Heinze, P.A. Trust Account.

CHECK MAILED TO:

Irwin & Heinze, P.A.
FBO LaSala Broadway, LLC
383 Main Street – Suite 101
Chatham, NJ 07928

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES CAUSED BY TAX COURT
JUDGEMENTS DOCKET #001420-2016; #001852-2017; #004409-2018; #005344-2019**

**RESOLUTION NO. 21-68
MARCH 1, 2021**

WHEREAS, the owners of Block 301.01; Lot 3.02, Bank- 485 Chestnut Ridge Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2016 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
755,600 LAND	755,600 LAND
1,329,400 IMPROVEMENTS	1,244,400 IMPROVEMENTS
<u>2,085,000 TOTAL ASSESSMENT</u>	<u>2,000,000 TOTAL ASSESSMENT</u>
\$44,702.40 taxes paid	\$42,880.00 taxes
 <u>2017 Assessment from Tax Duplicate</u>	 <u>Tax Court Judgment</u>
755,600 LAND	755,600 LAND
1,393,300 IMPROVEMENTS	1,244,400 IMPROVEMENTS
<u>2,148,900 TOTAL ASSESSMENT</u>	<u>2,000,000 TOTAL ASSESSMENT</u>
\$44,954.99 taxes paid	\$41,840.00 taxes
 <u>2018 Assessment from Tax Duplicate</u>	 <u>Tax Court Judgment</u>
755,600 LAND	755,600 LAND
1,456,500 IMPROVEMENTS	1,144,400 IMPROVEMENTS
<u>2,212,100 TOTAL ASSESSMENT</u>	<u>1,900,000 TOTAL ASSESSMENT</u>
\$45,856.83 taxes paid	\$39,387.00 taxes

2019 Assessment from Tax Duplicate

755,600 LAND
1,477,400 IMPROVEMENTS
2,233,000 TOTAL ASSESSMENT
\$46,647.37 taxes paid

Tax Court Judgment

755,600 LAND
1,244,400 IMPROVEMENTS
2,000,000 TOTAL ASSESSMENT
\$41,780.00 taxes

WHEREAS, this has resulted in an overpayment of property taxes for the following years for a total amount of **\$16,274.59**; and

REFUND FOR 2016 = \$1,822.40
REFUND FOR 2017 = \$3,114.99
REFUND FOR 2018 = \$6,469.83
REFUND FOR 2019 = \$4,867.37

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Tax Collector and/or CFO be authorized to refund the overpayment of **\$16,274.59** for the years **2016, 2017, 2018 and 2019** to the owner of record TICE ASSOCIATES & MAHONEY ASSOCIATES c/o Zipp & Tannenbaum, LLC.

CHECK MAILED TO:

Zipp & Tannenbaum, LLC
FBO Tice Assoc. & Mahoney Assoc. By
Wells Fargo Bank Tenant-Taxpayer
280 Raritan Center Parkway
Edison, NJ 08837

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WOODCLIFF LAKE AND THE BOROUGH OF OLD TAPPAN FOR THE MUTUAL USE OF THE OLD TAPPAN GOLF COURSE, THE BOROUGH OF WOODCLIFF LAKE SWIM POOL AND TENNIS FACILITY

**RESOLUTION NO. 21-69
MARCH 1, 2021**

WHEREAS, *N.J.S.A. 40A:65-1 et seq.*, the “Uniformed Shared Services and Consolidation Act,” authorizes contracts between municipalities for the sharing of services within their respective jurisdictions; and

WHEREAS, the governing bodies of the Borough of Old Tappan and the Borough of Woodcliff Lake deem it to be in the best interests of the people in their respective communities to enter into such an agreement for the mutual use of the Old Tappan Golf Course, the Borough of Woodcliff Lake Swim Pool and Tennis Facilities; and

WHEREAS, by this agreement the Old Tappan Golf Course, the Borough of Woodcliff Lake Swim Pool and Tennis Facilities shall be available to the residents of the Borough of Woodcliff Lake and the Borough of Old Tappan at the standard residential rate irrespective of which Borough the resident resides.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodcliff Lake, Bergen County, New Jersey, pursuant to the provisions of *N.J.S.A. 40A:65-1 et seq.*, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, to any documentation necessary for the mutual use of the Old Tappan Golf Course, the Borough of Woodcliff Lake Swim Pool and Tennis

Facilities for the residents of the Borough of Woodcliff Lake and the Borough of Old Tappan. Such use shall be at the standard residential price irrespective of which Borough the resident resides.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be served upon the Borough of Old Tappan.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING REDUCED POOL, TENNIS AND CAMP FEES FOR DISADVANTAGED FAMILIES
IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 21-70
MARCH 1, 2021**

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has identified the benefits and need to assist those disadvantaged families of our community by providing a fifty percent (50%) reduced fee for the Borough's Swim Pool, Tennis Program and Borough camp programs; and

WHEREAS, the Borough Administrator and Council Member Recreation Liaisons are the best officials to consider applications for reduced fees from those families in economic need; and

WHEREAS, the Borough Administrator and Council Member Recreation Liaisons shall consider both the economic and personal financial hardships of the families in rendering a decision for eligibility for the reduction in fees of fifty percent (50%) for the present calendar year; and

