

**AGENDA
WOOLWICH TOWNSHIP COMMITTEE
NOVEMBER 20, 2023**

Call to order:

The November 20, 2023 meeting of the Woolwich Township Committee is being called to order. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act.

Roll Call:

Flag Salute:

Privilege of the Floor/Agenda Items: The public is reminded to please stand and state their name and address for the record prior to addressing the Committee.

Ordinance(s):

2023-32 An Ordinance of the Township of Woolwich, Amending Chapter 14 of the Code of the Township of Woolwich Entitled Defense and Indemnification First Reading/Introduction

2023-33 An Ordinance of the Township of Woolwich Establishing Chapter 3 of the Code for a local Board of Health First Reading/Introduction

2023-34 An Ordinance of the Township of Woolwich Amending Chapter 59 of the Code of the Township of Woolwich Entitled "Animals" First Reading/Introduction

2023-35 An Ordinance of the Township of Woolwich, County of Gloucester, State of New Jersey Adopting Requirements for the Storage of Salt and Other Solid De-Icing Materials First Reading/Introduction

2023-36 An Ordinance of the Township of Woolwich, County of Gloucester, State of New Jersey Revising the Woolwich Township Code to Delete Chapter 157 of the Code of the Township of Woolwich and Replacing with the Following First Reading/Introduction

Resolutions:

R-2023-226 Resolution of the Township of Woolwich Authorizing the Acceptance and Filing of Performance Surety Bond #CM101212 that will Replace Current Letter of Credit #22-09 Filed on Behalf of Villages I, Section 4.2

R-2023-227 Resolution of the Township of Woolwich Authorizing the Acceptance and Filing of Performance Surety Bond #CM101211 that will replace Current Letter of Credit #22-08 Filed on Behalf of Villages II, Section 2.4

R-2023-228 Resolution of the Township of Woolwich Authorizing Public Works Department to Repair the Roofs Located at Locke Ave. Park. for Dugouts A, B, and E. Not to Exceed \$4,000.

R-2023-229 Resolution Authorizing the Acceptance of a Cash Bond for the Issuance of a Temporary Certificate of Occupancy- 208 Rainey Road (Block 31.01, Lot 12)

R-2023-230 Resolution Authorizing an Agreement Between the Township of Woolwich and Omni Recycling LLC for End Market Recyclables

R-2023-231 Resolution Authorizing the Release of Safety and Stabilization Performance Bond # 800046662 Filed on Behalf of DPIF3 NJ5 2062 Woolwich LLC

R-2023-232 Resolution Authorizing the Release of Temporary Certificate of Occupancy Cash Bond as Posted for Liberty Commodore I Urban Renewal, LLC

R-2023-233 Resolution Authorizing the Acceptance of Performance Surety Bond # 17251866 for Private Improvements Filed on Behalf of Northpoint Investments, LLC (Block 10, Lot 4)

R-2023-234 Resolution Authorizing Hiring Per Diem Employee to Conduct Snow Removal

R-2023-235 Resolution of the Township of Woolwich, County of Gloucester, State of New Jersey Authorizing Change Order #1 in the Amount of (\$5,703.37) on the Project Known as "Swedesboro Avenue Roadway Improvements"

R-2023-236 Resolution of the Township of Woolwich Authorizing a Hold Harmless Agreement with Retired Deputy Chief Peter Massing for the Release of his Township Issued Service Firearm and Requirements for Subsequent Registration and Responsibilities

R-2023-237 Resolution Recommending Appointment of Woolwich Joint Municipal Court Judge Pursuant to N.J.S.A. 2B:12-4(b)

R-2023-238 Resolution of the Township of Woolwich Making an Elevation within the Woolwich Township Police Department

R-2023-239 Resolution of the Township of Woolwich Authorizing Purchase of Light Structure Systems for Pickleball Court Lighting Under State Contract Number 041.123-MSL

R-2023-240 Resolution Authorizing Budget Appropriation Transfers During the Last Two Months of the Fiscal Year for the Township of Woolwich, County of Gloucester, State of New Jersey

R-2023-241 Resolution Authorizing the Acceptance of Performance Surety Bond No. 800070178 for the Issuance of a Temporary Certificate of Occupancy-121 High Hill Road (Block 5, Lot 7.03)

R-2023-242 Resolution of the Township of Woolwich Authorizing an Extension of Time for Receipt of Funding Authorized through a Redevelopment Agreement Between the Township of Woolwich and Northpoint Woolwich Industrial, LLC

Reports-Month of October:

Tax Collector: \$3,682,790.50 remitted/ Tax Sale two property liens sold

Woolwich Fire Company: Monthly Report
Police: Monthly Report
Township Engineer: Monthly Report
Administrator's Report: Monthly Report
Deputy Administrator's Report: Monthly Report
Municipal Services: Monthly Report

Liaison Reports:

Committeewoman Matthias: Solid Waste/Recycling
Committeewoman Minhas: Municipal Alliance; Recreation
Committeeman Nocentino: Municipal Services; Env. Commission; Social Media/IT;
Deputy Mayor Callahan: Educational Partners (SWSD/KRSD); Resident Communications; Park Utilization
Mayor Frederick: Administration; Public Safety; JLUB; Special Projects

Old Business: Sale of Liquor License

New Business: Resignation from PD; DM Woolwich Warehouse Mural Project and walkway contribution; Flasher Beacons at Kingsway HS; Flasher Beacons on Township Line Road

Privilege of the Floor: The public is reminded to please stand and state their name and address for the record prior to addressing the Committee.

