



Common Council of the City of Summit

Closed Session Agenda for Wednesday, November 4, 2020

7 : 0 0 p m – 7 : 2 0 p m



Via Video Conference

(Produced by the Office of the Secretary to the Mayor and Council)

Only matters that have bullet points under them were known to need discussion at the time of agenda creation. The other subjects are those permitted for discussion and are listed in case they are needed.

ADEQUATE NOTICE

RESOLUTION – AUTHORIZE CLOSED SESSION

1. Collective Bargaining Matters - NJSA 10:4-12.B (4)
2. Purchase, lease or acquisition of property with public funds - NJSA 10:4-12.b (5)
3. Public safety tactics and techniques - NJSA 10:4-12.b (6)
4. Litigation and/or attorney-client privilege matters - NJSA 10:4-12.b (7)
5. Contract Negotiations (not collective bargaining) - NJSA 10:4-12.b (7)
6. Personnel and Appointments matters - NJSA 10.4-12.b (8)
 - Declare Vacancy - Department of Community Services - Secretary III
 - Re-assignments & Appoint New Member - Zoning Board

ADJOURN CLOSED SESSION



Common Council of the City of Summit

Regular Meeting Agenda for Wednesday, November 4, 2020
7:30 PM



Via Video Conference

(Produced by the Office of the Secretary to the Mayor and Council)

ADMINISTRATIVE POLICIES & COMMUNITY RELATIONS COMMITTEE

Tuesday 5:00 pm – 6:00 pm Clerk's Law Library
Naidu, O'Sullivan, Rogers, Licatense

CAPITAL PROJECT & COMMUNITY SERVICES COMMITTEE

Thursday 7:45 am – 8:45 am DCS Conference Room
Little Naidu, Schrager

COMMUNITY PROGRAMS & PARKING SERVICES COMMITTEE

Thursday 8:00 am – 9:00 am Large Conference Room
O'Sullivan, Vartan, McNany, Ozoroski

FINANCE COMMITTEE

Monday 5:00 pm – 6:00 pm Large Conference Room
Vartan, Bowman, Fox, Mayor Radest, Rogers, Baldwin

LAW & LABOR COMMITTEE

Tuesday 6:30 pm – 7:00 pm Clerk's Law Library
Bowman, Hairston, Rogers, Licatense, Giacobbe, Kavanagh

SAFETY & HEALTH COMMITTEE (Police and Fire)

Wednesday 8:30 am – 9:30 am Police Chief's Conf. Room
9:30 am – 10:30 am Police Chief's Conf. Room
Hairston, Little, Mayor Radest, Rogers, Evers, Bartolotti, Avallone

****Due to current COVID-19 protocols, all meetings shall be conducted via video or teleconferencing, with scheduling as determined by the respective committees.***

(STAFF REMINDER: Please include the Council President, City Administrator, and City Clerk in your Committee Agenda email distribution)

CALL TO ORDER

ADEQUATE NOTICE COMPLIANCE STATEMENT

Adequate notice of this meeting has been provided by the City Clerk's Office in the preparation of the public meeting notice, dated October 29, 2020, which was properly distributed and posted per statutory requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

EXPLANATORY NOTE REGARDING CLOSED SESSION

A closed session meeting, as authorized by State statute, was announced and held prior to the start of this meeting and the known items for discussion were listed on the published Closed Session agenda.

EXPLANATORY NOTE REGARDING HEARINGS AND COMMENTS

Please be advised that council meetings are broadcast live on Comcast Channel 36 and Verizon Channel 30 and rebroadcast on Thursdays and Saturdays on HTTV on Comcast 36 and Verizon 33. This meeting is also streaming live through YouTube. To view this meeting via YouTube, please visit the city's website at cityofsummit.org and click on the YouTube icon at the top of the home page.

While this council meeting is being broadcast live and members of the governing body are participating remotely, steps have been put in place to accommodate public input during this meeting through public notice, dated October 29, 2020, which provided information for those wishing to participate during Public Comment periods at this council meeting. The City Clerk's Office also provided, through public notice, instructions on how the public could submit a question or comment via email or regular first-class mail in advance of the meeting. Public comment will be permitted at specified times as outlined in the agenda. Please refrain from commenting until solicited by the Council President.

For those members of the public who wish to make a comment during a designated public comment period, please use the "raise hand" feature and you will be called upon by the Council President.

Unless you are using an electronic device to follow the meeting agenda or need it for professional emergency contact purposes, please turn it off. Lastly, we ask that all participants remain on "mute" unless called upon to speak. Thank you.

(The following matters were known at agenda deadline. Other matters may arise thereafter that need timely consideration or reaction.)

APPROVAL OF MINUTES

- Regular and Closed Session Meetings of October 20, 2020

REPORTS

- Mayor, City Administrator and Council President

PRESENTATIONS

- JCP&L Report - Carol Bianchi, Regional External Affairs Consultant - JCP&L
- New Permitting System - Rita McNany, Manager, Parking Services Agency

PUBLIC COMMENTS

*At this point in the meeting Council welcomes comments from any member of the public about issues that are **not** topics on tonight's business agenda. Whenever an audience or Council member reads from a prepared statement, please provide a copy to the City Clerk at rlicatese@cityofsummit.org. To help facilitate an orderly meeting and to permit all to be heard, speakers are asked to limit their comments to 3 minutes.*

ORDINANCE(S) FOR HEARING

Comments are solicited from Council members and the public.

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
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CAPITAL PROJECTS & COMMUNITY SERVICES

20-3223	AN ORDINANCE TO REPEAL AND REPLACE CHAPTER XXXV OF THE GENERAL CODE OF THE CITY OF SUMMIT TO ESTABLISH THE 2020 DEVELOPMENT REGULATIONS ORDINANCE <i>(Repeal 2019 DRO And Replace with 2020 DRO)</i>	10/6/2020
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ORDINANCE(S) FOR FINAL CONSIDERATION

No comments are permitted at this point since the hearing is closed.

<u>Number</u>	<u>Title</u>	<u>Introduction Date</u>
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CAPITAL PROJECTS & COMMUNITY SERVICES

20-3223	AN ORDINANCE TO REPEAL AND REPLACE CHAPTER XXXV OF THE GENERAL CODE OF THE CITY OF SUMMIT TO ESTABLISH THE 2020 DEVELOPMENT REGULATIONS ORDINANCE <i>(Repeal 2019 DRO And Replace with 2020 DRO)</i>	10/6/2020
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RESOLUTIONS

*(Staff reports are attached as appropriate. Items are listed according to Council Committees, those in ***italics*** indicate secondary committee reference. Unless otherwise indicated, or desired by Committee Chair, or a Council member advises that they will be voting in the negative, all Committee resolutions may be voted on at once.)*

FINANCE

(ID # 7460)	Authorize Transfer of Appropriations - Operating Budget <i>(Roll Call Vote)</i>
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CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 7442) 1. Authorize Two Year Contract Extension - Professional Landscaping Services - January 1, 2021 through December 31, 2022 - \$158,050.00
- (ID # 7441) 2. Authorize Use of City Right-of-Way - Madison/Lincoln Ave – Landscaping Buffer – Bristol-Myers Squibb
- (ID # 7352) 3. Award Bid - 2020 Sanitary Sewer Clean & TV Sections L & N - \$44,262.20
- (ID # 7461) 4. Authorize Continuation of the Parklet Program
- (ID # 7471) 5. Authorize Execution 2020 "Greening Union County" Grant Agreement - Spring 2021 Tree Planting
- (ID # 7472) 6. Declare Vacancy - PT Assistant - Department of Community Services (*Pending Closed Session discussion*)
- (ID # 7474) 7. Authorize Zoning Board Re-assignments and Appoint New Member (*Pending Closed Session Discussion*)

SAFETY & HEALTH

- (ID # 7447) Authorize Submission of the New Jersey Division of Highway Traffic Safety for the Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant Application and Execute Grant Agreement

CONSENT AGENDA

CAPITAL PROJECTS & COMMUNITY SERVICES

- (ID # 7412) 1. Authorize Change Order No. 1 & Final - Huntley Road Area Improvement Project (- \$69,480.45)
- (ID # 7399) 2. Authorize Construction Permit Fee Refund - 274 Morris-Essex Turnpike
- (ID # 7398) 3. Authorize Construction Permit Fee Refund - 28 William Street
- (ID # 7397) 4. Authorize Construction Permit Fee Refund - 100 Prospect Hill Avenue
- (ID # 7452) 5. Authorize Refund of Performance Guarantee - 15 Canterbury Lane
- (ID # 7439) 6. Authorize Performance Bond Release - 86 Morris Ave - PB-14-223 - Celgene \$49,900.79 +interest

FINANCE

- (ID # 7494) 1. Authorize Bid Re-Advertisement - 2021-2022 On-Call Landscaping Services
- (ID # 7465) 2. Amend Budget - Chapter 159 - NJ-DOT - 2018 Safe Streets to Transit Program
- (ID # 7388) 3. Authorize Redemption Refund - 2018 Tax Sale Certificate
- (ID # 6932) 4. Authorizing Payment of Bills - \$432,029.11

COUNCIL MEMBERS' COMMENTS/NEW BUSINESS

ADJOURNMENT REGULAR MEETING

CLOSED SESSION (IF NEEDED AND AUTHORIZED)

CORRESPONDENCE

1. Purchasing Letter - 2020 Sanitary Sewer Clean & TV Sections L & N

RECEIVED AND FILED

2. Purchasing Letter - 2021-2022 On-Call Landscaping Services

GENERAL INFORMATION

Includes notices, letters copied to the city, ordinances & resolutions from other governing bodies, newsletters and minutes and reports from agencies, boards and commissions. Each item does not appear to require any discussion or action.

Notices:

1. Chatham Borough – Pending Ordinance 20-14, Amend Land Use Ordinance, Hearing 11/9/2020
2. Chatham Twp. - Pending Ordinance 2020-18 - Stormwater Regs, Hearing 11/12/2020
3. Chatham Twp. - Pending Ordinance 2020-21, Stormwater Control, Hearing 11/12/2020
4. Chatham Twp. - Pending Ordinance 2020-22, Affordable Housing - Hearing 11/12/2020

EXPLANATORY NOTE REGARDING CORRESPONDENCE, STAFF & LIAISON REPORTS, AND GENERAL INFORMATION ITEMS

By end of business on Friday before the meeting, unless otherwise indicated, all items on the agenda are distributed to the Mayor, Council, City Administrator, City Treasurer and City Solicitor. Department Heads and the Press are advised via email that the official agenda is available for review on the City's website. An official "Board" copy is available for public inspection in the City Clerk's Office, the Summit Free Public Library reference desk and on the City's website. Oral reports and delayed distributions are noted as needed. Information that arrives after the agenda is completed and sent to the "distribution list" has only been provided to the Mayor, Council, City Administrator and affected Department Head(s).

ORDINANCES AND RESOLUTIONS EXPLANATION:

A governing body of a municipality may formally act through ordinances or resolutions. Ordinances usually encompass legislative acts. Resolutions usually deal with administrative or acts performed according to legal authority, established procedures or instructions from the Common Council.

Ordinances:

An act initiated by the Common Council that becomes law. The violation of an ordinance may result in summonses being issued. Generally, an ordinance remains in effect until repealed or modified and may not be amended or modified by a resolution. It requires a public hearing and publications in the town's legal paper before becoming effective. Examples of ordinances are those which deal with changing parking or speed limit requirements, code enforcement, implementing State mandates at the local level and creating boards or commissions.

Resolutions:

Any act or regulation that is required to be reduced to writing but may be finally passed at the meeting at which it is introduced. The legal effect of a resolution is the same as an ordinance except summonses cannot be issued for their violation. Generally, life of a resolution is permanent unless there is language to the contrary. Typical resolutions deal with: Opinion expressions; Requests for action to other elected officials or bodies or governmental agency[s]; One-time actions and Routine authorizations such as making appointments and awarding contracts.