WHEREAS, the Borough Administrator and Council Member Recreation Liaisons will advise the Governing Body as to all applications received and approved for a fifty percent (50%) reduced fee for the Borough's Swim Pool, Tennis Program and Borough camp programs.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes a fifty percent (50%) reduced fee for the present calendar year for the Borough's Swim Pool, Tennis Program and Borough Camp Programs to assist those disadvantaged families of our community; and

BE IT FURTHER RESOLVED, that the Borough Administrator and Council Member Recreation Liaisons are authorized, in their discretion, to consider applications for reduced fees and may request any documentation from the applicant they deem necessary to render their decision; and

BE IT FURTHER RESOLVED, the Borough Administrator and Council Member Recreation Liaisons will advise the Governing Body as to all applications received and approved for a fifty percent (50%) reduced fee for the Borough's Swim Pool, Tennis Program and Borough camp programs; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be provided to the Board of Education of the Borough of Woodcliff Lake so that the content herein may be conveyed appropriately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO WAIVE THE SOLICITATION FEES FOR
MUNICIPAL SPECIAL EVENTS IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 21-71
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake has identified the benefits of permitting the Borough Administrator to, in his/her discretion, waive any and all solicitation fees for vendors taking part in Borough special events; and

WHEREAS, such wavier would be limited to the time and location of the special event.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Borough Administrator to, in his/her discretion, waive any and all solicitation fees for vendors taking part in Borough special events.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION ESTABLISHING A 3% CONVENIENCE USE FEE FOR ALL CREDIT CARD PAYMENTS MADE TO
THE BOROUGH OF WOODCLIFF LAKE RECREATION DEPARTMENT**

**RESOLUTION NO. 21-72
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake Recreation Department incurs use fees charged by the various credit card companies when utilizing their services in accepting credit card payments for any payments made to the Department. These fees significantly and adversely affect the budgetary resources of the Recreation Department; and

WHEREAS, it is proper to establish a 3% convenience use fee on all payments made by credit card to the Borough of Woodcliff Lake Recreation Department and any subdivision of the department to account for same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that a 3% convenience charge shall be added to all payments made by credit card to the Borough of Woodcliff Lake Recreation Department and any subdivision of same.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING CORPORATE SPONSORSHIP/DONATIONS
IN THE BOROUGH OF WOODCLIFF LAKE**

RESOLUTION NO. 21-73

MARCH 1, 2021

WHEREAS, the Borough of Woodcliff Lake has identified the benefits of soliciting corporate donations/sponsorships for the various programs within the Borough; and

WHEREAS, the Borough of Woodcliff would like to encourage its residents, volunteers and employees to seek such corporate donations/sponsorship; and

WHEREAS, due to conflicts that may arise, all proposed donations/sponsorships exceeding \$500.00 must be approved by the Borough Mayor and Council.

NOW THEREFORE, BE IT RESOLVED, that the Borough of Woodcliff Lake encourages its citizens, volunteers and employees to seek pledges of corporate donations/sponsorships. Such pledges exceeding \$500.00 shall then be presented to the Mayor and Council for approval.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING MEMBERSHIP IN SOMERSET COUNTY COOPERATIVE
PRICING SYSTEM**

**RESOLUTION NO. 21-74
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake desires to join the Somerset County Cooperative Pricing System #2SOCCP for the provision and performance of goods and services; and

WHEREAS, Somerset County serves as the lead agency of the Cooperative Pricing System; and

WHEREAS, in order to join the Somerset County Cooperative Pricing System #2SOCCP, the Borough must enter into an agreement with the PVSC; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to enter into a Cooperative Pricing System and Agreement for the purchase of goods and services; and

WHEREAS, the Agreement between the Borough and Somerset County Cooperative Pricing System #2SOCCP, a copy of which is attached hereto and incorporated herein by reference shall be effective upon the adoption of this resolution and shall be for the period ending December 31, 2023 and each renewal thereafter of the system unless the Borough elects to formally withdraw from same; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend that the Borough join the Somerset County Cooperative Pricing System #2SOCCP.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the Borough's membership in the Somerset County Cooperative Pricing System #2SOCCP be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the Agreement between the Borough and Somerset County as the lead agency of the Somerset County Cooperative Pricing System #2SOCCP, a copy of which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Agreement to the Deputy Clerk of the Board of the Lead Agency upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT AND RELEASE

RESOLUTION NO. 21-75

MARCH 1, 2021

WHEREAS, the Borough of Woodcliff Lake wishes to enter into a Settlement and Release with Manhattan Telecommunications Corporation, d/b/a MetTel with regard to the matter Manhattan Telecommunications Corporation d/b/a MetTel, Plaintiff, v. Borough of Woodcliff Lake, Defendant, Civil Court of the City of New York, Index No. 01646/20; and

WHEREAS, the terms of the Settlement provide that the Borough pay Manhattan Telecommunications Corporation, d/b/a MetTel, the sum of \$12,000.00 as full and final settlement of this matter; and

WHEREAS, the Borough Administrator and Litigation Counsel have reviewed this matter and recommend that the Borough enter into the Settlement and approve the Release with regard to same; and