R-2023-243 Resolution for Closed Session Personnel: Police Interviews, Police Matters

Approval of Minutes: October 16, 2023 Regular Meeting and Executive Session

Approval of Bills and P.O.'s:

Adjournment:

NOTICE PURSUANT TO N.J.S.A. 10:4-8(d)

The items listed on the tentative agenda of the Mayor and Township Committee of the township of Woolwich constitutes the agenda to the extent known at the time of posting. Since this agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final agenda.

RULES AND REGULATIONS OF THE WOOLWICH TOWNSHIP COMMITTEE: These procedures are designed to ensure an orderly conduct of business and to allow the tape recording of the proceedings to record all comments made with accuracy.

Township Committee welcomes public comment on any governmental issue that a member of the public feels may be of concern to the resident of the municipality. There will be two (2) portions, up to thirty (30) minutes in duration or as determined by the Mayor or Deputy Mayor, set aside for such comment at every monthly meeting of the Committee. There will be no other public comment accepted unless directed by the Mayor or Deputy Mayor or by an approved motion of the Committee, such as a public hearing.

Comments relating to specific items that are scheduled for a public hearing can only be made at the time of the public hearing on the issue. In taking action on these items, the Township Committee will consider the comments presented at public hearing and any member of the committee can request the Mayor or Deputy Mayor designee for permission to question or address Township Committee.

Each person who wishes to speak shall raise his or her hand to be recognized before speaking. When recognized, the speaker must state their name, address and purpose of their comments. A second opportunity for the same individual to speak will only be allowed after all others have had their opportunity.

Individuals' comments will be limited to a maximum of five (5) minutes to allow as many residents to speak as possible. Other members of the Committee, municipal employees or Township professionals will respond only when requested by the Mayor or his/her designee.

No intra-audience dialogue is permitted during the open session of any meeting. Such behavior is disruptive and will not be permitted.

Speakers on both sides shall treat each other with courtesy and respect in both action and utterance. No personal attacks or "poisonous" rhetoric will be permitted. The Mayor or Deputy Mayor will give one warning of improper behavior or rhetoric to a speaker. On the next offense the speaker will be asked to relinquish the floor to another speaker.

Closed sessions of the Township Committee will normally be held at the end of the normal business part of any meeting. Exceptions to this may be made due to professional commitments or anticipated outcomes deemed of significant public interest.

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 14 OF THE CODE OF
THE TOWNSHIP OF WOOLWICH ENTITLED DEFENSE AND INDEMNIFICATION**

2023-32

WHEREAS, the Township Committee of the Township of Woolwich intends to amend Chapter 14 of the Code of the Township of Woolwich as follows (insertion of language as underlined):

§ 14-1 Statutory authority; conditions for indemnification.

Consistent with the provision of N.J.S.A. 59:10-4 and the Tort Claims Act,¹¹ the Township of Woolwich shall indemnify and hold its current and former employees, elected officials and/or appointees of the Joint Land Use Board ("JLUB") harmless against any judgment for exemplary or punitive damages incurred by them in the defense of an action resulting from the employee's, elected official's or JLUB Appointees civil violation of state or federal law, including fees and costs and attorneys' fees, up, through and including any appeals, subject only to the conditions set forth below:

A.

The employees, elected officials, and/or appointees of the JLUB of the Township of Woolwich must notify the Township of Woolwich as soon as possible as to any action threatened against the employee, elected official and/or JLUB appointee.

B.

The Township of Woolwich reserves the option to defend an employee, elected official or JLUB appointee of the Township of Woolwich or provide the employee, elected official or JLUB appointee with the means for a defense or indemnify the employee, elected official and/or JLUB appointee for his/her defense.

C.

If the Township of Woolwich provides for the defense of any action for an employee, elected officials or JLUB appointee, as a condition of such defense, the Township may assume exclusive control over the representation of such person defended and such person shall cooperate fully with the Township.

D.

The indemnification shall apply to any action, statements, conduct or any action in which the employee, elected official and/or JLUB appointee is involved giving rise to the lawsuit, claim, cross claim, counterclaim and demand, even if it is later decided by a judge or jury to have been unlawful or improper as to the plaintiff; provided, however, that this indemnification shall not apply and shall be totally void and have no effect with respect to any action, statements, conduct or inaction of an employee, elected official and or JLUB appointee, giving rise to any such lawsuit, claim and demand:

(1)

That was not within the scope of the employee's employment, elected official or JLUB appointee capacity;

(2)

If the act or omission was due to actual fraud, willful misconduct or actual malice; or

(3)

That constituted a crime.

E.

In the event that it is ultimately determined that the employee, elected official and/or JLUB appointee of the Township of Woolwich cannot be indemnified as per Subsection C above, then the employee, elected official and/or JLUB appointee agrees to reimburse the Township of Woolwich for monetary amounts, fees and costs, including attorneys' fees, which have been advanced or provided by the Township of Woolwich to the employee/elected official or on the public employee, elected official and/or JLUB appointee's behalf.

SECTION 2.

Should any section, subsection, paragraph, clause, sentence or other portion of this ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 3.

Any and all Ordinances previously adopted that are inconsistent in whole or in part with this ordinance, are hereby repealed to the extent of their inconsistency.

SECTION 4.

This Ordinance shall become effective upon final adoption and publication in accordance with law.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____

Jane DiBella, Clerk

CERTIFICATION

The foregoing Ordinance was introduced by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023. It will further be considered for final adoption upon second reading and subsequent to a public hearing to be conducted on such Ordinance, at the next regular meeting of the Woolwich Township Committee at which time and place any interested person(s) may be heard. Said meeting to be held on the 4th day of December, 2023 at the Woolwich Township Municipal Building, beginning at 6:30 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing ordinance was adopted by the Township Committee of the Township of Woolwich at a meeting held on the 4th day of December, 2023.