City Clerk's Office



TO: Mayor and Common Council

FROM: Paul Cascais, Director - Department of Community Services

DATE: September 1, 2020

The Common Council adopted a new Development Regulation Ordinance (DRO) in December 2019, at which time it was determined that the Summit Planning Board would conduct a periodic review of the document in 2020. This review has provided the Planning Board, Board subcommittee and city staff the opportunity to review the 2019 document given the significance of the document and address an outstanding policy issues. As such, a number of revisions to the 2019 DRO are proposed.

The majority of the proposed amendments to the 2019 DRO are minor typographical edits with few fairly significant policy changes impacting various types of development in the City. These adjustments will undoubtedly improve the existing document. In order to implement the proposed DRO amendments a “repeal and replace” of the 2019 DRO is proposed to streamline the process and limit any potential for error.

ORDINANCE #	20-3223
Introduction Date:	9/22/2020
Hearing Date:	11/4/2020
Passage Date:	
Effective Date:	

An Ordinance to Repeal and Replace Chapter XXXV of the General Code of the City of Summit to Establish the 2020 Development Regulations Ordinance (Repeal 2019 DRO And Replace with 2020 DRO)

**AUTHORIZE TRANSFER OF APPROPRIATIONS - OPERATING BUDGET (ROLL CALL
VOTE)**

WHEREAS, there appears to be a surplus in the following 2020 Operating Accounts over and above the demands to be necessary:

FROM

		Salaries and Wages	Other Expenses
01-25-240-000-101	Police – Full Time	\$ 65,350.00	
01-32-465-000-101	DCS – Full Time	\$ 50,000.00	
01-28-370-003-102	FAC – Pool Part Time	\$ 14,000.00	
01-25-240-000-102	Police – Over time	\$ 28,725.00	
01-20-100-000-804	A&E Training & Seminars		\$ 2,000.00
	Total amount transferred from:	\$158,075.00	\$ 2,000.00

WHEREAS, there appears to be insufficient funds in the following 2020 Operating Accounts to meet the demands thereof;

TO

		Salaries and Wages	Other Expenses
01-25-240-000-700	Police Equipment		\$ 65,350.00
01-26-306-000-101	Transfer Station Full Time	\$ 50,000.00	
01-28-370-005-100	DCP – Full Time	\$ 14,000.00	
01-36-475-000-000	PFRS		\$ 28,725.00
01-20-120-001-200	Codification of Ordinances		\$ 2,000.00
	Total amount transferred to:	\$ 64,000.00	\$ 96,075.00

Recorded Vote:

Ayes	(Nays	(Abstain	(
	(
	(Absent	(
	(
	(
	(
	(

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



RESOLUTION (ID # 7460)

DOC ID: 7460 B

TO: Mayor and Common Council

FROM: Tammie Baldwin, City Treasurer/CFO

DATE: October 15, 2020

This resolution transfers funds from 2020 operating accounts with a balance to operating accounts with insufficient funds. The total amount transferred out must equal the total amount transferred in. These transfers are allowed only during the last two months of a fiscal year and the first three months of the succeeding year.

Resolution (ID # 7442)
November 4, 2020

**AUTHORIZE TWO YEAR CONTRACT EXTENSION - PROFESSIONAL LANDSCAPING
SERVICES - JANUARY 1, 2021 THROUGH DECEMBER 31, 2022 - \$158,050.00**

WHEREAS, on March 19, 2019, Common Council adopted resolution #38810 authorizing contract #19-3475P with D'Onofrio & Son, Inc. for 2019-2020 Professional Landscaping Services for a two-year amount of \$158,050.00, and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the original specifications included the option for one two-year contract extension from January 1, 2021 through December 31, 2022, and

WHEREAS, D'Onofrio & Son, Inc. agreed to consideration of the extension in the original bid, and

WHEREAS, the City Engineer/Deputy DCS Director has advised that the contract with D'Onofrio & Son, Inc. has proven beneficial to the City and D'Onofrio & Son, Inc. has provided the goods and/or services in an effective and efficient manner, and

WHEREAS, the Purchasing Agent recommends exercising the extension option for contract #19-3475P with D'Onofrio & Son, Inc. from January 1, 2021 through December 31, 2022 under the same terms and conditions of the original contract, and

WHEREAS, funds will be certified subject to inclusion in and adoption of each years' respective operating budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That contract #19-3475P with D'Onofrio & Son, Inc., 47 Van Ness Terrace, Maplewood, NJ 07040, for Professional Landscaping Services be extended under the same terms and conditions of the original contract from January 1, 2021 through December 31, 2022 for two-year amount of \$158,050.00.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said city at a regular meeting held on Wednesday, November 4, 2020.

City Clerk

Purchasing Agent

Memo

To: Mayor and Common Council
From: Michelle Caputo
Date: 10/7/2020
Re: Authorize Two-Year Contract Extension – Professional Landscaping Services 1/1/2021 through 12/31/2022

In 2019, the City awarded a bid for 2019-2020 Professional Landscaping Services to D’Onofrio & Son, Inc. that will expire 12/31/2020, which included an option for one two-year extension from 1/1/21 through 12/31/2020 with the same terms and conditions as the original bid, as permitted by N.J.S.A. 40A:11-15. The cost of the 2019-2020 contract was \$158,050.00. In its bid, D’Onofrio & Son, Inc. agreed to consideration of the two-year extension option.

The City Engineer/Deputy DCS Director has advised that this contract has proven beneficial to the City and the vendor has provided the services in an effective and efficient manner.

A resolution is requested authorizing the two-year extension of this contract from 1/1/21 through 12/31/22 with the same terms and conditions as the original bid and a two-year cost of \$158,050.00.

Resolution (ID # 7441)
November 4, 2020

**AUTHORIZE EXECUTION OF EASEMENT AGREEMENT - USE OF CITY ROW
MADISON/LINCOLN AVENUES FOR LANDSCAPING BUFFER - BRISTOL-MYERS
SQUIBB**

WHEREAS, Bristol Myers Squibb, the owner of Block 701, Lot 01 as designated on the Tax Assessment Map of the City of Summit, more commonly known as 556 Morris Avenue has requested permission from the City to plant various trees and other plantings within the public right-of-way along Madison Avenue and Lincoln Avenue as depicted on the drawings titled "Township Property Planting - Overall Landscape Plan," three (3) sheets, prepared by Langan Engineering and Environmental Services, Inc. dated October 2, 2020, unrevised; and

WHEREAS, the Director of the Department of Community Services has no objection to allowing this encroachment within the public right-of-way provided that the property owner enters into an Agreement with the City as provided herein; and

WHEREAS, the property owner has agreed to enter into an Agreement with the City which acknowledges this encroachment; and

WHEREAS, the property owner also agrees to hold the City harmless from any liability connected with the landscape buffer and plantings that encroach into the public right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. That the City hereby acknowledges that the plantings as depicted on the drawings titled "Township Property Planting - Overall Landscape Plan," three (3) sheets, prepared by Langan Engineering and Environmental Services, Inc. dated October 2, 2020, unrevised, for the property located at Block 701, Lot 01, shall encroach within the public right-of-way on Madison and Lincoln Avenues; and
2. That the Mayor and City Clerk, are hereby authorized to execute an Agreement with the owner of the aforementioned property regarding the encroachment of the landscape improvements and plantings into the City's public right-of-way on Madison and Lincoln Avenues in a form approved by the City Solicitor; and
3. That the Agreement shall run with the land and shall be recorded in the Union County Clerk's Office, Registry Division.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday, November 4, 2020.

City Clerk



DCS - Public Works Division
R - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7441)

DOC ID: 7441

TO: Mayor and Common Council

FROM: Aaron Schrager, City Engineer/ Deputy DCS Director

DATE: October 15, 2020

DCS received a request for landscaping in the City's right-of-way for the Bristol-Myers Squibb West Campus site to enhance the buffer along Lincoln and Madison Avenues. This plan has been preliminarily reviewed and deemed agreeable by the Zoning Officer and City Forester. Landscaping plans are attached - the plantings delineated in red are proposed within the City of Summit right-of-way, proposed in this area at the request and recommendation of the City Forester.

I recommend granting approval for this request.

CAP (DAR)
C: C. Anderson**Licatense, Rosemary**

Subject: FW: 556 Morris Avenue
Attachments: Celgene-BMS Landscape Buffer Madison Lincoln_ROW 10.2.2020.pdf

From: Samantha Alfonso <salfonso@ddsnjlaw.com>
Sent: Friday, October 2, 2020 3:01 PM
To: Licatense, Rosemary <RLicatense@cityofsummit.org>
Cc: James Webber <jwebber@ddsnjlaw.com>; Patrice Anderson <panderson@ddsnjlaw.com>
Subject: 556 Morris Avenue

Good afternoon Rosemary,

I hope you are doing well!

Enclosed please receive a copy of the landscaping plan proposed for the Bristol-Myers Squibb West Campus site to enhance the buffer along Lincoln and Madison Avenues. This plan has been preliminarily reviewed and deemed agreeable by Ms. Anderson and Mr. Linson.

As may be seen from the plan, the plantings delineated in red are proposed within the City of Summit right of way, proposed in this area at the request and recommendation of Mr. Linson.

Once there has been an opportunity to consider the proposal, perhaps there may be an opportunity to discuss how this may be best managed and submitted for consideration by the Council?

It would be a pleasure to discuss or respond at your convenience. Please feel free to call me directly at 862-812-2169.