WHEREAS, Litigation Counsel has approved the terms of the Settlement and the copy of the Release which is attached hereto and incorporated herein by reference and recommends the approval of same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey that the Settlement and Release in the amount of \$12,000.00 between the Borough and Manhattan Telecommunications Corporation, d/b/a MetTel with regard to within referenced litigation, be and is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to approve the Settlement and Release attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the settlement payment to Jonathan Bachrach, Esq., the attorney for Manhattan Telecommunications Corporation d/b/a MetTel, upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**A RESOLUTION IN THE BOROUGH OF WOODCLIFF LAKE
AUTHORIZING A CONTRACT WITH TGA OF BERGEN COUNTY FOR THE HOSTING OF A SPRING BREAK
YOUTH CAMP; GOLF PRE-K – GRADE 8 (SPRING & FALL); PRE-K – K-2 (SPRING & FALL) YOUTH TENNIS
PROGRAM;AND YOUTH SUMMER TENNIS CAMP AND
SPORT CLASSES IN CONJUNCTION WITH CAMP ALGONQUIN AND AUTHORIZING THE USE OF
BOROUGH PROPERTY FOR SAME**

**RESOLUTION NO. 21-76
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake has identified the benefits of offering a Spring Break Youth Camp; Golf PRE-K – Grade 8 (Spring & Fall); PRE-K – k-2 (Spring & Fall) Youth Tennis program; and Youth Summer Tennis Camp and Sport classes in conjunction with Camp Algonquin; and

WHEREAS, the Borough of Woodcliff Director of Parks and Recreation has identified the corporation of TGA of Bergen County as having the expertise, equipment and experience necessary to perform this service for the Borough; and

WHEREAS, TGA of Bergen County will manage/run the programs and pay a facilities use fee based on enrollment to the Borough for use of the Borough facilities. The program will be offered to Woodcliff Lake residents and, if space is available, to residents of other municipalities; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold be done without competitive bids and provides that the contract itself must be available for public inspection.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and TGA of Bergen County for the hosting of a Spring Break Youth Camp; Golf PRE-K – Grade 8 (Spring & Fall); PRE-K – k-2 (Spring & Fall) Youth Tennis program; and Youth Summer Tennis Camp and Sport classes in conjunction with Camp Algonquin and authorizes the use of Borough property for same.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING WOODCLIFF LAKE POOL AND TENNIS RATES FOR THE 2021 SEASON

RESOLUTION NO. 21-77 MARCH 1, 2021

WHEREAS, the Mayor and Council authorize the Borough to collect the following fees for the 2021 pool and tennis season as stated:

2021 POOL AND TENNIS RATES

NEW THIS YEAR: Sign up by April 2nd to receive a 5% discount off any Pool and Tennis membership – WCL Residents or Non-Residents.

No refunds on any memberships will be given after opening day, unless the Pool closes due to an Executive Order being issued.

A *Family shall consist of not more than 2 adults and all children 25 and under and living at the same address.

Resident Family Pool and Tennis Membership Rates (Includes Borough of WCL Employees Regardless of Residency & Old Tappan Residents) – Proof of Residency is Required

Family Plan (Pool) + 5 pool guest passes	\$550
Family Plan (Pool & Tennis) + 5 pool and 5 tennis guest passes	\$610

Resident Individual Pool Membership Rates (Includes Borough of WCL Employees Regardless of Residency & Old Tappan Residents)

*An Adult is considered 26 and up.

Adult +1 guest passes	\$250
Couple + 3 guest passes	\$450

Student (ages 5-25)	\$210
Senior Citizen (Age 62 & over – proof of age required – must be 62 by Memorial Day)	Free
Under Age 5	Free
Old Tappan Senior Citizen (Age 62 & over – proof of age/residency required – must be 62 by Memorial Day)	\$100

Current WCL Resident Member Sponsors: 1) NEW WCL Resident for a Family Pool Membership - WCL Resident must add Sponsored Family to Community Pass Account – Max that a WCL Resident Member can sponsor is 12

\$50 credit per NEW WCL Resident Member (cannot exceed value of Current Members Membership) Credits will be issued via check after promotion has ended in August. The NEW WCL Pool Resident Member will receive 25% off their NEW Family Pool membership. Must pay in full for WCL Resident Member to receive credit. Offer ends July 1st.

Reduced Fee Daily Admittance Guest Passes (added to your account) & Daily Fee @ Gate

5 Guest Passes - Resident WCL/OT members only, purchase at Borough Hall ONLY	\$95
10 Guest Passes - Resident WCL/OT members only, purchase at Borough Hall ONLY	\$155
Daily Fee @ Gate – Ages 26 & Up	\$25
Daily Fee @ Gate – Ages 5-25	\$20
Twilight – After 4PM Ages 5+ WCL/OT Residents & Members Guests	
Available for purchase @ GATE	\$10

Woodcliff Lake Volunteer Fire Fighter & Tri-Boro Ambulance

(Regardless of residency, but must be a current volunteer in the Borough of Woodcliff Lake for the current year)

Family Plan (Pool) + 2 guest passes (must be head of household)	\$200
Family Plan (Tennis) + 2 guest passes (must be head of household)	\$40
Single (Adult) (pool) 26+	\$90

Woodcliff Lake Resident – Veteran

50% off Resident Pool and Tennis Rates

Proof of residence and service is required. Contact Borough Administrator for approval.