Jane DiBella, Clerk

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH ESTABLISHING CHAPTER 3 OF THE WOOLWICH
TOWNSHIP CODE FOR A LOCAL BOARD OF HEALTH**

2023-33

WHEREAS, the Township Committee of the Township of Woolwich intends to establish a local Board of Health within the Township;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION 1 Establishment of Chapter

Chapter 3 entitled "Establishment of Board of Health" is hereby established within the Code of the Township of Woolwich and shall read as follows:

This section shall be designated and referred to as the "Township Board of Health."

SECTION 2 Composition of the Board

The Woolwich Township Board of Health shall annually be composed of all five members of the Woolwich Township Committee.

SECTION 3 Compensation

Members of the Board of Health shall serve without compensation, except that they may be reimbursed for legitimate costs upon proper submission and review.

SECTION 4 Jurisdiction

The jurisdiction of the Woolwich Township Board of Health shall be coextensive within the limits of the Township of Woolwich.

SECTION 5 Meetings

At the first regular meeting of each year subsequent to the adoption of this Chapter, the Board of Health shall appoint a place, day and hour for the regular meeting of the Board of Health for the hearing of complaints, reports and general business and shall cause to be published in a newspaper circulating in the Township notice of same.

The Woolwich Township Board of Health shall schedule and conduct at least one regular meeting annually. Special meetings may be called at any time by the Mayor.

SECTION 6 Appointment of Personnel

The Board of Health may employ such personnel as it deems necessary to carry out its duties and functions and such other personnel as provided in N.J.S.A. 26:3-31 et seq. within the budget provided by the Township of Woolwich.

For purposes of this Ordinance and annual budgets of the Township of Woolwich, the Registrar of Vital Statistics and the Dep. Registrar of Vital Statistics shall be considered to act on the behalf of the Board of

Health for which salaries and other expenses shall be budgeted annually under the "Board of Health" line item.

SECTION 7 Powers and Duties

The Board of Health shall have the power to pass, alter or amend Ordinances and make rules and regulations in regard to the public health within its jurisdiction for the purposes enumerated in N.J.S.A. 26:3-31 et seq.

SECTION 8 Validity

Should any section, subsection, paragraph, clause, sentence or other portion of this ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 9 Effective Date

This Ordinance shall become effective upon final adoption and publication in accordance with law.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Ordinance was introduced by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023. It will further be considered for final adoption upon second reading and subsequent to a public hearing to be conducted on such Ordinance, at the next regular meeting of the Woolwich Township Committee at which time and place any interested person(s) may be heard. Said meeting to be held on the 4th day of December, 2023 at the Woolwich Township Municipal Building, beginning at 6:30 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing ordinance was adopted by the Township Committee of the Township of Woolwich at a meeting held on the 4th day of December, 2023.

Jane DiBella, Clerk

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 59 OF THE CODE OF THE
TOWNSHIP OF WOOLWICH ENTITLED "ANIMALS"**

2023-34

WHEREAS, Chapter 59 of the Code of the Township of Woolwich entitled "Animals" requires an amendment to Article I entitled "Licensing of Dogs" which sets forth regulations for the keeping of dogs; and

WHEREAS, Section 59-8 "Leashing" requires an amendment to add that any person walking a dog off of their property must carry with them waste disposal materials and to conduct proper disposal of such waste matter;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION I 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.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION II AMENDMENT

Section 59-13 of the Code of the Township of Woolwich shall be amended to add the following provision as Section E.:

All persons walking a dog must be in personal possession of the proper utensils for cleanup and disposal of dog waste at all times and are further required to immediately and properly dispose of their pet's solid waste deposited on any property, street or sidewalk, whether public or private, not owned or possessed by that person.

SECTION III ENFORCEMENT

The provisions of this Article shall be enforced by the Police Department of the Township of Woolwich.

SECTION III INCONSISTENCY

All Ordinances or parts of Ordinances that are inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

SECTION IV AFFECTIVE DATE

This Ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 20th day of November, 2023 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 4th day of December, 2023 at 6:30 p.m. at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on said Ordinance at a meeting of the Woolwich Township Committee held on December 4, 2023.

Jane DiBella, Clerk

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY
ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS**

2023-35

WHEREAS, the Township of Woolwich in the County of Gloucester is desirous of complying with regulations to protect the environment, public health, safety and welfare in accordance with enhanced stormwater regulations and those promulgated as a Tier A municipality; and

WHEREAS, to that end, the Township Committee of the Township of Woolwich would like to adopt the following as an amendment to Chapter 157 entitled "Stormwater Management" of the Code of the Township of Woolwich to add Article III entitled "Privately Owned Storage Sheds" ;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION I PURPOSE

The purpose of this Ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This Ordinance establishes requirements for the storage of salt and other de-icing materials on properties not owned or operated by the municipality (privately owned), including residences in the Township of Woolwich to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete block, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure cannot be open sided; and

5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association or political subdivision of this state subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III DE-ICING MATERIAL STORAGE REQUIREMENTS

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th;
 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone shaped storage pile. If loading or unloading activities alter the cone shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use.
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use.
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is unavailable. For storage of loose de-icing materials in a permanent structure, such storage may be permanent and thus not restricted to October 15-April 15.
- C. All such temporary and/or permanent structures must also comply with all local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person or persons responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this Ordinance are met. Inspection records shall be kept on site and made available to the Township of Woolwich upon request.

- (1) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV EXEMPTIONS

Residents may store de-icing materials outside in a solid-walled closed container that prevents precipitation from entering and exiting the container, and which prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This Ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another permit issued by the State of New Jersey.

SECTION V ENFORCEMENT

This Ordinance shall be enforced by the Police Department or other municipal officials of Woolwich Township during the course of ordinary enforcement duties.