Sincerely,

Samantha

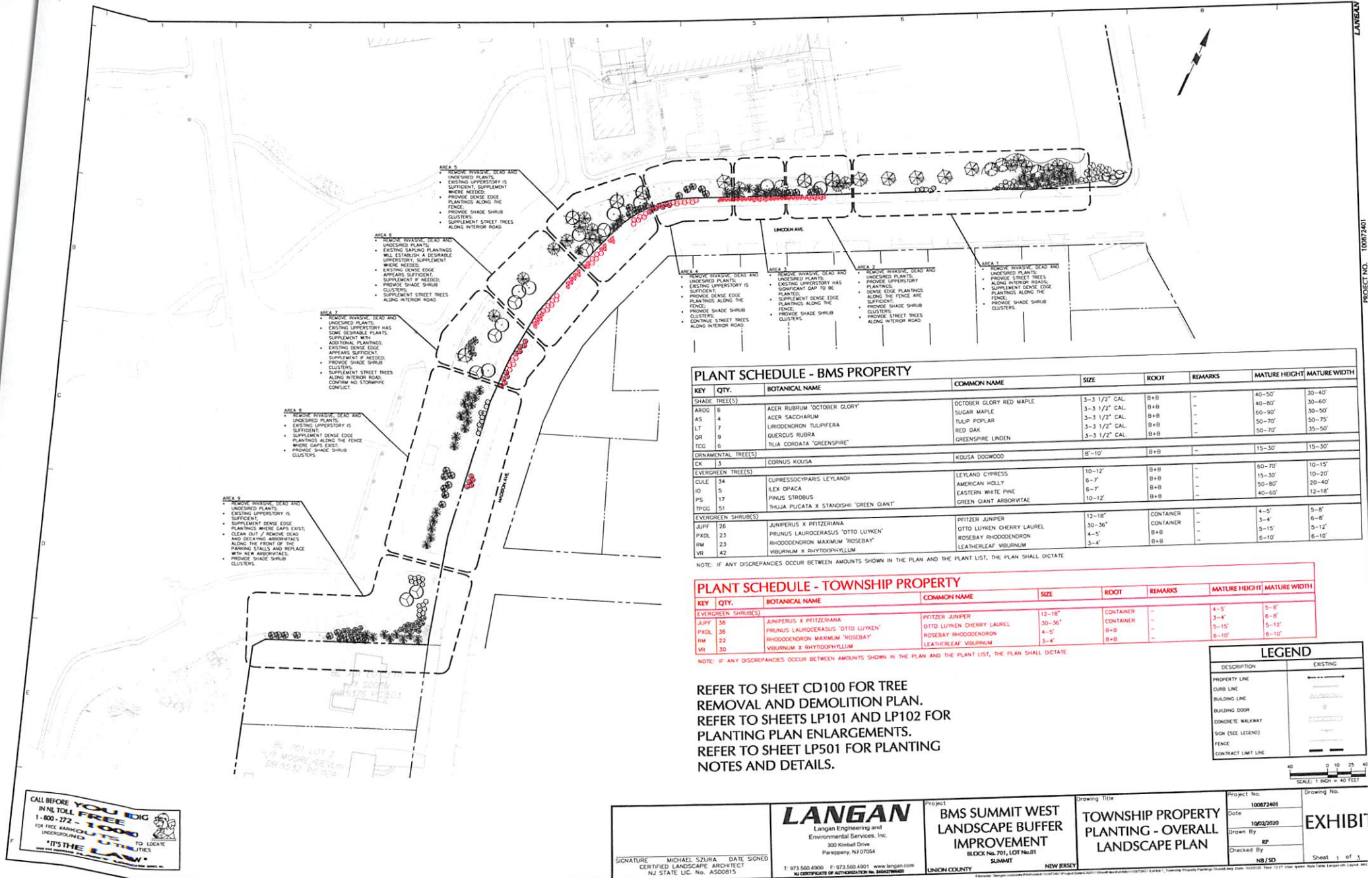


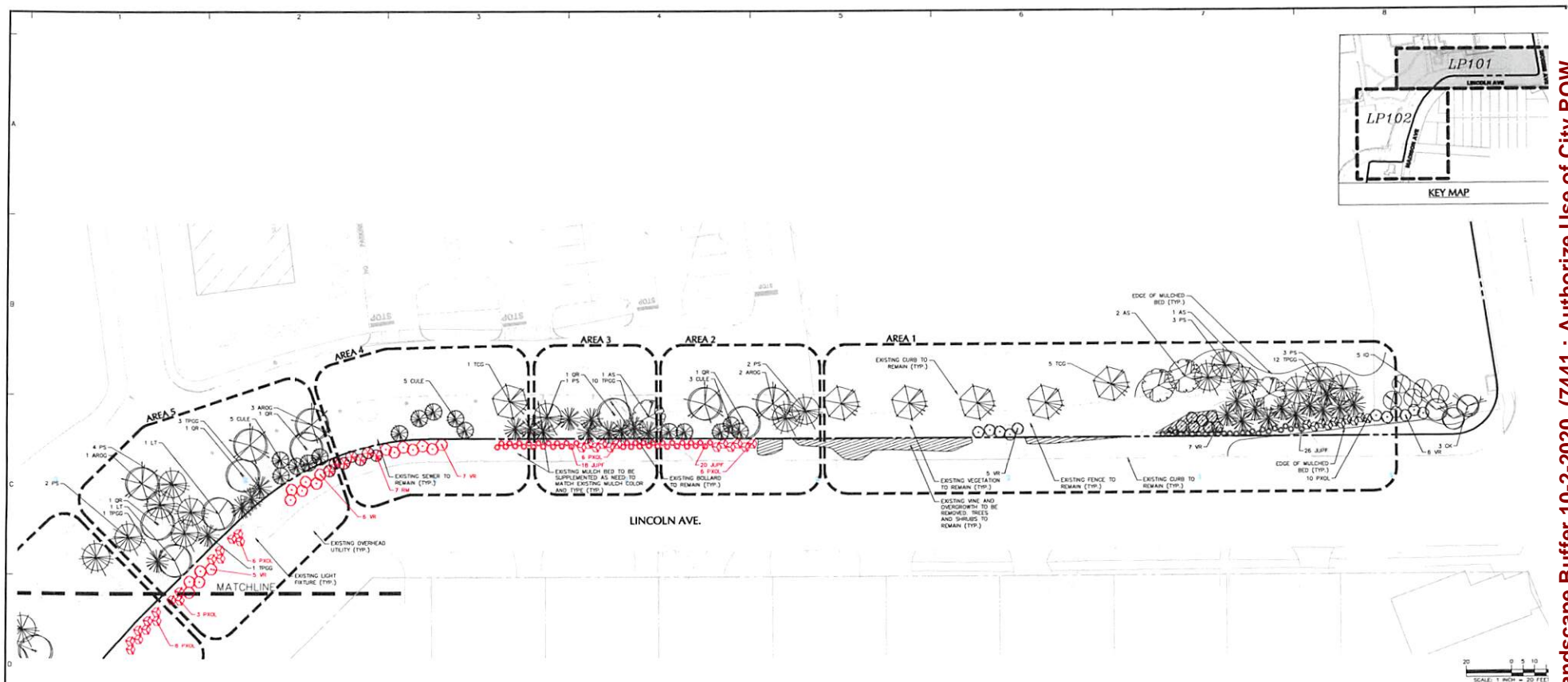
Samantha T. Alfonso, Esq.
 Associate
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Attachment: CAP DAR - BMS Landscape Buffer 10-2-2020 (7441 : Authorize Use of City ROW Madison/Lincoln Ave - Landscaping)





PLANT SCHEDULE - BMS PROPERTY							
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS	MATURE HEIGHT / MATURE WIDTH
SHADE TREE(S)							
AROG	4	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY RED MAPLE	3-3 1/2" CAL.	B+B	-	40-50' / 30-40'
AS	4	ACER SACCHARUM	SUGAR MAPLE	3-3 1/2" CAL.	B+B	-	40-80' / 30-60'
LT	7	LIRIODENDRON TULIPIFERA	TULIP POPLAR	3-3 1/2" CAL.	B+B	-	60-90' / 30-50'
QR	9	QUERCUS RUBRA	RED OAK	3-3 1/2" CAL.	B+B	-	50-70' / 50-75'
TCG	6	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	3-3 1/2" CAL.	B+B	-	50-70' / 35-50'
ORNAMENTAL TREE(S)							
OK	3	CORNUS KOUSA	KOUSA DOGWOOD	8'-10'	B+B	-	15-30' / 15-30'
EVERGREEN TREE(S)							
CLAE	34	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	10-12'	B+B	-	60-70' / 10-15'
IO	5	ILEX OPACA	AMERICAN HOLLY	6-7'	B+B	-	15-30' / 10-20'
PS	17	PINUS STROBUS	EASTERN WHITE PINE	6-7'	B+B	-	50-80' / 20-40'
TPGG	51	THUJA PLICATA X STANDISHII 'GREEN GIANT'	GREEN GIANT ARBORVITAE	10-12'	B+B	-	40-60' / 12-18'
EVERGREEN SHRUB(S)							
JUPF	26	JUNIPERUS X PHYTZERIANA	PHYTZER JUNIPER	12-18"	CONTAINER	-	4-5' / 5-8'
PKOL	23	PRUNUS LAUROCEARUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	30-36"	CONTAINER	-	3-4' / 6-8'
RM	42	RHOODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHOODODENDRON	4-5'	B+B	-	5-15' / 5-12'
VR	42	VIBURNUM X RHYTHIDOPHYLLUM	LEATHERLEAF VIBURNUM	3-4'	B+B	-	6-10' / 6-10'

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

PLANT SCHEDULE - TOWNSHIP PROPERTY							
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS	MATURE HEIGHT / MATURE WIDTH
EVERGREEN SHRUB(S)							
JUPF	58	JUNIPERUS X PHYTZERIANA	PHYTZER JUNIPER	12-18"	CONTAINER	-	4-5' / 5-8'
PKOL	56	PRUNUS LAUROCEARUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	30-36"	CONTAINER	-	3-4' / 6-8'
RM	22	RHOODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHOODODENDRON	4-5'	B+B	-	5-15' / 5-12'
VR	30	VIBURNUM X RHYTHIDOPHYLLUM	LEATHERLEAF VIBURNUM	3-4'	B+B	-	6-10' / 6-10'

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

CALL BEFORE YOU DIG
IN NJ TOLL FREE
1-800-272-1000
FOR FREE MARKERS TO LOCATE
UNDERGROUND UTILITIES
IT'S THE LAW

LEGEND	
DESCRIPTION	EXISTING
PROPERTY LINE	---
CURB LINE	---
BUILDING LINE	---
BUILDING DOOR	---
CONCRETE WALKWAY	---
SOIL (SEE LEGEND)	---
FENCE	---
CONTRACT LIMIT LINE	---

REFER TO SHEET CD100 FOR TREE
REMOVAL AND DEMOLITION PLAN.
REFER TO SHEETS LP100 FOR OVERALL
PLANTING PLAN AND PLANT SCHEDULE.
REFER TO SHEET LP501 FOR PLANTING
NOTES AND DETAILS.

LANGAN
Langan Engineering and
Environmental Services, Inc.
300 Kimbark Drive
Paramus, NY 10764