Non-Resident Pool Membership Rates (Limited to the first 50 memberships)

Family Plan (Pool) + 2 guest passes	\$1060
*Couple Plan (Pool) + 1 guest pass	\$830
*A couple consists of 2 adults living at the same address	
Family Plan (Pool & Tennis) * 2 pool & 2 tennis guest passes	\$1220
Single Adult (Pool) 26+	\$480
Student (ages 5-25)	\$360

Non-Resident Senior Pool Membership

Non-Resident rates are available to the following towns: Saddle River, Upper Saddle River, Montvale, Hillsdale & Park Ridge

Senior Citizen (Single) (Pool) +2 guest passes (Residency/Age 62 & over – proof of age required)
(Ltd to the 1st 20 individuals – Must be 62 by Memorial Day) 270

Lost Badges

There is a \$25 charge for replacing badges lost during the season

Resident Tennis Membership – Includes Old Tappan Residents

Family Plan + 10 guest passes	\$75
(Family consists of 2 adults living at the same address and children under age 25)	
Adult +26 ** No guest passes	\$50
Student (Ages 5-25)	\$30
Senior Citizen (Residency/Age 62 & over – proof of age required – must be 62 by Memorial Day)	Free
Old Tappan Senior Citizen (Residency/Age 62 & over – proof of age required – must be 62 by Memorial Day)	\$30
Daily Rate	\$10

Non-Resident Tennis Membership

Family *No guest passes	\$100
(Family consists of 2 adults living at the same address and children under age 25)	
Adult +26 *No guest passes	\$60
Student (Age 5-25) *No guest passes	\$35
Senior Citizen *No guest passes	\$30
Corporation (w/ Corp. ID)	\$50
Daily Rate (Non-members)	\$15

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the aforementioned rates are approved as presented.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING CLEANING SERVICES
RESOLUTION NO. 21-78
MARCH 1, 2021**

WHEREAS, the Borough of Woodcliff Lake presently utilizes National Maintenance Service, Inc. for Cleaning Services for the Borough Hall, Tice Senior Center and Police Department buildings; and

WHEREAS, National Maintenance Service, Inc, has provided the Borough with a proposal to continue its Cleaning Services for the buildings referenced above, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend that the proposals submitted by National Maintenance Service, Inc. for Cleaning Services for Borough Hall (Option 1: \$275.00 per visit), Tice Senior Center (Monthly Option: \$350.00 per visit) and Police Department (Option 1: \$350.00 per visit), a copy of which is attached hereto and incorporated herein by reference, be approved; and

WHEREAS, the Borough Attorney has prepared a Contract Agreement between the Borough and National Maintenance Services, Inc. for its cleaning services, a copy of which is attached hereto and incorporated herein by reference and recommends the approval of same.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the proposals submitted by National Maintenance Service, Inc., a copy of which is attached hereto and incorporated herein by reference, for Cleaning Services for the Borough Hall (Option 1: \$275.00 per visit), Tice Senior Center (Monthly Option: \$350.00 per visit) and Police Department (Option 1: \$350.00 per visit) be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized and directed to execute the attached proposal from National Maintenance Service, Inc. for Cleaning Services; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the attached contract agreement on behalf of the Borough with National Maintenance Service, Inc.; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Proposal and Contract Agreement to National Maintenance Service, Inc. upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING TRANSFERS BETWEEN BUDGET APPROPRIATIONS
RESOLUTION NO. 21-79
MARCH 1, 2021**

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the 2020 budget of the Borough of Woodcliff Lake; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the following transfers be made within the 2020 Municipal Budget Appropriation Reserves:

Current Fund Within CAPS			
Account Number	Description	FROM	TO
0-01-26-290-034	Streets and Roads-Motor Vehicle Parts and Accessories	\$ 5,000.00	
0-01-26-315-129	Vehicle Maintenance- Sanitation Dept - Tires		\$ 5,000.00
0-01-21-180-028	Planning - Professional Services	\$ 12,000.00	
0-01-31-440-201	Telephone - Buildings and Grounds		\$ 12,000.00
TOTALS		\$17,000.00	\$17,000.00

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY
APPROPRIATIONS FOR THE YEAR 2021**

**RESOLUTION NO. 21-80
MARCH 1, 2021**

WHEREAS, an emergent condition has arisen, in that the Borough of Woodcliff Lake is expected to enter into contracts, commitments or payments prior to the adoption of the 2021 budget and no adequate provision has been made in the 2021 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provide for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2021 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$2,277,610.00 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$2,277,610.00 for the Current Fund, as follows:

1-01-20-100-011	ADMIN-SALARIES AND WAGES	\$ 20,000.00
1-01-20-110-044	M&C-DUES/MEMBERSHIPS	\$ 2,000.00
1-01-20-130-010	FINANCE-SALARIES AND WAGES Full Time	\$ 40,000.00