SECTION VI VIOLATIONS AND PENALTIES

Any person who is found to be in violation of the provisions of this Ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall, upon conviction by the Municipal Court Judge, be subject to a fine not exceeding \$1,000.

SECTION VII SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and 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 VII EFFECTIVE DATE

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

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 20th day of November, 2023 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 4th day of December, 2023 at 6:30 p.m. at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on said Ordinance at a meeting of the Woolwich Township Committee held on December 4, 2023.

Jane DiBella, Clerk

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY
REVISING THE WOOLWICH TOWNSHIP CODE TO DELETE CHAPTER 157 OF THE CODE OF THE
TOWNSHIP OF WOOLWICH AND REPLACING WITH THE FOLLOWING
2023-36**

WHEREAS, certain amendments have been made to the Stormwater Management rules at N.J.A.C. 7:8, adopted on March 2, 2020 and July 17, 2023; and

WHEREAS, the Township Committee of the Township of Woolwich, County of Gloucester and State of New Jersey wishes to abide by said rules and intends to delete Chapter 157 of the Code of the Township of Woolwich entitled "Stormwater Management, specifically Article II of Chapter 157 entitled "Stormwater Control" and to replace with the following:

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich, that Article II of Chapter 157 of the Code of the Township of Woolwich be and is hereby repealed and replaced with the following:

Section I. Scope and Purpose:

A. Policy Statement

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

B. Purpose

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

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by Woolwich Township.
3. An application required by ordinance for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to December 4, 2023, shall be subject to the stormwater management requirements in effect on December 3, 2023.

4. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

D. Compatibility with Other Permit and Ordinance Requirements

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

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

Section II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

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

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

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

"Compaction" means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of

endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or

indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Public roadway or railroad" means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

"Public transportation entity" means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section III. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-

15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).

- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

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

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

(Notes corresponding to annotations ^(a) through ^(g) are found on Page D-14)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(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 on Page D-14)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(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 corresponding to annotations ^(b) through ^(d) are found on Page D-14)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 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 Section VIII.C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the office of the County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater

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

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

O. Green Infrastructure Standards

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

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

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

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

to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

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

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

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

Where

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

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

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

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

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

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

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

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

1. The design engineer shall calculate runoff using the following method:

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://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a

wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

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

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

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

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

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

- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Gloucester	1.05	1.06	1.06

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Gloucester	1.19	1.23	1.41

Section VI. Sources for Technical Guidance:

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

<https://dep.nj.gov/stormwater/bmp-manual/>.

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

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

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

Section VII. Solids and Floatable Materials Control Standards:

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

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

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

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

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

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

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

Section VIII. Safety Standards for Stormwater Management Basins:

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

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

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

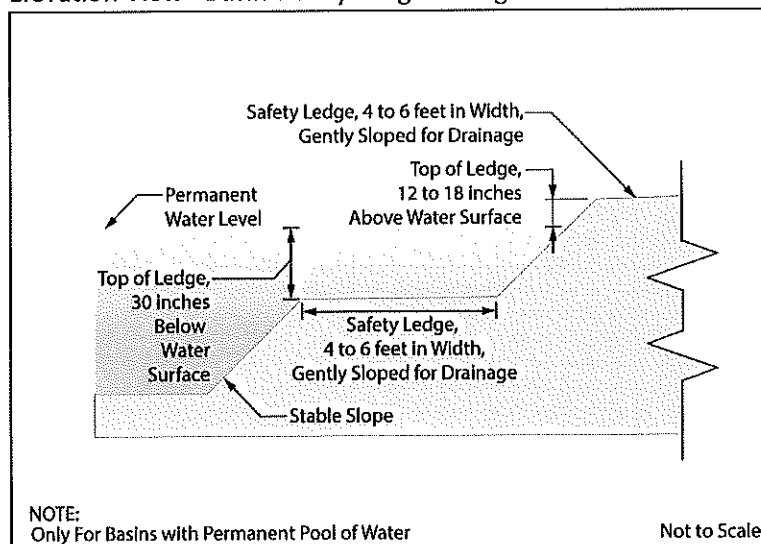
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs.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

D. Variance or Exemption from Safety Standard

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

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

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

B. Site Development Stormwater Plan Approval

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

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

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

2. Environmental Site Analysis

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

3. Project Description and Site Plans

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

4. Land Use Planning and Source Control Plan

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

5. Stormwater Management Facilities Map

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

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

6. Calculations

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

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be

demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

A. Applicability

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

B. General Maintenance

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

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

Section XI. Penalties:

Anyone violating this article or any part of this article shall be subject, upon conviction, to one or more of the following: a fine of not more than \$1,000, imprisonment for not more than 90 days, or a period of community service not to exceed 90 days in the discretion of the court. Each continuing day of violation after written notice is given by the Township shall constitute a separate violation under this section of this article. Additionally, to the extent permitted by law, violations shall run with the land, making any potential purchasers liable for the above-stated penalties, provided notice is given to the purchaser in advance of closure of title.

Section XII. Severability:

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

Section XIII. Effective Date:

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

ALL OF WHICH IS ADOPTED THIS 4th day of December, 2023 by the Township Committee of the Township of Woolwich.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 20th day of November, 2023 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 4th day of December, 2023 at 6:30 p.m. at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on said Ordinance at a meeting of the Woolwich Township Committee held on December 4, 2023.