T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION NO. 240428700001

Project
**BMS SUMMIT WEST
LANDSCAPE BUFFER
IMPROVEMENT**
BLOCK No. 701, LOT No. 01
SUMMIT
NEW JERSEY

Drawing Title
**TOWNSHIP
PROPERTY
PLANTING I**

Project No.
100872401

Date
10/02/2020

Drawn By
BP

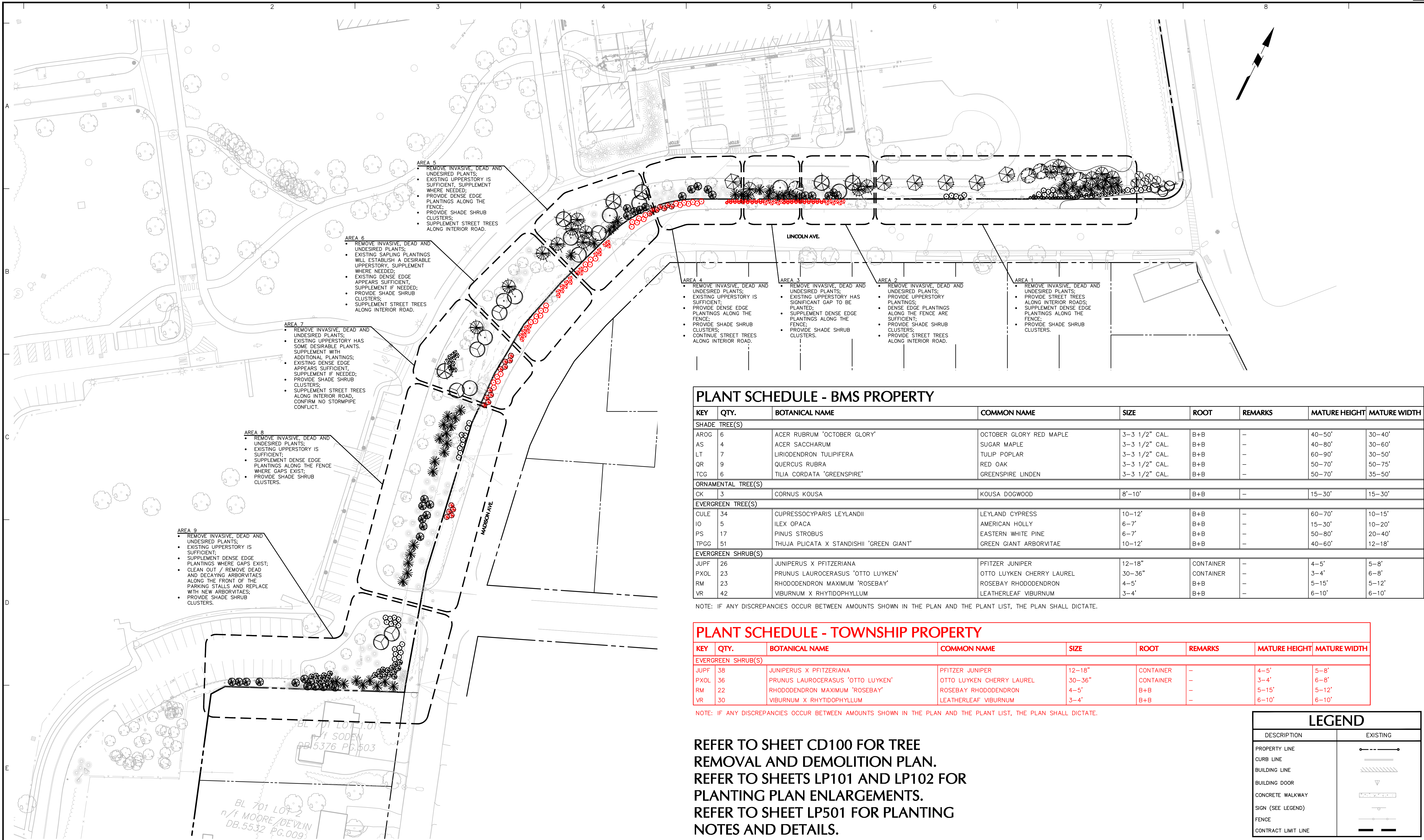
Checked By
NB/SD

Drawing No.
EXHIB

Sheet 2 of 3

SIGNATURE: MICHAEL SZURA DATE SIGNED: _____
CERTIFIED LANDSCAPE ARCHITECT
NJ STATE LIC. No. A550815





CALL BEFORE YOU DIG
IN NJ, TOLL FREE
1-800-272-1000
FOR FREE MARKOUTS TO LOCATE
UNDERGROUND UTILITIES
"IT'S THE LAW"
GARDEN STATE UNDERGROUND PLANT LOCATION SERVICE, INC.

SIGNATURE MICHAEL SZURA DATE SIGNED
CERTIFIED LANDSCAPE ARCHITECT
NJ STATE LIC. No. AS00815

LANGAN
Langan Engineering and
Environmental Services, Inc.
300 Kimball Drive
Parsippany, NJ 07054

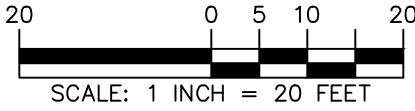
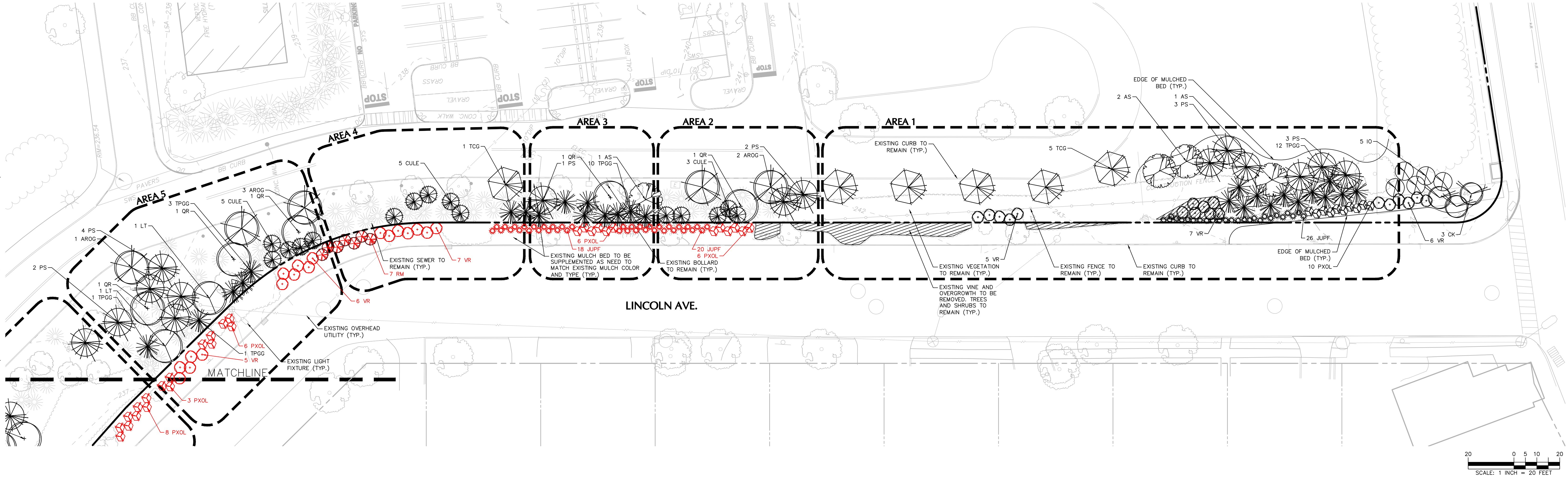
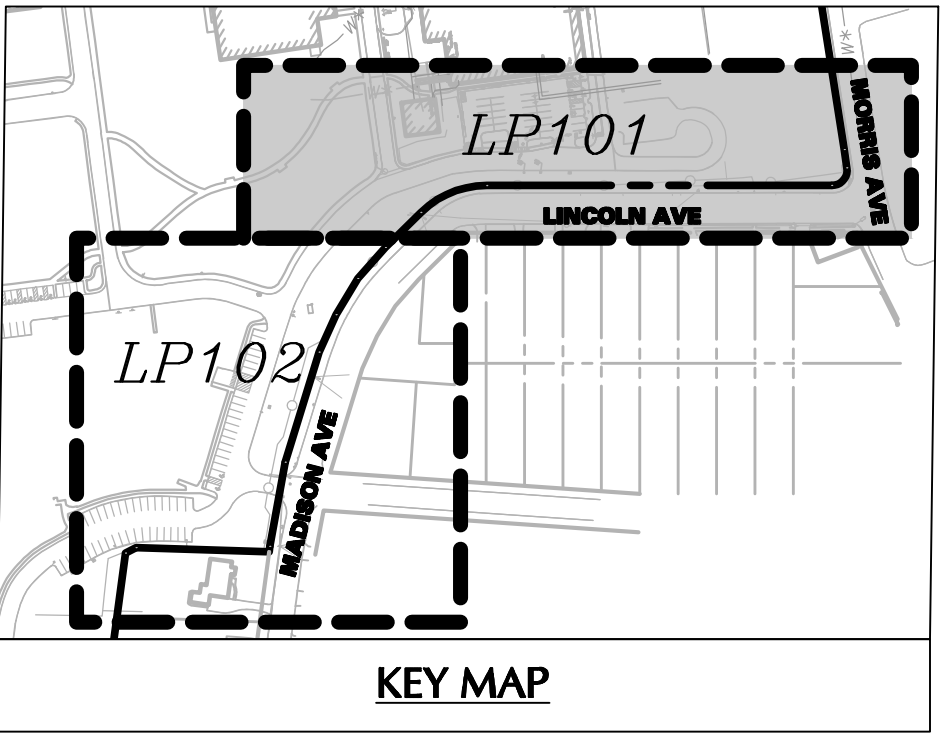
T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
**BMS SUMMIT WEST
LANDSCAPE BUFFER
IMPROVEMENT**
BLOCK No. 701, LOT No.01
SUMMIT
UNION COUNTY NEW JERSEY

Drawing Title
**TOWNSHIP PROPERTY
PLANTING - OVERALL
LANDSCAPE PLAN**

Project No.
100872401
Date
10/02/2020
Drawn By
RP
Checked By
NB /SD

Drawing No.
EXHIBIT
Sheet 1 of 3



PLANT SCHEDULE - BMS PROPERTY								
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS	MATURE HEIGHT	MATURE WIDTH
SHADE TREE(S)								
AROG	6	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY RED MAPLE	3-3 1/2" CAL.	B+B	-	40-50'	30-40'
AS	4	ACER SACCHARUM	SUGAR MAPLE	3-3 1/2" CAL.	B+B	-	40-80'	30-60'
LT	7	LIRIODENDRON TULIPIFERA	TULIP POPLAR	3-3 1/2" CAL.	B+B	-	60-90'	30-50'
QR	9	QUERCUS RUBRA	RED OAK	3-3 1/2" CAL.	B+B	-	50-70'	50-75'
TCG	6	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	3-3 1/2" CAL.	B+B	-	50-70'	35-50'
ORNAMENTAL TREE(S)								
CK	3	CORNUS KOUSA	KOUSA DOGWOOD	8'-10'	B+B	-	15-30'	15-30'
EVERGREEN TREE(S)								
CULE	34	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	10-12'	B+B	-	60-70'	10-15'
IO	5	ILEX OPACA	AMERICAN HOLLY	6-7'	B+B	-	15-30'	10-20'
PS	17	PINUS STROBUS	EASTERN WHITE PINE	6-7'	B+B	-	50-80'	20-40'
TPGG	51	THUJA PLICATA X STANDISHII 'GREEN GIANT'	GREEN GIANT ARBORVITAE	10-12'	B+B	-	40-60'	12-18'
EVERGREEN SHRUB(S)								
JUPF	26	JUNIPERUS X PFITZERIANA	PFITZER JUNIPER	12-18"	CONTAINER	-	4-5'	5-8'
PXOL	23	PRUNUS LAUROCERASUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	30-36"	CONTAINER	-	3-4'	6-8'
RM	23	RHODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHODODENDRON	4-5'	B+B	-	5-15'	5-12'
VR	42	VIBURNUM X RHYTIDOPHYLLUM	LEATHERLEAF VIBURNUM	3-4'	B+B	-	6-10'	6-10'

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

PLANT SCHEDULE - TOWNSHIP PROPERTY								
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS	MATURE HEIGHT	MATURE WIDTH
EVERGREEN SHRUB(S)								
JUPF	38	JUNIPERUS X PFITZERIANA	PFITZER JUNIPER	12-18"	CONTAINER	-	4-5'	5-8'
PXOL	36	PRUNUS LAUROCERASUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	30-36"	CONTAINER	-	3-4'	6-8'
RM	22	RHODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHODODENDRON	4-5'	B+B	-	5-15'	5-12'
VR	30	VIBURNUM X RHYTIDOPHYLLUM	LEATHERLEAF VIBURNUM	3-4'	B+B	-	6-10'	6-10'

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CALL BEFORE YOU DIG
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FOR FREE MARKOUTS TO LOCATE
UNDERGROUND UTILITIES

" IT'S THE LAW "

GARDEN STATE UNDERGROUND PLANT LOCATION SERVICE, INC.

LEGEND	
DESCRIPTION	EXISTING
PROPERTY LINE	---
CURB LINE	=====
BUILDING LINE	=====
BUILDING DOOR	▽
CONCRETE WALKWAY	=====
SIGN (SEE LEGEND)	=====
FENCE	=====
CONTRACT LIMIT LINE	=====

REFER TO SHEET CD100 FOR TREE
REMOVAL AND DEMOLITION PLAN.
REFER TO SHEETS LP100 FOR OVERALL
PLANTING PLAN AND PLANT SCHEDULE.
REFER TO SHEET LP501 FOR PLANTING
NOTES AND DETAILS.