1-01-20-130-103	FINANCE-Payroll Processing Expenses	\$	10,000.00
1-01-20-155-029	LEGAL-OTHER EXPENSES Professional Services	\$	35,000.00
1-01-23-210-183	Insurance Volunteer Firemen/Tri Boro Ambulance	\$	5,360.00
1-01-23-220-190	EMP INS-OTHER EXPENSES-Hospitalization/ Prescription	\$	300,000.00
1-01-23-220-191	EMP INS-OTHER EXPENSES - Dental	\$	35,000.00
1-01-23-220-193	EMP INS-OTHER EXPENSES - Life Insurance/VISION	\$	2,000.00
1-01-25-240-011	POLICE-SALARIES AND WAGES - Full Time	\$	450,000.00
1-01-25-250-029	DISPATCH- Other Contractual Items	\$	60,000.00
1-01-25-265-012	FIRE PREV-SALARIES AND WAGES - Part Time	\$	7,500.00
1-01-25-265-015	FIRE PREV-SALARIES AND WAGES -Other Pay	\$	7,500.00
1-01-26-290-011	DPW-SALARIES AND WAGES Full Time	\$	180,000.00
1-01-26-290-122	DPW- Road Materials	\$	75,000.00
1-01-26-305-128	Recycling Contract	\$	30,000.00
1-01-26-310-011	BUILDINGS & GROUNDS -SALARIES AND WAGES Full Time	\$	20,000.00
1-01-26-315-126	VEH MAINT-Police Dept	\$	5,000.00
1-01-26-315-127	VEH MAINT-Police Dept - Tires	\$	2,000.00
1-01-26-315-128	VEH MAINT-Sanitation Dept	\$	5,000.00
1-01-26-315-129	VEH MAINT-Sanitation Dept - Tires	\$	3,000.00
1-01-26-315-130	VEH MAINT-Road Dept	\$	5,000.00
1-01-26-315-131	VEH MAINT-Road Dept - Tires	\$	5,000.00
1-01-31-430-205	ELECTRICITY-OTHER EXPENSES - Road Dept	\$	15,000.00
1-01-31-435-000	STREET LIGHTING	\$	30,000.00

1-01-31-440-201	TELEPHONE-OTHER EXPENSES Buildings and Grounds	\$	5,000.00
1-01-32-465-230	LANDFILL DISPOSAL COSTS - Garbage Disposal Costs	\$	80,000.00
1-01-36-471-000	PUBLIC EMPLOYEES RETIRMENT SYSTEM	\$	159,865.00
1-01-36-472-000	SOCIAL SECURITY	\$	50,000.00
1-01-36-475-000	POLICE AND FIRE RETIREMENT SYSTEM	\$	633,385.00
		\$	2,277,610.00

2. Said emergency temporary appropriations will be provided for in the 2021 budget.
3. That one (1) certified copy of this resolution is filed with the Director of the Division of Local Government Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING CHANGE ORDER NO. 1 AND PAYMENT NO. 2
FOR THE TOWN POOL SHELL RECONSTRUCTION**

**RESOLUTION NO. 21-81
MARCH 1, 2021**

BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order and Payment No. 2 for the Contract listed below be and is hereby approved.

TITLE OF JOB: Town Pool Shell Reconstruction
CONTRACTOR: Premier Pool Renovation
CHANGE ORDER N°: 1
AMOUNT OF CHANGE THIS RESOLUTION: \$ 16,250.00
PAYMENT NO. 2: \$224,861.00

This Resolution to take effect upon certification by the CFO that sufficient funds are available.

Dated: _____ **Certified:** _____
Treasurer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING MEMBERSHIP IN UNION COUNTY
COOPERATIVE PRICING SYSTEM**

**RESOLUTION NO. 21-82
MARCH 1, 2021**

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes contracting units to enter into the Cooperative Pricing Agreements; and

WHEREAS, the County of Union hereinafter referred to as “the Lead Agency” has offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Woodcliff Lake in the County of Bergen desires to participate in the Union County Cooperative Pricing Agreement; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend that the Borough join the Union County Cooperative Pricing System.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the Governing Body authorizes the Borough of Woodcliff Lake to participate in the Union County Cooperative Pricing Agreement and execute a Cooperative Pricing Agreement within the County of Union upon its approval by the Division of Local Government Services; and

BE IT FURTHER RESOLVED, that the County of Union as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. and all of the provisions of the statutes of the State of New Jersey.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING MEMBERSHIP IN HUNTERDON COUNTY
EDUCATIONAL SERVICES COOPERATIVE PRICING SYSTEM**

**RESOLUTION NO. 21-83
MARCH 1, 2021**

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes contracting units to enter into the Cooperative Pricing Agreements; and

WHEREAS, the County of Hunterdon hereinafter referred to as “the Lead Agency” has offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Woodcliff Lake in the County of Bergen desires to participate in the Hunterdon County Educational Services Cooperative Pricing Agreement; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend that the Borough join the Hunterdon County Educational Services Cooperative Pricing System.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the Governing Body authorizes the Borough of Woodcliff Lake to participate in the Hunterdon County Educational Services Cooperative Pricing Agreement and execute a Cooperative Pricing Agreement within the County of Hunterdon upon its approval by the Division of Local Government Services; and

BE IT FURTHER RESOLVED, that the County of Hunterdon as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. and all of

the provisions of the statutes of the State of New Jersey.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF PERMIT FEES

RESOLUTION NO. 21-84

MARCH 1, 2021

WHEREAS, Creative Design, the contractor for owners of property at 41 Shield Drive submitted a permit for a kitchen renovation and paid a permit fee of \$507 (Permit 20-0191; and

WHEREAS, the contractor for the kitchen renovation has been changed by the homeowner and work was never performed; and

WHEREAS, the contractor of the property has requested a refund of the permit fees. Twenty percent of permit fees may be retained for Plan review fees. Eighty percent of permit fee or \$405.60 should be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the payment of \$405.60 to the contractor listed below:

PAYMENT TO:
CREATIVE DESIGN
204 Livingston Street
Northvale, NJ 07647

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of March 1, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION TO AWARD CONTRACT TO JESCO FOR DPW REPAIR

RESOLUTION NO. 21-85

MARCH 1, 2021

WHEREAS, pursuant to N.J.S.A. 40A:11-10, the Borough may, without bidding, purchase goods and services through authorized cooperative pricing systems including the New Jersey Cooperative Purchasing Alliance Pricing System; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Borough is a member of the New Jersey Cooperative Purchasing Alliance Pricing System; and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake have determined that it is in the interests of the Borough to have repairs done to a 2003 John Deere 544H and sought a proposal from Jesco; and

WHEREAS, the Borough of Woodcliff Lake received a proposal from Jesco under New Jersey Cooperative Purchasing Alliance Pricing System for the repair of a 2003 John Deere 544H in the amount of \$19,440.52.