Jane DiBella, Clerk

RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING THE ACCEPTANCE AND FILING OF PERFORMANCE SURETY BOND #CM101212 THAT WILL REPLACE CURRENT LETTER OF CREDIT #22-09 FILED ON BEHALF OF VILLAGES I, SECTION 4.2

R-2023-226

WHEREAS, the Township of Woolwich holds Letter of Credit #22-09 posted by Villages I, Section 4.2; and

WHEREAS, said Letter of Credit is in the amount of \$352,294.61; and

WHEREAS, the developer requested to replace the Letter of Credit #22-09 with a Performance Surety Bond #CM101212 in the amount of \$352,294.61;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Clerk be and is hereby authorized and directed to accept and file Performance Surety Bond #CM101212 in the amount of \$352,294.61 issued by First Indemnity of American Insurance Company to replace the Letter of Credit #22-09 in the amount of \$352,294.61.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING THE ACCEPTANCE AND FILING OF PERFORMANCE SURETY BOND #CM101211 THAT WILL REPLACE CURRENT LETTER OF CREDIT #22-08 FILED ON BEHALF OF VILLAGES II, SECTION 2.4

R-2023-227

WHEREAS, the Township of Woolwich holds Letter of Credit #22-08 posted by Villages II, Section 2.4; and

WHEREAS, said Letter of Credit is in the amount of \$375,846.00; and

WHEREAS, the developer requested to replace the Letter of Credit #22-08 with a Performance Surety Bond #CM101211 in the amount of \$375,846.00;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Clerk be and is hereby authorized and directed to accept and file Performance Surety Bond #CM101211 in the amount of \$375,846.00 issued by First Indemnity of American Insurance Company to replace the Letter of Credit #22-08 in the amount of \$375,846.00.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING PUBLIC WORKS DEPARTMENT
TO REPAIR THE ROOFS LOCATED AT LOCKE AVE. PARK FOR DUGOUTS A, B, AND E.
NOT TO EXCEED \$4,000
R-2023-228**

WHEREAS, the Township of Woolwich sees the need to repair roofs on dugouts A, B, and E located at Locke Ave Park; and

WHEREAS, the Public Works Director went out to inspect the dugouts and found they are damaged and need to be replaced; and

WHEREAS, the Public Works Director said these dugouts can be fixed by the Woolwich Township Public Works Department with an estimate not to exceed \$4,000;

NOW THEREFORE IT TO BE RESOLVED, by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Public Works Department be and is hereby authorized to make the repairs of the roofs on dugouts A, B and E located at Locke Ave. Park. The work shall not exceed \$4,000.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CASH BOND FOR THE ISSUANCE OF A
TEMPORARY CERTIFICATE OF OCCUPANCY - 208 RAINEY ROAD
(BLOCK 31.01, LOT 12)**

R-2023-229

WHEREAS, the project located on Block 31.01, Lot 12 is under construction and the Township Engineer recommends that the owner post a Temporary Certificate of Occupancy Performance Bond for the cost of the installation of a stormwater management facility; and

WHEREAS, Chapter 149-25A.(9) of the Code of the Township of Woolwich allows developer to seek a TCO upon the furnishing of a "temporary certificate of occupancy" guarantee in an amount equal to 120% of the cost of only those items which remain to be completed or installed; and

WHEREAS, the Township Engineer has completed an estimate of said costs which is in the amount of \$30,000.00 for the cost of the installation of a stormwater management facility to comply with the Stormwater Management Ordinance; and

WHEREAS, the Township Engineer requested an additional fee of \$3,000.00 to be posted into an escrow account to cover the cost of the review and construction management services; and

WHEREAS, the Township of Woolwich is in receipt of two checks drawn by Jon Drialo in the amount of \$30,000.00 which shall be deposited as a cash bond for the issuance of a TCO and the amount of \$3,000.00 which shall be deposited as escrow; and

WHEREAS, the Township Committee of the Township of Woolwich authorizes the acceptance of the cash bond and the issuance of a TCO on said project to certain conditions;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That it does hereby authorize and accept the two checks issued by Jon Drialo in the amount of \$30,000.00 and the amount of \$3,000.00 and further authorizes and directs the Woolwich Township CFO to maintain said funds until authorized for release upon the Township Engineer's certification that ALL punchlist items have been completed.
2. That the Woolwich Township Code Official be and is hereby authorized and directed to issue a TCO for project subject to the following conditions:
 - a. The Township Engineer recommends a Temporary Certificate of Occupancy (TCO) be issued for a period of sixty (60) days.
 - b. Compliance inspection from utilities (gas, electric, telephone, water, and sewage), construction subcode officials and the Soil Conservation District may also be required.

- c. The developer is notified that any grading and drainage problems must be corrected as a condition of the Certificate of Occupancy (CO).

Adopted this 20th day of November, 2023

WOOLWICH TOWNSHIP

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The forgoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF WOOLWICH AND OMNI
RECYCLING LLC FOR END MARKET RECYCLABLES
R-2023-230**

WHEREAS, the Township of Woolwich is in need of end market recycling service towards the disposition of collected recycling material; and

WHEREAS, the Township of Woolwich is under an Agreement with Omni Recycling LLC which expires as of December 31, 2023; and

WHEREAS, based upon recent changes in the recycling market, Omni Recycling, LLC has proposed a new Agreement, the terms of which are included in the proposed "Agreement for Disposal Facility" attached hereto and incorporated within the body of this resolution for reference; and

WHEREAS, based upon the changes in the recycling end market industry, the Township was unable to secure any additional proposals for said service; and

WHEREAS, the Township of Woolwich therefore wishes to enter into the Agreement with Omni Recycling, LLC as attached, beginning on January 1, 2024 for period of three (3) years, ending on December 31, 2026 with two (2) one (1) year extension options; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich that it does hereby authorize the execution of the Attached Agreement between the Township of Woolwich and Omni Recycling, LLC for the sale of single stream recyclable goods for the years 2024, 2025 and 2026, and that the Mayor and Township Clerk be and are hereby authorized to execute any and all documents in an effort to effectuate this transaction.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE RELEASE OF SAFETY AND STABILIZATION PERFORMANCE
BOND # 800046662 FILED ON BEHALF OF DPIF3 NJ5 2062 WOOLWICH LLC**