SIGNATURE MICHAEL SZURA DATE SIGNED

CERTIFIED LANDSCAPE ARCHITECT
NJ STATE LIC. No. AS00815

LANGAN

Langan Engineering and
Environmental Services, Inc.
300 Kimball Drive
Parsippany, NJ 07054

T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project

**BMS SUMMIT WEST
LANDSCAPE BUFFER
IMPROVEMENT**

BLOCK No. 701, LOT No.01
SUMMIT

UNION COUNTY

Drawing Title

**TOWNSHIP
PROPERTY
PLANTING I**

Project No.
100872401

Date
10/02/2020

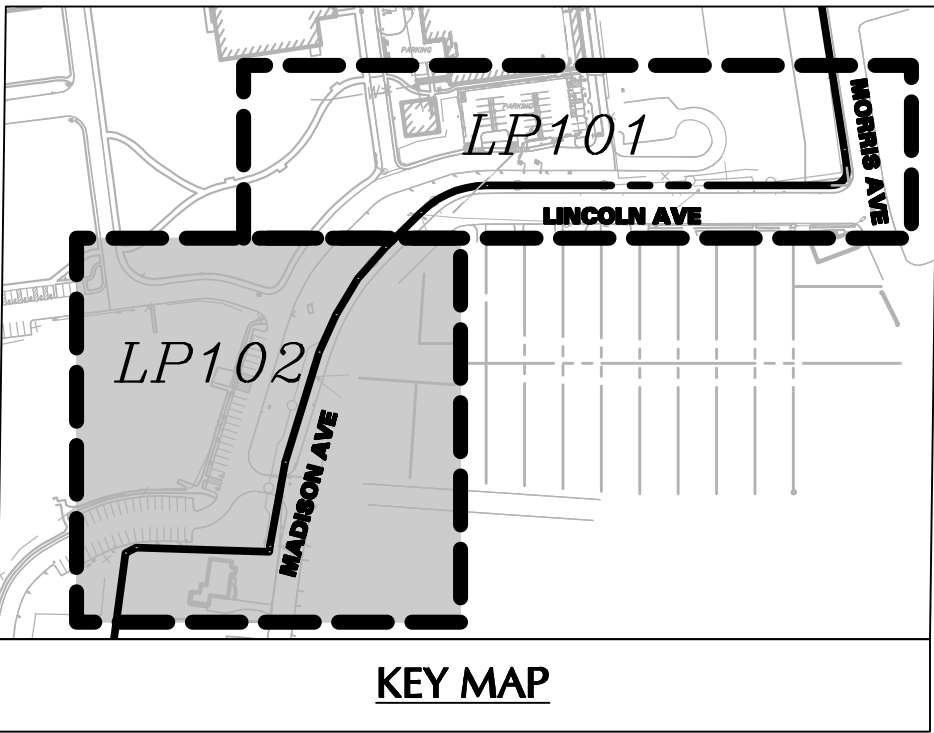
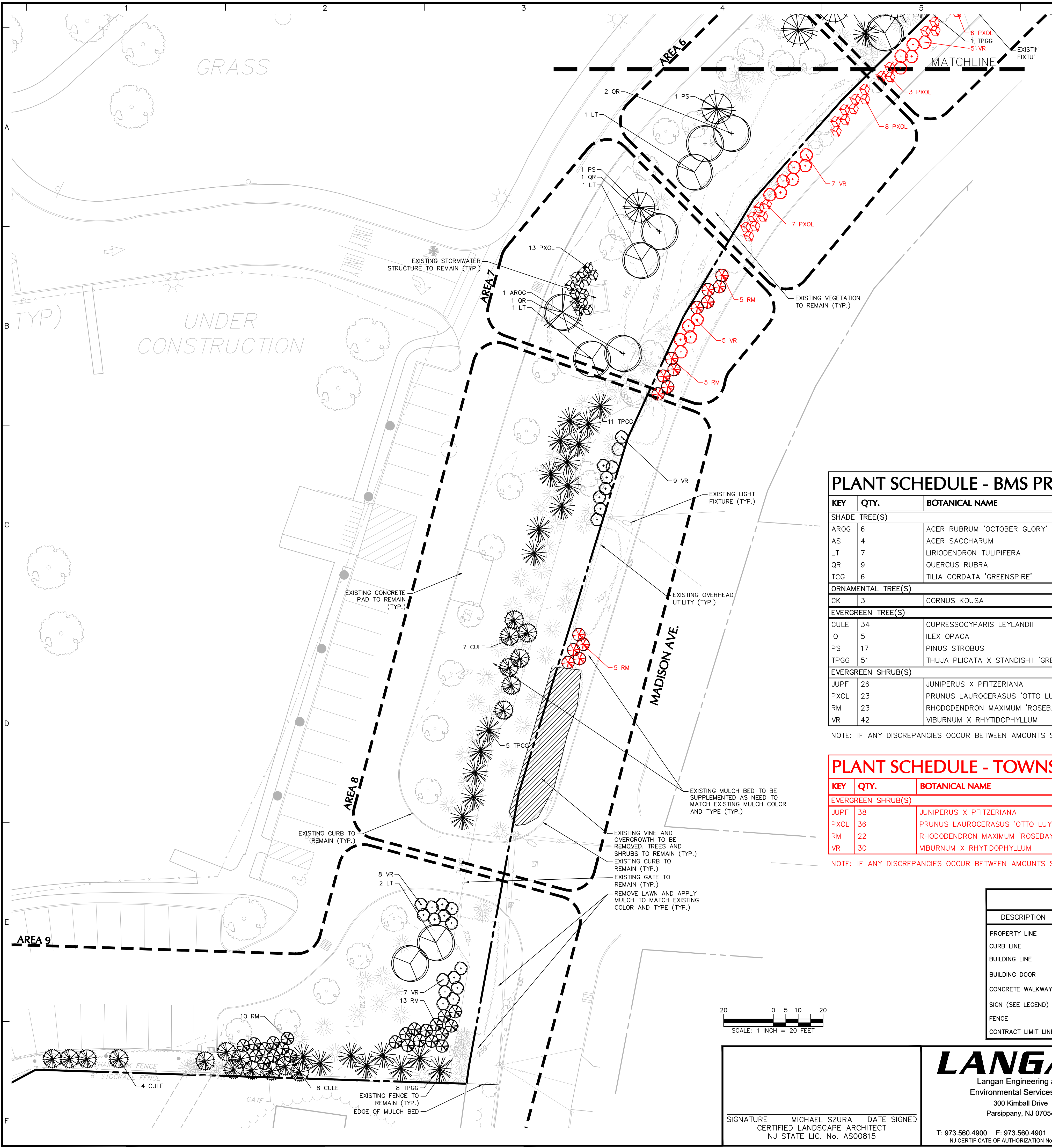
Drawn By
RP

Checked By
NB / SD

Drawing No.

EXHIBIT

Sheet 2 of 3



PLANT SCHEDULE - BMS PROPERTY									
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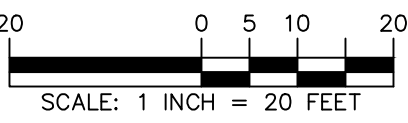
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LEGEND	
DESCRIPTION	EXISTING
PROPERTY LINE	— — — — —
CURB LINE	— — — — —
BUILDING LINE	— — — — —
BUILDING DOOR	— — — — —
CONCRETE WALKWAY	— — — — —
SIGN (SEE LEGEND)	— — — — —
FENCE	— — — — —
CONTRACT LIMIT LINE	— — — — —

REFER TO SHEET CD100 FOR TREE REMOVAL AND DEMOLITION PLAN.
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SIGNATURE
MICHAEL SZURA
CERTIFIED LANDSCAPE ARCHITECT
NJ STATE LIC. No. AS00815

DATE SIGNED

LANGAN
Langan Engineering and
Environmental Services, Inc.
300 Kimball Drive
Parsippany, NJ 07054

T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
**BMS SUMMIT WEST
LANDSCAPE BUFFER
IMPROVEMENT**
BLOCK No. 701, LOT No.01
SUMMIT

UNION COUNTY
NEW JERSEY

Drawing Title
**TOWNSHIP
PROPERTY
PLANTING II**

Project No.
100872401
Date
10/02/2020
Drawn By
RP
Checked By
NB / SD

Drawing No.
EXHIBIT
Sheet **3** of **3**

Filename: \\langan.com\data\PAR\data\100872401\Project Data\CAD\01\Sheet\Flex\Exhibits\100872401-Exhibit 1_Township Property Plantings.dwg Date: 10/2/2020 Time: 12:17 User: rparsi Style Table: Land

Packet Pg. 437

Attachment: Coligenc-BMS Landscape Buffer Madison Lincoln ROW 10.2.2020 (7441 : Authorize Use of City ROW MadisonLincoln Ave - Landscaping)

ENCROACHMENT AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2020

by and between

CITY OF SUMMIT IN THE COUNTY OF UNION
(Hereinafter "CITY")
a Municipal Corporation of the State of New Jersey,
512 Springfield Ave.
Summit, NJ 07901

and

BRISTOL MYERS SQUIBB
(Hereinafter "OWNER")
86 Morris Ave.
Summit, NJ 07901

WHEREAS, the Owner of Block 701, Lot 01, as designated on the Tax Assessment Map of the City of Summit, more commonly known as 556 Morris Avenue, has requested permission from the City to plant various trees and other plantings located within the public right-of-way along Madison Avenue and Lincoln Avenue as depicted on the drawings titled "Township Property Planting - Overall Landscape Plan," three (3) sheets, prepared by Langan Engineering and Environmental Services, Inc. dated October 2, 2020, unrevised; and

WHEREAS, on November 4, 2020, the Common Council of the City of Summit adopted Resolution No. _____ Acknowledging the

Encroachment of the Plantings Within the Public Right-Of-Way for Block 701, Lot 01.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants contained herein agree as follows:

1. The City hereby acknowledges that the plantings shall encroach into the public right-of-way along Madison and Lincoln Avenues; as shown on **Exhibit A**. The City does not accept any liability in connection therewith nor does the City assume any responsibility for the maintenance, replacement and/or upkeep of same.
2. In the event it is necessary for the City to gain access to the public right-of-way for regular or non-emergent work, the Owner will be given 48 hours' notice to remove the plantings.
3. In the event it is necessary for the City to gain access to the public right-of-way for emergency work, the City shall remove the plantings upon notice to the Owner or upon a showing of a reasonable effort to provide notice when the Owner cannot be located.
4. The Owner agrees to fully defend, indemnify, and hold harmless the City from any and all claims, lawsuits, demands, causes of action, liability, loss, damage and/or injury, of any kind whatsoever, including without limitation all claims for monetary loss, property damage, equitable relief, personal injury and/or wrongful death, whether brought by an individual

or other entity, or imposed by a court of law or by administrative action of any federal, state or local governmental body or agency, arising out of, in any way whatsoever, any acts, omissions, negligence, or willful misconduct on the part of the Owner, its personnel, employees, agents, contractors, subcontractors, invitees or volunteers related to the maintenance, replacement and/or upkeep of the plantings. This indemnification applies to and includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys' fees, and related costs or expenses and any reimbursements to City for all legal fees, expenses, and costs incurred by it. This indemnification shall extend to any and all claims, suits, causes of action, judgments or damages sustained by the City or any other person or persons for bodily injury, or for injury to or loss of property resulting from, caused by, or arising out of the conduct of the Owner, its agents, employees or contractors relating to the maintenance, replacement and/or repair, and/or removal of the plantings.

5. The parties agree that the City accepts no responsibility and assumes no liability in the event any of the plantings are damaged as a result of snow removal or any other municipal activity taking place in the public right-of-way along Madison

and Lincoln Avenues. All such costs shall be borne by the Owner.

6. This Agreement shall run with the land and be binding upon the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed by their proper corporate officers and their corporate seals to be affixed the day and year first above written.