NOW THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Woodcliff do hereby authorize the Borough of Woodcliff Lake to enter into a contract with Jesco for the repair of a 2003 John Deere 544H in the amount of \$19,440.52 in accord with the quote in received under the New Jersey Cooperative Purchasing Alliance Pricing System.

BE IT FURTHER RESOLVED, that the Mayor and/or Borough Administrator are hereby authorized to execute a contract with Jesco for the repair of a 2003 John Deere 544H in accord with the proposal received thereunder from Jesco in the amount of \$19,440.52.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for this payment.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 1, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

Ordinance No. 21-04

AN ORDINANCE TO AMEND CHAPTER 380 ENTITLED "ZONING" OF THE BOROUGH CODE OF THE
BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN
THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 380, of the Code of the Borough of Woodcliff Lake sets forth all
regulations regarding Zoning within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of
Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby
amended as follows and that those portions of the Ordinance not set forth below shall remain
unchanged.

Chapter 380. Zoning.

Ch. 380-84. General provisions.

E. Projections and encroachments. No part of any building or structure attached to a building
shall project into any required yard or setback except as follows:

(6) Permanent standby generators may project not more than 8 feet into the required
rear or side yard setback.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of
this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be
affected.

Effective Date. This Ordinance shall become effective upon final approval and publication,
pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

Ordinance No. 21-05

**AN ORDINANCE TO AMEND CHAPTER 320 ENTITLED "STORMWATER CONTROL" OF THE
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE
IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Chapter 320, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Stormwater Control Zoning within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 320. Stormwater Control.

Section 1: 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

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for major development, as defined in Section 2.

C. Applicability.

1. This ordinance shall be applicable to the following major developments:

a. Nonresidential major developments; and

b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This ordinance shall also be applicable to all major developments undertaken by Borough of Woodcliff Lake.

D. Compatibility with other permit and ordinance requirements. Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section 2: 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.

AGRICULTURAL DEVELOPMENT

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 manufacturing of agriculturally related products.

BEST MANAGEMENT PRACTICE (BMP)

Structural device, measure, facility, or activity that helps to achieve stormwater management control objectives at a designated site.

CAFRA PLANNING MAP

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).

CAFRA CENTERS, CORES OR NODES

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

COMMUNITY BASIN

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

CATEGORY 1 (C1) WATERS

Waters of the state, including unnamed waterways that appear on Soil Survey and USGS Topographic Quadrangle Maps within the same HUC 14 watershed, designated in N.J.A.C. 7:9B-1.15(c) through (h) for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d) for protection from measurable changes in water quality characteristics because of their clarity, color, scenic setting, other characteristics of aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resources.

COMPACTION

The increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA

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

CORE

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

COUNTY REVIEW AGENCY

An agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

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

DEPARTMENT

The New Jersey Department of Environmental Protection.

DESIGNATED CENTER

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

DESIGN ENGINEER

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

DEVELOPMENT

The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or 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, by any person, 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 lands, development means: any activity that requires a state permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act; N.J.S.A. 4:1C-1 et seq.

DISTURBANCE

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

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving water body or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA

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

ENVIRONMENTALLY CRITICAL AREAS

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 NEIGHBORHOOD

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

EROSION

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

ESCAPE PROVISIONS

The permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins.

GROUNDWATER

A body of water below the surface of the land in a zone of saturation where the spaces between the soil or geological materials are fully saturated with water.

GREEN INFRASTRUCTURE

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

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

HUC 14

An area within which water drains to a particular receiving surface water body, also known as a sub watershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

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

INFILTRATION

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

LEAD PLANNING AGENCY

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

MAJOR DEVELOPMENT

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

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

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

MITIGATION

An action by an applicant providing compensation or offset actions for on-site stormwater management requirements where the applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in N.J.A.C. 7:8 in an adopted regional stormwater management plan or in this local ordinance and has received a waiver from strict compliance from the Borough of Woodcliff Lake. Mitigation for the purposes of this ordinance includes both the mitigation plan detailing how the project's failure to strictly comply will be compensated, and the implementation of the approved mitigation plan.

MOTER VEHICLE

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

MOTER VEHICLE SURFACE

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

MUNICIPALITY

Any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANGEMENT PRACTICES (BMP) MANUAL

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the

Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 4.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

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

NONSTRUCTURAL STORMWATER MANAGEMENT TECHNIQUES

Techniques that control or reduce stormwater runoff in the absence of stormwater structures (e.g., basins and pipe conveyances), such as minimizing site disturbance, preserving important site features, including but not limited to natural vegetation, reducing and disconnecting impervious cover, minimizing slopes, utilizing native vegetation, minimizing turf grass lawns, increasing time of concentration, and maintaining and enhancing natural drainage features and characteristics.

NUTRIENT

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

PERMEABLE

A surface or land cover capable of transmitting or percolating a significant amount of precipitation into the underlying soils.