R-2023-231

WHEREAS, on December 6, 2021, the Township of Woolwich approved the acceptance and filing of performance bond for safety and stabilization on behalf of DPIF3 NJ5 Woolwich LLC; and

WHEREAS, the developer requested the performance bond # 800046662 in the amount of \$43,043.37 to be released; and

WHEREAS, the Township Engineer has performed an inspection of the referenced site and find the site conditions acceptable and approves the recommendation for said performance bond to be released;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Township Clerk be and is hereby authorized and directed to release Safety and Stabilization Performance Bond # 800046662 in the amount of \$43,043.37 issued by Atlantic Specialty Insurance Company.
2. That this release is subject to the posting of any outstanding escrow to cover the cost of engineering services.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

RESOLUTION AUTHORIZING THE RELEASE OF TEMPORARY CERTIFICATE OF OCCUPANCY CASH BOND AS POSTED FOR LIBERTY COMMODORE I URBAN RENEWAL, LLC

R-2023-232

WHEREAS, The Township of Woolwich holds Temporary Certificate of Occupancy (TCO) cash bond in amount of \$431,964.00 for Liberty Commodore I Urban Renewal, LLC; and

WHEREAS, a request has been received for the release of said TCO Cash Bond; and

WHEREAS, the Woolwich Township Engineer, in response has performed a re-inspection of the referenced site and find the repairs have addressed the outstanding items in the TCO Guarantee Estimate dated September 14, 2022; and

WHEREAS, The Township Committee of Township of Woolwich agrees to the release of said TCO Cash Bond in the amount of \$431,964.00 subject to the below conditions:

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township CFO be and is hereby authorized to draw a check in amount of \$431,964.00 and remit to the applicant.
2. That this release is subject to the posting of any outstanding escrow to cover the cost of engineering services.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF PERFORMANCE SURETY BOND # 17251866
FOR PRIVATE IMPROVEMENTS FILED ON BEHALF OF NORTHPOINT INVESTMENTS, LLC
(BLOCK 10, LOT 4)**

R-2023-233

WHEREAS, Northpoint Investments, LLC was granted approval on March 3, 2022 by the Woolwich Township Joint Land Use Board; and

WHEREAS, the Township Engineer has provided cost estimates of said proposed private improvements; and

WHEREAS, accordingly, the Township received Performance Surety Bond #17251866 for Private Improvements in the amount of \$154,980.00; and

WHEREAS, said Performance Bond is approved as to form and content; and

WHEREAS, the developer is required to deposit escrow in the amount of \$292,137.09; and

WHEREAS, the Township Clerk is directed to maintain said original bond on file until authorized for reduction or release;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Clerk be and is hereby authorized and directed to accept and file Performance Surety Bond # 17251866 for Private Improvements issued by The Ohio Casualty Ins. Co. in the amount of \$154,980.00 until such time as direction for reduction and/or release is issued.
2. The developer is required to deposit escrow in the amount of \$292,137.09.

Adopted this 20th day of November, 2023

WOOLWICH TOWNSHIP

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The forgoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

RESOLUTION AUTHORIZING HIRING PER DIEM EMPLOYEE TO CONDUCT SNOW REMOVAL

R-2023-234

WHEREAS, the Township of Woolwich is in need of temporary employees to work on an as-needed basis in the event of snow fall during the 2023-24 season, in an effort to protect the health, safety and welfare of its citizens; and

WHEREAS, the Township of Woolwich advertised for such position(s) and received applications in accordance with policy; and

WHEREAS, funds towards such are available and will further be made available within the 2024 Municipal Budget of the Township of Woolwich; and

WHEREAS, it is the intent of this Resolution to authorize the below named Individual at per diem rate of pay in accordance with the Woolwich Township Salary Ordinance (\$26/hr.) on an as needed basis;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the following individual is hereby authorized as a per-diem employee to assist the Township in snow removal activities during the 2023-24 season;

Steve John DeVito

2. That the rate of pay for such shall be set in accordance with the range set within the Woolwich Township Salary Ordinance (\$26/hr) and as may be amended in 2024.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY
AUTHORIZING CHANGE ORDER #1 IN THE AMOUNT OF (\$5,703.37) ON THE PROJECT KNOWN AS
"SWEDESBORO AVENUE ROADWAY IMPROVEMENTS"
R-2023-235**

WHEREAS, the Township of Woolwich awarded a contract to Arawak Paving Co., Inc. on May 1, 2023 in the amount of \$188,900 for the project known as "Swedesboro Avenue Roadway Improvements" under an NJDOT FY2021 Municipal Aid Project; and

WHEREAS, close out of the project requires Change Order No. 1 in the amount of (\$5,703.37) is required due to quantity adjustments; and

WHEREAS, computation of the entire contract and change order follows:

Contract Award	\$188,900.00
Additional Costs/Hot Mix Asphalt	\$ 4,673.00
Various Quantity Adjustments	(\$10,376.37)
Total Change Order	(\$5,703.37)
Amended Contract Amount:	\$183,196.63

WHEREAS, said change order has been reviewed by the Township Engineer as submitted by the Contractor; and

WHEREAS, said change order document is attached hereto; and

WHEREAS, the Woolwich Township CFO/QPA has issued a Certification of Funds in this regard; and