ATTEST: CITY OF SUMMIT IN
THE COUNTY OF UNION

ROSALIA M. LICATESE
CITY CLERK

By: _____
NORA RADEST
MAYOR

Title

BRISTOL MYERS SQUIBB

STATE OF NEW JERSEY)
) SS:
 COUNTY OF UNION)

I CERTIFY that on _____ personally came before me
 and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the **TITLE** of BRISTOL MYERS SQUIBB, the
 corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this
 document by the proper corporate officer, who is **NAME**, the
TITLE of the corporation;
- (c) this document was signed and delivered by the corporation as
 its voluntary act duly authorized by a proper resolution.
- (d) this person knows the proper seal of the corporation which was
 affixed to this document; and
- (e) this person signed this proof to attest to the truth of these
 facts.

Signed and sworn to before me
 the date aforesaid.

 NAME

I CERTIFY that on ROSALIA M. LICATESE
personally came before me and this person acknowledged under oath,
to my satisfaction, that:

(b) this person is the attesting witness to the signing of this document by the proper corporate officer, who is NORA RADEST, the Mayor of the corporation;

(d) this person knows the proper seal of the corporation which was affixed to this document; and

Signed and sworn to before me
the date aforesaid.

Page 6 of 6

Resolution (ID # 7352)
November 4, 2020

AWARD BID - 2020 SANITARY SEWER CLEAN & TV SECTIONS L & N - \$44,262.20

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That, in accordance with the City Treasurer's certification of availability of funds in Account No. C-06-31-067-00A-010, a copy of which is hereto attached and made a part of this resolution, and as recommended in memo from the City Engineer/Deputy DCS Director, bids received by the Purchasing Agent on Tuesday, October 20, 2020 shall be awarded to the lowest responsive, responsible bidder as follows:

2020 SANITARY SEWER CLEAN & TV SECTIONS L & N

Oswald Enterprises, Inc.	\$44,262.20
PO Box 126	
161 East Road	
Belford, NJ 07718	

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Engineering Division
R - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7352)

DOC ID: 7352

TO: Mayor and Common Council

FROM: Aaron Schrager, City Engineer/ Deputy DCS Director

DATE: October 15, 2020

4 bids were received and opened on Tuesday, October 20, 2020 at 11:00am at City Hall for the 2020 Sanitary Sewer Clean & TV Sections L&N project. The submitted low bidder was Oswald Enterprises of Belford NJ.

Funding for this project is available from the following Sanitary Sewer Utility account:
C-06-31-067-00A-010 Sewer Capital

Based on the above, I recommend award of a contract to Oswald Enterprises in the amount of \$44,262.20 for the 2020 Sanitary Sewer Clean & TV Sections L&N project.

2020 SANITARY SEWER CLEAN & TV SECTIONS L & N

BID SUMMARY


Preliminary - Subject to Attorney Review

BASE BID

Received: 10/20/2020

				Oswald Enterprises Inc.		Equix Integrity Inc.		National Water Main Cleaning Company		North American Pipeline Services LLC	
				PO Box 126-161 East Road		46 S Rolling Meadow Drive		1806 Newark Turnpike		210 Bennett Road	
				Belford, NJ 07718		Fond Du Lac, WI 54937		Kearny, NJ 07032		Freehold, NJ 07728	
ITEM	DESCRIPTION	Unit	Qty.	Unit Price	Cost	Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
1	MOBILIZATION	LS	1	L.S	\$1,000.00	L.S	\$775.00	L.S	\$1,000.00	L.S	\$500.00
2	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	L.S	\$1,000.00	L.S	\$1,000.00	L.S	\$800.00	L.S	\$500.00
3	CLEAN & TV INSPECT SANITARY SEWER, 8"-12"	LF	26,580	\$1.59	\$42,262.20	\$1.80	\$47,844.00	\$2.25	\$59,805.00	\$2.40	\$63,792.00
TOTAL					\$44,262.20		\$49,619.00		\$61,605.00		\$64,792.00

Aaron J. Schragar
Professional Engineer
New Jersey Lic. No. 46143
City Engineer



Certification of Availability of Funds

This is to certify to the Mayor and Common Council of the City of Summit that funds for the following resolution are available:

Resolution Date: October 21, 2020

Resolution Doc Id: 7352

Vendor: Oswald Enterprises, Inc.
161 East Road
Belford, NJ 07718

Purchase Order Number: 20-02344

Account Number	Amount	Account Description
C-06-31-067-00A-010	\$44,262.20	3167 Sewer Improvements

Contract Total \$44,262.00

Only amounts for the current Budget Year have been certified.
Amounts for future years are contingent upon sufficient funds being appropriated.

Tammie Baldwin
City Treasurer/CFO

Resolution (ID # 7461)
November 4, 2020

AUTHORIZE CONTINUATION OF THE PARKLET PROGRAM

WHEREAS, an expanded parklet program was implemented earlier this year to allow the temporary installation of parklets on city streets from June 15 through November 30, 2020, and

WHEREAS, a request was received from Summit Downtown, Inc. (“SDI”) to continue the parklet program indefinitely to allow outdoor dining during the current pandemic, and

WHEREAS, the City Engineer/Deputy DCS Director advises of concerns associated with parklets during the winter months and the impact to snow removal operations, which would require additional resources as needed and active communication between SDI and the restaurants, and

WHEREAS, the Capital Projects and Community Services Committee has considered SDI’s and the City Engineer’s concerns and recommendation to continue the expanded parklet program through November 30, 2021, and

WHEREAS, permission to continue the program is subject to certain conditions:

1. All current parklet program participating restaurants (“Parklet Participants”) submit an application to the City Clerk’s Office for renewal of the temporary parklet permit, which must comply with all insurance and legal requirements.
2. The Parklet Participants will be responsible for snow removal on and adjacent to the parklet.
3. The City reserves the right to remove the parklet for safety reasons and/or impending or ongoing inclement weather.
4. If parklets are required to be removed for safety reasons or inclement weather, a re-installation will not proceed until approval is obtained from the Department of Community Services, Police Department and Fire Department and the safety concern has expired.

and

WHEREAS, each Parklet Participant must adhere to the guidelines established by Resolution 39359, which temporarily expanded outdoor dining in the City; and

WHEREAS, each Parklet Participant which intends to serve alcohol must also have a valid COVID-19 Expansion Permit as required by the New Jersey Division of Alcoholic Beverage Control.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. That it does hereby authorize the continuation of the temporary expansion of the Parklet Program in accordance with Executive Order No. 150 and City regulations, including the conditions listed above, through November 30, 2021.
2. That the Director of the Department of Community Services shall be responsible for securing a signed affirmation from each food or beverage establishment that intends to use a Parklet affirming that each establishment will be responsible for the daily maintenance of the Parklet and for providing tables and chairs.
3. That installation of the Parklets and the maintenance of same shall be supervised by the Director of the Department of Community Services.
4. That the Director of the Department of Community Services is authorized to close off the number of parking spaces necessary to facilitate the installation of the Parklets and shall coordinate same with the Parking Services Agency Manager.
5. That the Parklets may be removed if they are not being utilized on a consistent basis.
6. The City Administrator shall have the discretion to create additional standards as appropriate to maintain order, enhance public safety and to help the City's restaurants and eateries that are economically impacted by the COVID-19 Global Health Pandemic.

Dated: November 4, 2020

I, Rosalia M. Licatense, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Public Works Division
R - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7461)

DOC ID: 7461

TO: Mayor and Common Council

FROM: Aaron Schrager, City Engineer/ Deputy DCS Director

DATE: October 15, 2020

SUMMARY

An expanded parklet program was implemented by Common Council earlier this year that permit the installation and use of parklets on City streets from June 15 through November 30, 2020. At this time, SDI has formally requested a continuation of the parklet program indefinitely to permit outdoor dining during this pandemic. The primary concern of parklets during the winter months is the impact to snow removal operations. Snow removal and the maintenance of the water-filled barricades will be a challenge that can be accomplished with additional resources as needed and active communication between SDI and the restaurant. The extension has been discussed with the Capital Projects and Community Services Committee and an extension through November 30, 2021 is being recommended at this time subject to the following conditions:

1. All insurance, legal, permit requirements are satisfactorily submitted to the Clerk's Office.
2. The restaurant will be responsible for snow removal on and adjacent to the parklet.
3. The City reserves the right to remove the parklet for safety reasons and/or impending or ongoing inclement weather.
4. If parklets are required to be removed for safety reasons or weather, a re-installation will not proceed until approval is obtained from the Department of Community Services, Police Department, and Fire Department and the safety concern has expired.

Resolution (ID # 7471)
November 4, 2020

**AUTHORIZE EXECUTION 2020 "GREENING UNION COUNTY" GRANT AGREEMENT -
SPRING 2021 TREE PLANTING**

WHEREAS, Resolution #39455 dated September 1, 2020, authorized submission of a grant application to Union County for the "Greening Union County" grant program for Spring 2021 Tree Supply and Installation, and

WHEREAS, the aforementioned grant is a tree-for-tree matching grant which will allow reimbursement for 50% of monies expended for the project, and

WHEREAS, funds in the amount of \$10,000.00 for the matching portion of the grant will be certified from account #1-01-28-375-000-226 upon inclusion in and adoption of the 2021 operating budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the proper city officials be and they are hereby authorized to execute a "Greening Union County" grant agreement, for a matching grant for the Spring 2021 Tree Supply and Installation.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Public Works Division
R - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7471)

DOC ID: 7471 A

TO: Mayor and Common Council

FROM: Aaron Schrager, City Engineer/ Deputy DCS Director

DATE: October 22, 2020

On September 1, 2020, the Department of Community Services received authorization from the governing body for the submittal of the 2020 Greening Union County Grant application.

On October 19, 2020, the City received three (3) original agreements for the execution for the grant program from Victoria Durbin Drake, Trust Fund Administrator, Union County Open Space Recreation and Historic Preservation Trust Fund. The awarded value of the grant is \$10,000 for the supply of 52 trees, to be planted in the spring 2021. The funds for the City's match of \$10,000, is certified from account 1-01-28-375-000-226, upon adoption and inclusion in the 2021 Operating Budget.

It is my recommendation that Council pass a resolution authorizing the execution of the Greening Union County Grant Program Agreement.



UNION COUNTY



10.B.5.a

OPEN SPACE, RECREATION & HISTORIC PRESERVATION TRUST FUND

October 16, 2020

FREEHOLDER TRUST FUND STANDING COMMITTEE

CHRISTOPHER HUDAK
Chairman

ANGELA GARRETSON
Freeholder

BETTE JANE KOWALSKI
Freeholder

PUBLIC ADVISORY COMMITTEE

RICHARD CAPAC
MARIA CARVALHO
MICHAEL DEL SORDI
CHARLES EKE
ARTHUR KOBITZ
JIM MC MANUS
EDWARD O'MALLEY
LISA PALIN
JANICE SIEGEL

EDWARD T. OATMAN
County Manager

AMY C. WAGNER
Deputy County Manager

BRUCE H. BERGEN, ESQ.
County Counsel

VICTORIA DURBIN DRAKE
Trust Fund Administrator

The Honorable Nora G. Radest
City of Summit
512 Springfield Avenue
Summit, New Jersey 07901

RE: Greening Union County Grant 2020

Dear Mayor Radest,

On behalf of the Union County Board of Chosen Freeholders, we are pleased to forward the enclosed documents to you as we formalize our partnership in the Greening Union County Grant Program. We are eager to inform you that your 2020 grant application has been approved in the amount of \$10,000.00 as a matching grant.

As we formalize our partnership in the Greening Union County Grant Program, enclosed please find three (3) original agreements for your execution with regard to the above-mentioned program. Kindly sign where indicated with the municipality seal affix and return all three to the undersigned below.

Upon receipt of the signed contract, the County will process payments in coordination with the process of the project pursuant to the contract.