PERSON

Any individual, corporation, company, partnership, firm, association, Borough of Woodcliff Lake or political subdivision of this State and any state, interstate, or Federal agency.

PLAN

A document approved at the site design phase that outlines the measures and practices used to control stormwater runoff at the site.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy

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

POLLUTION

The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water to the extent that the pollutant concentration or level violates either the groundwater quality standards (N.J.A.C. 7:9-6) or the surface water quality standards (N.J.A.C. 7:9B) of New Jersey.

RECHARGE

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

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

- (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

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.

REVIEW AGENCY (MUNICIPAL)

The municipal body or official that is responsible for the review of a major development project for compliance with the stormwater management requirements.

SEDIMENT

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

SITE

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

SOIL AND FLOATABLE MATERIALS

Sediment, debris, trash and other floating, suspended or settleable solids.

SOURCE MATERIAL

Any material(s) or machinery, located at an industrial facility that is directly or indirectly related to process, manufacturing, or other industrial activities, that could be a source of pollutants in any industrial stormwater discharge to ground or surface water. Source materials include, but are not limited to, raw materials, intermediate products, final products, water 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.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

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

STATE PLAN POLICY MAP

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

STORMWATER

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

STORMWATER MANAGEMENT BMP

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

STORMWATER MANAGEMENT MEASURE

Any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration

or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANGEMENT PLANNIN AREA

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

STORMWATER RUNOFF

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

STREAM BUFFER

A strip of land located immediately adjacent to a stream channel consisting of natural, undisturbed vegetative cover, which serves as a transition area between uplands and riparian lands. A stream buffer may encompass wetlands, may be contained with a floodplain or floodway or may extend beyond a wetland, floodplain, or floodway boundary.

STRUCTURAL STORMWATER TECHNIQUES

A stormwater management measure that involves control of concentrated stormwater runoff or filtration such as stormwater basins, piped conveyance systems and manufactured stormwater devices and can include various types of basins, filters, surfaces, and devices located on individual lots in a residential development or throughout a commercial, industrial or institutional development site in areas not typically suited for larger, centralized structural facilities.

THREATENED AND ENDANGERED SPECIES

Endangered species are those whose prospects for survival in New Jersey are in immediate danger because of a loss or change in habitat, overexploitation, predation, competition, disease, disturbance, or contamination. Assistance is needed to prevent future extinction in New Jersey. Threatened species are those who may become endangered if conditions surrounding them begin to or continue to deteriorate. Habitats of endangered or threatened species are those identified by the Department's Landscape Project as approved by the Department's Endangered and NonGame Species Program.

TIME OF CONCENTRATION

The time it takes for stormwater runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed.

TRANSITION AREA

An area of protected upland adjacent to a freshwater wetland that minimizes adverse impacts on the wetland or serves as an integral component of the wetlands ecosystem.

Also known as "buffer area."

TIDAL FLOOD HAZARD AREA

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

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

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

URBAN ENTERPRISE ZONES

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

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

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

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND

An area that is inundated or saturated by surface water or groundwater 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 3: 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 4: Stormwater Management Requirements for Major Development

- A. Maintenance plan. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 10.
- B. Threatened and endangered species. Stormwater management measures shall be implemented in order to avoid adverse impacts of concentrated flow on habitat(s) for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. Exemptions. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Section 4F and G:
 - 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. Waiver from strict compliance. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 4F and G 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 4F and G to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section 4F and G, 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 Subsection D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 4F and G that were not achievable on site.
- A. 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 4Q, R, S, and T. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:
- https://njstormwater.org/bmp_manual2.htm
- B. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

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

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

(Notes corresponding to annotations ^(a) through ^(g) are found after Table 3)

(Continued on next page)

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

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 3)

(continued on the next page)

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 ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- a. subject to the applicable contributory drainage area limitation specified at Section 4.O.2;
- b. designed to infiltrate into the subsoil;
- c. designed with underdrains;
- d. designed to maintain at least a 10-foot-wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- e. designed with a slope of less than two percent;
- f. designed with a slope of equal to or greater than two percent;

- g. manufactured treatment devices that meet the definition of green infrastructure at Section 2;
- h. manufactured treatment devices that do not meet the definition of green infrastructure at Section 2.

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 §247-7B. Alternative stormwater management measures may be used to satisfy the requirements at Section 4Q only if the measures meet the definition of green infrastructure at §247-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at §247-4Q.2 are subject to the contributory drainage area limitation specified at §247-4Q.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 §247-4Q.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 §247-4D is granted from §247-4Q.

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

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

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

installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §247-9.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 §247-9; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at §247-2 may be used only under the circumstances described at §247-4P.3.
- K. Any application for a new agricultural development that meets the definition of major development at Section 2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Section 4.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 4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the County Clerk of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality. 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 4.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 10.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 4 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 M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section 4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 4.F. and/or an alternative stormwater management measure approved in accordance with Section 4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. To satisfy the stormwater runoff quantity standards at Section 4.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 4.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 4.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 4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 4.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 4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 4.D.

Q. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 5, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its

stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or

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

R. Stormwater Runoff Quality Standards

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

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

Table 4 - Water Quality Design Storm Distribution

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

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

$$R = A + B - (AXB)/100$$

Where:

R = total TSS percent load removal from application of both BMPs

A = the TSS percent removal rate (whole number) applicable to the first (upstream) BMP

B = the TSS percent removal rate (whole number) applicable to the second (downstream) BMP

In cases where three or more BMPs are used in series, the applicant shall calculate the TSS reduction for the two most upstream BMPs in the series using the above formula, then substitute the result of that calculation in the formula for "A" when calculating the combined result with the next BMP in the series.