WHEREAS, the Woolwich Township Committee deems it to be in the best interest of the Township to authorize said Change Order; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That Change order #1 to the contract between the Township of Woolwich and Arawak Paving Co., Inc. for Change Order #1 to the Contract for the FY2021 NJDOT project known as "Swedesboro Avenue Roadway Improvements" in the overall amount of (\$5,703.37) is hereby authorized.
2. That the Woolwich Township Mayor and Clerk be and are hereby authorized and directed to execute said Change Order on the behalf of the Township of Woolwich.
3. That through the adoption of this Change Order, the revised project cost is reduced to \$183,196.63,

4. That Certificate #2 Final is authorized for payment to Arawak Paving Company in the amount of \$24,415.88 .

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING A
HOLD HARMLESS AGREEMENT WITH RETIRED DEPUTY CHIEF PETER
MASSING FOR THE RELEASE OF HIS TOWNSHIP ISSUED SERVICE
FIREARM AND REQUIREMENTS FOR SUBSEQUENT REGISTRATION
AND RESPONSIBILITIES**

R-2023-236

WHEREAS, Peter Massing was the Deputy Chief of Police and sworn Police Officer with the Township of Woolwich, and has retired in good standing on October 1, 2023; and

WHEREAS, during his tenure with the Woolwich Township Police Department, Peter Massing was assigned a service firearm which he has utilized during his career; and

WHEREAS, in acknowledgement of his contributions to the Township and the community, the Township of Woolwich has awarded Peter Massing with his Township issued firearm Sig-Sauer P320, .40 caliber, serial number 58J272082; and

WHEREAS, as a requirement of the award of his service weapon, Peter Massing has agreed to immediate registration of the weapon as his personal weapon and to hold the Township of Woolwich harmless, indemnifying and insuring the Township for all such activities; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Woolwich, County of Gloucester and State of New Jersey on this 20th day of November, 2023 that the Mayor and/or Administrator are authorized to execute a Hold Harmless and License Agreement with Peter Massing substantially in accordance with the attached agreement.

BE IT FURTHER RESOLVED THAT, Peter Massing shall provide the Township with a copy of the weapon's registration as a personal weapon registered to him. This Resolution was adopted at a meeting of the Township of Woolwich held on November 20th, 2023 and shall take effect immediately.

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township of Woolwich at a meeting held November 20th, 2023.

Jane DiBella, Clerk

RESOLUTION RECOMMENDING APPOINTMENT OF WOOLWICH JOINT MUNICIPAL COURT JUDGE PURSUANT TO N.J.S.A. 2B:12-4(b)

R-2023-237

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq., permits municipalities and other local units to enter into Shared Service Agreements for joint municipal court services with other governmental units by adoption of a Resolution authorizing such shared services; and

WHEREAS, the Township of Woolwich; South Harrison Township; and the Borough of Swedesboro have entered into a Shared Services Agreement creating and establishing a joint municipal court pursuant to N.J.S.A. 2B:12-1, et. seq., as authorized under the Shared Services Act and specifically N.J.S.A. 40A:65-4; and

WHEREAS, Judge Kelly Conroy was appointed as Woolwich Joint Municipal Court for a term effective as of November 1, 2020 and ending on November 1, 2023; and

WHEREAS, N.J.S.A. 2B:12-4(b) mandates that the joint municipal court judge be nominated and appointed by the Governor of the State of New Jersey, with the advice and consent of the Senate of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Woolwich that the Township Committee does hereby recommend and request that Governor Phil Murphy of the State of New Jersey nominate and appoint Kelly Conroy as the Woolwich Joint Municipal Court Judge, with the advice and consent of the Senate of the State of New Jersey, pursuant to N.J.S.A. 2B:12-4(b), for a term retroactive to November 1, 2023 and ending on November 1, 2026.

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

I hereby certify this to be a true copy of a resolution adopted by the Township

Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH MAKING AN ELEVATION WITHIN THE
WOOLWICH TOWNSHIP POLICE DEPARTMENT
R-2023-238**

WHEREAS, Michael Kemp has served the Woolwich Township Police Department with distinction since November 7th, 2016; and

WHEREAS, the effective Agreement between the Township of Woolwich and PBA Local #122 calls for the elevation in Class after (1) year;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That Michael Kemp be and is hereby elevated to the position of 1st Class Patrolman within the Woolwich Township Police Department effective retroactive to November 7, 2023.
2. That in accordance with the Agreement between the Township of Woolwich and PBA local #122, the salary for 1st Class Patrolman shall be \$101,972.39 prorated for the remainder of 2023.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023

Jane DiBella, Clerk

RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING PURCHASE OF LIGHT STRUCTURE SYSTEMS FOR PICKLEBALL COURT LIGHTING UNDER STATE CONTRACT NUMBER 041.123-MSL

R-2023-239

WHEREAS, the Township of Woolwich and developer Cyzner Properties have entered into a Redevelopment Agreement through which funding is being made available by the developer solely for the construction of a Pickleball Court; and

WHEREAS, the Township of Woolwich is in receipt of a quote in the amount of \$162,600 from Musco- under the Sourcewell State Contract number 041123-MSL for lighting structures for said courts; and

WHEREAS, funds have been made available through said redevelopment agreement and further certified by the Woolwich Township CFO as attached;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the purchase of a Light Tower System for the Woolwich Township Pickleball Courts be and is hereby authorized under State Contract 041123-MSL in the amount of \$162,600 per the quote attached hereto.
2. That funding for this purchase is authorized through a Redevelopment Agreement between the Township of Woolwich and Cyzner Properties which funding is tied to the construction of Woolwich Township Pickleball Courts by the developer.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting conducted on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING BUDGET APPROPRIATION TRANSFERS
DURING THE LAST TWO MONTHS OF THE FISCAL YEAR FOR THE
TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY**