We thank you for your participation and enthusiastically anticipate the completion of your project.

Sincerely,

Victoria Durbin Drake
Trust Fund Administrator

Cc: Business Administrator, Public Works Director

Enclosure

ADMINISTRATION BUILDING

Elizabethtown Plaza Elizabeth, NJ 07207 (908) 558-2278 fax (908) 527-4704 www.ucnj.org

We're Connected to You

Packet Pg. 453

Attachment: 2020 Greening Union County Agreement (7471 : Authorize Execution 2020 "Greening Union County" Grant Agreement - Spring

GREENING OF UNION COUNTY GRANT AGREEMENT

THIS AGREEMENT made this ____ **16th day of October, 2020**, by and between the **County of Union**, a body politic of the State of New Jersey, with principal offices at **10 Elizabethtown Plaza, Elizabeth, New Jersey, 07207** hereafter the "County" and;

City of Summit, a body politic of the State of New Jersey, with principal offices located at **512 Springfield Avenue, Summit, New Jersey 07901** hereafter referred to as the "Municipality", collectively "Parties";

WHEREAS, pursuant to legal authority given the County under N.J.S.A 40:12-15.1 *et seq*, the County has embarked upon a program to assist Municipalities in improving their natural environment and air quality by providing a matching grant to be used towards the purchase of trees to be planted within the Municipalities participating in the program, and;

WHEREAS, the Parties, by this agreement, seek to memorialize the terms and conditions under which each will participate in the "Greening of Union County" grant program.

WHEREFORE, IN CONSIDERATION OF THE PROMISES CONTAINED HEREIN, as well as other good and valuable consideration, the Parties agree as follows:

I. APPLICATION FOR GRANT APPROVAL-

The Municipality has completed an Application for grant approval under the "Greening of Union County" program.

The Municipality is aware that the County has relied upon its Application, and the information and representations contained therein, as the underlying basis for approval of the grant to the Municipality. The Municipality represents that said information is true to the best of its knowledge and belief.

Said Application is attached hereto, made a part hereof and designated as EXHIBIT A.

EXHIBIT A

PART B: Tree Request

Option 1:

- 1) Number of trees requested from County _____
- 2) Number of trees matched by Municipality _____
- 3) Total Number of Trees to be planted
throughout the municipality: _____
- 4) Total Funds Requested: \$ _____

Option 2:

- 1) Total amount of funds requested from County \$ 48,000 _____
- 2) Total amount of funds matched by Municipality \$ 48,000 _____
- 3) Total Number of Trees to be planted
throughout the municipality: 250 _____

List specific *genus species* and *quantity* intended for planting, and indicate Spring 2021 or Fall 2021 planting:

<u>Genus</u>	<u>Quantity</u>	<u>Spring 2021/ Fall 2021</u>
1. <u>Carpinus caroliniana - Hornbeam</u>	25	Spring 2021
2. <u>Acer ginnala 'Ruby Slippers' - Maple</u>	25	Spring 2021
3. <u>Cladrastis kentukea - Yellowwood</u>	25	Spring 2021
4. <u>Prunus x yedoensis 'Akebono' - Cherry</u>	25	Spring 2021
5. <u>Prunus serrulata 'Kanzan' - Cherry</u>	25	Spring 2021
6. <u>Aesculus x carnea 'Briotii' - Red Horse-chestnut</u>	25	Spring 2021
7. <u>Cornus x Rutgan - Dogwood</u>	25	Spring 2021
8. <u>Gleditsia triacanthos f. inermis 'Skycole' Skyline - Honey Locust</u>	15	Spring 2021
9. <u>Magnolia 'NCMX1' PP29218 - Magnolia</u>	25	Spring 2021
10. <u>Syringa reticulata 'ivory silk' - Japanese Tree Lilac</u>	5	Spring 2021
11. <u>Ulmus americana 'princeton' - Elm</u>	15	Spring 2021
12. <u>Celtis occidentalis - Hackberry</u>	15	Spring 2021

Page Two---

II. GRANT AMOUNT AND PAYMENT-

The County shall provide the Municipality with a "Greening of Union County" grant in the amount of **\$10,000.00**, subject to the terms of this agreement. The Municipality is responsible for payment in full to the Vendor supplying the trees which are the subject of the grant program. The County shall reimburse the Municipality for 50% of the amount paid by the Municipality up to, but not in excess of, the amount of the grant upon the Municipality providing proof of payment to the County.

Those municipalities choosing to do so may purchase trees from the Cooperative Purchasing Consortium in which the County participates. In such a case, the County will match, tree for tree, the number of trees purchased by the Municipality. Installation shall be done by the Municipality through direct contract with the Vendor of the Cooperative. In the case where the Municipality wishes to purchase the trees from a source other than the Cooperative, then in that event the County's responsibility shall only be to pay the amount of the grant as set forth in this agreement. The Municipality shall be required to provide a one year maintenance program per the criteria established in the guidelines for the program.

III. TERM OF AGREEMENT-

The term of this agreement shall be for 12 months commencing from the date of the award unless extended by the County. All planting and miscellaneous work required pursuant to the guidelines for this grant program is subject to supervision by the County through its appropriate representatives.

Failure to complete the work called for under this grant within the time set forth above, or as may be extended, shall constitute a default on the part of the Municipality giving the County the right to exercise its legal remedies, including but not limited to seeking a return of any and all monies paid. The program guidelines are attached hereto, made a part hereof and designated as EXHIBIT B.

IV. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS-

The Municipality shall be responsible for complying with all applicable laws and regulations governing this agreement. The Municipality shall be solely responsible for

EXHIBIT B

Program Objective

Through the Greening Union County grant initiative, every tree purchased by your community will be matched by Union County, tree for tree, complete with installation by forestry professionals with a one-year maintenance guarantee.

Our countywide tree-planting program, available to each of the 21 municipalities, will be administered through the Union County Open Space, Recreation & Historic Preservation Trust Fund.

This **Greening Union County** grant will help improve the environment of this county through lowering air pollution, improving the air that we breathe and improving the overall quality of life.

Program Guidelines

The County of Union has bid specifications for the purchase and installation of the trees. Copies are available upon request. Individual municipalities who chose not to participate in the County cooperative bid process may still participate in this program.

Each municipality will be responsible for payment to the vendor for their municipality's tree planting program in full. Municipalities may participate in one of two ways:

*Option 1. If the municipality participates in the county cooperative bid, the County will reimburse the municipality 50% of the total cost of the purchase of trees, as indicated in the award letter. Individual contracts must be formulated by the municipality with the awarded vendor, and stated contracts must be forwarded to the Open Space, Recreation and Historic Preservation Trust Fund. Proof of payment and contract is required for reimbursement.

*Option 2. Each municipality may use their own vendor as long as specifications, installation and one-year maintenance criteria are met.

The municipality is subject to a site visits by the Trust Fund office personnel.

Copies of signed vouchers and verification of payment must be mailed to the Office of the Trust Fund for reimbursements.

Please remember that this is a matching grant and you will be reimbursed for half of the amount of the bills based on your award that you submit.

Page Three---

the obtaining of any and all permits necessary to complete the work required under this grant program.

V. NOT EMPLOYEES-

No party performing work under this agreement shall at any time be considered an employee of the County, but shall be considered to have the status of Independent Contractor.

VI. CONTRACTORS/VENDORS PERFORMING WORK-

The Municipality shall not engage the services of a Contractor/Vendor without first ascertaining that said Contractor is not on the Department of the Treasury's list of debarred contractors.

Further, the Municipality shall be responsible for ascertaining that any such Contractor/Vendor is complying with the requirements of the Prevailing Wage Law.

VII. INSURANCE-

The Municipality/Organization shall, prior to the commencement of the project, provide the County with a Certificate of Insurance on an ACORD form. The Certificate shall name the County of Union as an additional insured. Said insurance shall be for the following types of coverage and in the following amounts:

- Comprehensive General Liability Insurance in the amount of \$3 million per occurrence for bodily injury and property damage.
- Automobile Liability coverage in an amount not less than \$1 million combined single limit for bodily injury and property damage.
- Workers Compensation per statute.

The policies as well as the Certificate shall contain a provision that same may not be cancelled without 30 days prior written notice to both the insured and the County.

Page Four---

VIII. SIGNAGE-

By execution this agreement, the Municipality consents to the County's placement of a sign at the site which shall contain the following language:

“GREENING UNION COUNTY—A SERVICE OF THE UNION
COUNTY BOARD OF CHOSEN FREEHOLDERS---YOUR
TRUST FUND DOLLARS AT WORK FOR YOU.”

IX. MISCELLANEOUS-

- a.) Simultaneously with the execution of this agreement, the Municipality will provide the County with a certified copy of the Resolution authorizing the acceptance of the grant and participation in the program.
- b.) The Municipality shall use the funds only for the purposes outlined in its application and for which the grant was approved.
- c.) The site of the project will be designated by the Municipality in a site map which will be provided to and approved by the County through its Open Space, Recreation and Historic Preservation Trust Fund Administrator, Victoria Durbin-Drake. No work is to be commenced until such time as approval is forthcoming from the County as set forth above. Further, the Municipality shall provide a one year maintenance program pursuant to the requirements of the program guidelines.
- d.) It is understood and agreed by the Parties hereto that this agreement and all attachments to same constitute the entire agreement between the parties. Any prior understandings, negotiations or agreements are void and of no effect.

Page Five---

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals . The date upon which the last signatory affixes their name shall be considered the date of this agreement.

ATTEST

COUNTY OF UNION

James E. Pellettiere
Clerk of the Board

Edward T. Oatman
County Manager

APPROVED AS TO FORM:

Bruce Bergen, Esq.
Union County Counsel

Witness:

(City of Summit)

Rosalia Licatese
City Clerk

Nora G. Radest
Mayor, City of Summit

Resolution (ID # 7472)

November 4, 2020

**DECLARE VACANCY - PT ASSISTANT - DEPARTMENT OF COMMUNITY SERVICES
(PENDING CLOSED SESSION DISCUSSION)**

Pending Closed Session discussion.

Resolution (ID # 7474)
November 4, 2020

**AUTHORIZE ZONING BOARD RE-ASSIGNMENTS AND APPOINT NEW MEMBER
(PENDING CLOSED SESSION DISCUSSION)**

Pending Closed Session discussion.

**AUTHORIZE SUBMISSION OF THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC
SAFETY FOR THE DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY
CRACKDOWN GRANT APPLICATION AND EXECUTE GRANT AGREEMENT**

WHEREAS, the NJ Division of Highway Traffic Safety supports municipal and county law enforcements agencies to conduct DWI overtime enforcement details through the Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant, with a goal of reducing the number of drunk driving motor vehicle crashes, injuries, and fatalities on the roads of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Summit formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Business Administrator and/or Mayor of Summit are hereby authorized to submit an electronic grant application to the New Jersey Division of Highway Traffic Safety on behalf of the City of Summit.

BE IT FURTHER RESOLVED, that the Business Administrator and/or Mayor of Summit are hereby authorized to sign the grant agreement on behalf of the City of Summit and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Common Council of the City of Summit On this 4th day of November 2020.

CERTIFICATION

I, Rosalia M. Licatase, RMC of the City of Summit, Union County, State of New Jersey, do hereby certify that this resolution was adopted at a Regular Meeting of the City's Mayor and Council held on November 4, 2020.