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

2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 5, complete one of the following:
 - a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - c. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - d. 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 5: Calculation of Stormwater Runoff and Groundwater Recharge

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

1. The design engineer shall calculate stormwater runoff in accordance with one of the following methods:

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

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

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

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

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

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction 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 at Section 5A-1a and the Rational and Modified Rational Methods at Section 5A-1b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

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

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

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

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

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

Section 6: Sources for Technical Guidance

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

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

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

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 7: Solids and Floatable Materials Control Standards

A. Site design features identified under Section 4.F above, or alternative designs in accordance with Section G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 7.A.2 below.

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

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

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

- c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
- a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

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

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

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

Section 8: Safety Standards for Stormwater Management Basins

- A. General scope. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management 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 8.C.1, 8.C.2, and 8.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for trash racks, overflow grates and escape provisions.

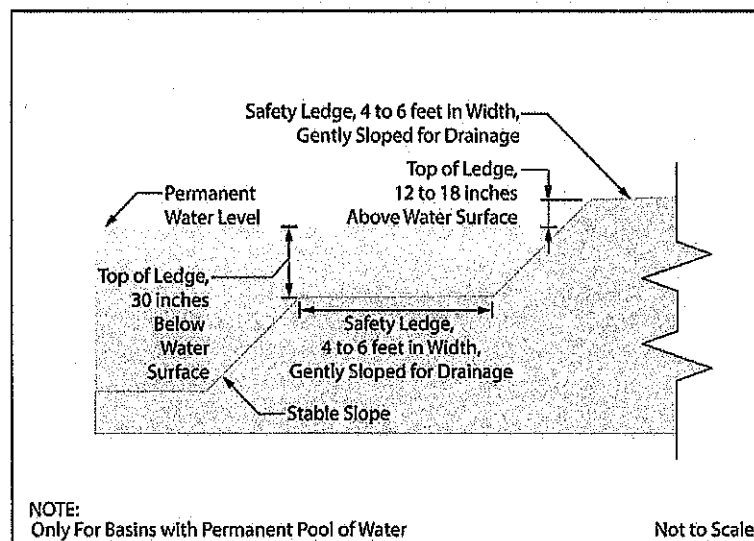
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
 - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
 - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
 - d. The trash rack 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.
2. An overflow grate is intended to protect the opening in the top of a stormwater management measure outlet structure. It is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the reviewing agency and/or the Borough Engineer identified in Section 8C, a freestanding outlet structure may be exempted from this requirement;
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width.

One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and

- c. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.
- d. An emergency drawdown method for detention basins is required where the permanent pool will be more than 2 1/2 feet deep. This drawdown method must consider downstream or off-site stability at the outfall in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

D. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county, or Department) that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration



Section 9: 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 9C below as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate through submission requirements that the project

meets the standards set forth in this ordinance.

3. The applicant shall submit four (4) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 9C of this ordinance.

B. Site development stormwater plan approval. The applicant's site development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) 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. Checklist requirements. 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 environs. 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 §247-3 through §247-5 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. The applicant should refer to the Borough of Woodcliff Lake Stormwater Management Plan and the Borough of Woodcliff Lake Stormwater Pollution Prevention Plan for additional requirements.
5. Stormwater management facilities map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - a. Total area to be disturbed, paved, or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
6. Calculations.
 - a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this ordinance.
 - b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure. The Borough of Woodcliff Lake shall be notified of site investigation activities and given the opportunity to have a witness, either prior to approval or as a condition of approval, as appropriate for the specific type of measure. Subsequent to approval of the development, postconstruction bulk soil density and infiltration testing shall be required for all infiltration measures that were used as justification for meeting the recharge standards, to ensure that they were properly constructed.
7. Maintenance and repair plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 10.
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 9.C.1 through 9.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 10: Maintenance and Repair

A. Applicability. Projects subject to review as in Section 1C of this ordinance shall comply with the requirements of Section 10B and C.

B. General maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development. This plan shall be separate from all other documents and designed for ongoing use by the site owner(s) or operator(s) in performing and documenting maintenance and repair, and by the Borough of Woodcliff Lake in ensuring implementation of the maintenance plan. The final maintenance plan shall be updated and provided to the Borough of Woodcliff Lake postconstruction to include an evaluation based on the specifications of the initial maintenance plan and as-built conditions.
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 person responsible for maintenance identified under Subsection B.3 above is not a public agency, the maintenance plan and any future revisions based on Subsection 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 function of the stormwater management measure, including 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 person responsible for maintenance identified under Subsection B.3 above shall perform all of the following requirements:
 - a. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - b. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - c. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsection B.6 and B.7 above.
 8. The requirements of Subsection 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, enforce penalties and/or liens as determined by the Borough of Woodcliff Lake and described below. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

Section 11: Violations and Penalties

Any person 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: A fine not to exceed \$500.00 per day for the first offense and a fine not to exceed \$1,000.00 per day with the possibility of imprisonment for the second and subsequent offenses.

Section 12: 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 13: Effective Date

This ordinance shall take effect immediately upon the approval by the county review agency, or 60 days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.