R-2023-240

WHEREAS, the provisions of N.J.S.A. 40A:4-58, permit the transfer of appropriations during the last two months of a fiscal year and

WHEREAS, from time to time it becomes necessary to transfer funds for various reasons in order to operate the Township on a sound financial basis

NOW THEREFORE BE IT RESOLVED, that the Township Governing Body agrees to said transfer of budget appropriations below:

Department	Account Number	To	From
Clerk OE	3-01-20-120-020	\$ 6,000.00	
Tax Collector OE	3-01-20-145-020	\$ 5,000.00	
Legal Services	3-01-20-155-020	\$ 20,000.00	
Vehicle Maintenance - Police	3-01-26-315-030	\$ 10,000.00	
Other Insurance	3-01-23-211-000	\$ 8,000.00	
Parks & Rec S/W	3-01-28-375-011	\$ 760.00	
Telephone	3-01-31-440-000	\$ 3,000.00	
Fire Hydrant Service	3-01-31-445-000	\$ 500.00	
Police Regular S & W	3-01-25-240-011		\$ 52,500.00
Recreation-Senior Citizen Program	3-01-28-370-088		\$ 760.00
Totals		\$ 53,260.00	\$ 53,260.00

This resolution will become effective immediately.

Adopted at a meeting of the Township of Woolwich Committee held on November 20, 2023.

Craig Frederick, Mayor

Attest:

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF PERFORMANCE SURETY BOND NO.
800070178 FOR THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY – 121 HIGH
HILL ROAD
(BLOCK 5, LOT 7.03)**

R-2023-241

WHEREAS, the project located on Block 5, Lot 7.03 is under construction and the Township Engineer recommends that the owner post a Temporary Certificate of Occupancy (TCO) Performance Bond for private improvements; and

WHEREAS, the Township Engineer has completed an estimate of said costs which is in the amount of \$30,000.00 for the cost of site improvements; and

WHEREAS, the Township of Woolwich is in receipt Performance Surety Bond # 800070178 for the issuance of a TCO in the amount of \$30,000.00 Issued by Atlantic Specialty Insurance Company; and

WHEREAS, the Township Committee of the Township of Woolwich authorizes the acceptance of the Performance Surety Bond for the issuance of a TCO on said project to certain conditions;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That it does hereby authorize and accept the Performance Surety Bond # 800070178 for the issuance of a TCO and further authorizes and directs the Woolwich Township Municipal Clerk to maintain said funds until authorized for release upon the Township Engineer's certification that ALL punchlist items have been completed.
2. That the Woolwich Township Code Official be and is hereby authorized and directed to issue a TCO for project subject to the following conditions:
 - a. The Township Engineer recommends a Temporary Certificate of Occupancy (TCO) be issued for a period of sixty (60) days.
 - b. Any outstanding administrative items listed in the Township Engineer's report dated August 17, 2023 must be addressed prior to the issuance of a Permanent Certificate of Occupancy (CO).
 - c. Compliance inspection from utilities (gas, electric, telephone, water, and sewage), construction subcode officials and the Soil Conservation District may also be required.
 - d. The developer is required to pay all taxes, fees and required escrow deposits which may be due and owing.

Adopted this 20th day of November, 2023

WOOLWICH TOWNSHIP

ATTEST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The forgoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 20th day of November, 2023.

Jane DiBella, Clerk

RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING AN EXTENSION OF TIME FOR RECEIPT OF FUNDING AUTHORIZED THROUGH A REDEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP OF WOOLWICH AND NORTHPOINT WOOLWICH INDUSTRIAL, LLC

R-2023-242

WHEREAS, the Township of Woolwich and Northpoint Woolwich, LLC entered into a redevelopment Agreement on July 17, 2023 through the adoption of resolution R-2023-153; and

WHEREAS, Section 4.23(a) of said Agreement requires the developer to make a "Contribution Payment" to the Township as a "First Payment" in the amount of \$2,500,000 within ten (10) days of from the receipt of a written demand for payment from the Township; and

WHEREAS, the Township submitted said demand in a letter dated November 14, 2023 through which the due date for receipt of said funds is November 24, 2023; and

WHEREAS, due to the Thanksgiving holiday falling on November 23, developer Northpoint Woolwich Industrial, LLC has requested that the due date be extended to Monday, November 27, 2023; and

WHEREAS, the Township Committee of the Township of Woolwich finds no reason to deny said request;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Committee hereby authorizes a three (3) day extension to the receipt of funding set forth in Section 4.23(a) of the Redevelopment Agreement between the Township of Woolwich and Northpoint Woolwich Industrial, LLC.
2. That said funds shall be forwarded to the Township of Woolwich via electronic wire on or before November 27, 2023.

Adopted this 20th day of November, 2023

TOWNSHIP OF WOOLWICH

ATTST: _____
Jane DiBella, Clerk

Craig Frederick, Mayor

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting conducted on the 20th day of November, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF WOOLWICH;
PERSONNEL: POLICE INTERVIEWS, POLICE MATTERS
R-2023-243**

WHEREAS, the Township Committee of the Township of Woolwich is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

WHEREAS, it is necessary and appropriate for the Woolwich Township Committee to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich that:

1. The Woolwich Township Committee shall hold a closed meeting from which the public shall be excluded on **November 20, 2023**.
2. The general nature of the subject to be discussed at said closed meeting shall be;

Personnel: Police Interviews, Police Matters

The minutes of said closed meeting shall be available for disclosure to the public consistent with N.J.S.A. 10:4-13, when the items which are the subject of the closed session discussion are resolved and a reason for confidentiality no longer exists.

Adopted on the 20th day of November, 2023

ATTEST:

TOWNSHIP OF WOOLWICH

Jane DiBella, Clerk

Craig Frederick, Mayor