Rosalia M. Licatase, RMC
City Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Rosalia M. Licatase, City Clerk



RESOLUTION (ID # 7447)

DOC ID: 7447

TO: Mayor and Common Council

FROM: Andrew Bartolotti, Police Captain

DATE: October 15, 2020

CITY OF SUMMIT

New Jersey Division of Highway Traffic Safety

Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant

Through its Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant, the NJ Division of Highway Traffic Safety (NJDHHS) supports municipal and county law enforcement agencies to conduct DWI overtime enforcement details. This grant project consists of an enforcement overtime campaign from December 4, 2020 through January 1, 2021. The project is designed to raise awareness about the dangers of drinking and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations. The grant will pay for overtime enforcement during the approved crackdown period. Funding may not be utilized for facility upgrades, technology, or equipment. The City of Summit is eligible to apply for up to \$6,000.00, which includes a \$60/hour maximum overtime rate for officer reimbursement for up to 100 hours.

The Summit Police Department is applying for a NJDHHS Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$6,000.00 to conduct DWI overtime enforcement details. The overtime hours will be used for roving patrols and checkpoints. There is no financial match required from the City of Summit for this program. The deadline for the submission of this application is November 13, 2020.

**AUTHORIZE CHANGE ORDER NO. 1 & FINAL - HUNTLEY ROAD AREA IMPROVEMENT
PROJECT (- \$69,480.45)**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That due to the actual quantities utilized during this project, the Assistant Engineer recommends Change Order No. 1 and final, decreasing the original contract with S and L Contractors LLC, 200 Swenson Drive, Kenilworth NJ 07033, by \$69,480.45.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Engineering Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7412)

DOC ID: 7412

TO: Mayor and Common Council

FROM: Rick Matias, Assistant Engineer

DATE: October 15, 2020

Attached is Change Order No. 1 (Final) for the Huntley Road Area Improvement Project. The Contractor, S & L Contractors LLC has completed all work and Change Order No. 1 (Final) adjusts the contract based on the actual quantities utilized during this project as verified by the Engineering Division and its representatives. Change Order No. 1 (Final) decreases the contract by \$69,480.45. The original contract award was \$516,510 and the new contract amount is \$447,029.55, a decrease of 13.45%.

The project included the installation and repair of storm sewers, repair curbing, installation of curbing in areas where none existed, sidewalk repairs and the milling/paving of Clark Street, Caldwell Avenue, Eaton Court, Willow Road and Huntley Road. This project improved the conditions of just over 1 full mile of City roadway impacting 125 properties.

Several items in the project saw increases and decreases leading to a significant cost savings to the overall project cost. Savings were realized in the quantities for milling/paving and drainage structure improvements while the project saw some increase in curbing and ductile iron pipe.

The Engineering Division was able to work with the contractor to complete the project safely and efficiently during the ongoing health crisis without creating further inconvenience to the residents.

Based on the above information, I recommend Common Council approve Change Order No. 1 (Final) for the Huntley Road Area Improvement Project which decreases and finalizes the contract by \$69,480.45 to the final contract amount of \$447,029.55

Project Change Order**The City of Summit****Project:** Huntley Road Area Improvement Project**No. 1**

Contractor: S and L Construction LLC
 200 Swenson Drive
 Kenilworth, NJ 07033

The following changes are authorized to this contract.

A Itemized Changes

Item	Purpose	Quantity	Unit Price	Amount (Add, (deduct))
7	CONSTRUCTION IDENTIFICATION SIGNS, 18" X 36"	-2	\$50.00	(\$100.00)
8	HMA MILLING, 2" OR LESS	-602	\$3.50	(\$2,107.00)
9	HOT MIX ASPHALT SURFACE COURSE MIX I-5	-422	\$82.00	(\$34,604.00)
10	HOT MIX ASPHALT SURFACE COURSE MIX I-5, IF/WHERE DIRECTED	-100	\$82.00	(\$8,200.00)
11	HOT MIX ASPHALT DRIVEWAY, 5" THICK	-332	\$30.00	(\$9,960.00)
12	GRANITE CURB	274.5	\$32.00	\$8,784.00
13	RESET GRANITE CURB	-700	\$10.00	(\$7,000.00)
14	FUEL PRICE ADJUSTMENT	-1	\$400.00	(\$400.00)
15	ASPHALT PRICE ADJUSTMENT	-1	\$700.00	(\$700.00)
16	FULL DEPTH REPAIR, IF AND WHERE DIRECTED	-125	\$20.00	(\$2,500.00)
17	CONCRETE SIDEWALK, 4" THICK	95	\$90.00	\$8,550.00
18	DETECTABLE WARNING SURFACE	-2	\$250.00	(\$500.00)
19	TRAFFIC STRIPES, 4"	1917	\$2.00	\$3,834.00
20	SET MANHOLE CASTING, SANITARY SEWER, IF/WHERE DIRECTED	3	\$600.00	\$1,800.00
21	MANHOLE COVER, SANITARY SEWER	-3	\$250.00	(\$750.00)
22	SANITARY SEWER REPAIRS, IF AND WHERE DIRECTED, 10' L x 10' D	-1	\$2,500.00	(\$2,500.00)
23	8"-15" SANITARY SEWER CLEAN AND TV INSPECT	-281	\$2.25	(\$632.25)
24	12"-24" STORM SEWER CLEAN AND TV INSPECT	36	\$4.30	\$154.80
27	RECONSTRUCTED INLET, TYPE B, USING NEW CASTING	-8	\$1,500.00	(\$12,000.00)
30	TOP SOILING, 4" THICK	262.5	\$4.00	\$1,050.00
31	FERTILIZING AND SEEDING, TYPE A-3,	262.5	\$4.00	\$1,050.00
B1	MANHOLE, 4' DIAMETER	-1	\$2,000.00	(\$2,000.00)
B2	INLETS, TYPE D	-1	\$2,000.00	(\$2,000.00)
B3	12" DUCTILE IRON SEWER PIPE	72	\$80.00	\$5,760.00
B4	8" PVC PIPE SCHEDULE 80	-203	\$30.00	(\$6,090.00)
B5	SUMP PUMP & LEADER CONNECTIONS	-11	\$600.00	(\$6,600.00)
B6	FULL DEPTH REPAIR	-91	\$20.00	(\$1,820.00)
B	Net change to contract:			(\$69,480.45)
C	Original contract sum:			\$516,510.00
D	20% of original contract sum =			\$103,302.00
E	Total of all previous change orders:			\$ -
F	Total of all C.O.s (NOT TO EXCEED LINE D)			(\$69,480.45)
G	New contract total:			\$447,029.55

Recommended by:**Signed:**

Department Head

Date:

October 6, 2020

Authorized by:**Signed:**

Purchasing Agent

Date:

10/7/2020

Accepted by contractor's agent:**Signed:****Firm:****Date:**

S and L Contractors, LLC
 10-5-20

Approved by Council Resolution:**Date:****Certified:**

City Clerk

Resolution (ID # 7399)
November 4, 2020

AUTHORIZE CONSTRUCTION PERMIT FEE REFUND - 274 MORRIS-ESSEX TURNPIKE

WHEREAS, in a memo dated September 30, 2020, the Construction Official advises that Permit #20-73106 was filed and paid for, for work to be performed at 274 Morris & Essex Turnpike, but part of the that the work applied for under the permit has not commenced and is no longer contemplated, and

WHEREAS, the Construction Official recommends a refund of 80% of the applicable permit fee for Permit #20-73106, not including the state permit fee surcharge previously remitted to Trenton, pursuant to state regulation

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That a refund be drawn against the Uniform Construction Code Trust Account in the amount listed below, made payable to the contracting firm also listed below:

Permit Number	Name Address	Refund Amount
2020-73106	Michael Knowlton 274 Morris & Essex Turnpike Summit NJ 07901	\$32.00

Dated: November 4, 2020

I, Rosalia Licatese, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Code Administration Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7399)

DOC ID: 7399

TO: Mayor and Common Council
FROM: Gary Lewis, Construction Official
DATE: September 30, 2020

To: Paul Cascais, DCS Director
From: Gary Lewis, Construction Official
Page: 1 of 1
Re: Construction Permit Refunds
Date: September 30, 2020

I respectfully request a refund be issued from the Uniform Construction Code Trust Account for the following permit wherein work was filed for, but a portion of it has not commenced and is no longer contemplated. Pursuant to ordinance, the partial portion of the construction permit is refunded at eighty (80%) of the fee, minus the state surcharge, which is due Trenton regardless.

Permit Number	Name Address	Refund Amount
2020-73106 274 Morris/Essex Turnpike	Michael Knowlton, 274 Morris & Essex Turnpike, Summit NJ 07901	\$32.00

Please advise if you need any further information. The permit will be voided.

GL

Resolution (ID # 7398)
November 4, 2020

AUTHORIZE CONSTRUCTION PERMIT FEE REFUND - 28 WILLIAM STREET

WHEREAS, in a memo dated September 30, 2020, the Construction Official advises that Permit #20-72622 was filed and paid for, for work to be performed at 28 William Street, but that the work applied for under the permit has not commenced and is no longer contemplated, and

WHEREAS, the Construction Official recommends a refund of 80% of the permit fee for Permit #20-72622, not including the state permit fee surcharge previously remitted to Trenton, pursuant to state regulation

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That a refund be drawn against the Uniform Construction Code Trust Account in the amount listed below, made payable to the contracting firm also listed below:

Permit Number	Name Address	Refund Amount
2020-72622	Weltman Home Services 80 Industrial Road Berkeley Heights NJ 07922	\$104.00

Dated: November 4, 2020

I, Rosalia Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Code Administration Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7398)

DOC ID: 7398

TO: Mayor and Common Council
FROM: Gary Lewis, Construction Official
DATE: September 30, 2020

To: Paul Cascais, DCS Director
From: Gary Lewis, Construction Official
Page: 1 of 1
Re: Construction Permit Refunds
Date: September 30, 2020

I respectfully request a refund be issued from the Uniform Construction Code Trust Account for the following permit wherein work was filed for, but has not commenced and is no longer contemplated. Pursuant to ordinance, the construction permit is refunded at eighty (80%) of the fee, minus the state surcharge, which is due Trenton regardless.

Permit Number	Name Address	Refund Amount
2020-72622 28 William Street	Weltman Home Services, 80 Industrial Road, Berkeley Heights NJ 07922	\$104.00

Please advise if you need any further information. The permit will be voided.

GL

Resolution (ID # 7397)
November 4, 2020

AUTHORIZE CONSTRUCTION PERMIT FEE REFUND - 100 PROSPECT HILL AVENUE

WHEREAS, in a memo dated September 30, 2020, the Construction Official advises that Permit #20-73507 was filed and paid for, for work to be performed at 100 Prospect Hill Avenue, but that the work applied for under the permit has not commenced and is no longer contemplated, and

WHEREAS, the Construction Official recommends a refund of 80% of the permit fee for Permit #20-73507, not including the state permit fee surcharge previously remitted to Trenton, pursuant to state regulation

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That a refund be drawn against the Uniform Construction Code Trust Account in the amount listed below, made payable to the contracting firm also listed below:

Permit Number	Name Address	Refund Amount
2020-73507	Ryan Inc. 741 Lehigh Avenue Union NJ 07083-7626	\$80.00

Dated: November 4, 2020

I, Rosalia Licatese, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Code Administration Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7397)

DOC ID: 7397 A

TO: Mayor and Common Council

FROM: Gary Lewis, Construction Official

DATE: September 30, 2020

To: Paul Cascais, DCS Director

From: Gary Lewis, Construction Official

Page: 1 of 1

Re: Construction Permit Refund

Date: September 30, 2020

I respectfully request a refund be issued from the Uniform Construction Code Trust Account for the following permit wherein work was filed for, but has not commenced and is no longer contemplated. Pursuant to ordinance, the construction permit is refunded at eighty (80%) of the fee, minus the state surcharge, which is due Trenton regardless.

Permit Number	Name Address	Refund Amount
2020-73507 - 100 Prospect Hill Avenue	Ryan Inc. 741 Lehigh Avenue Union NJ 07083-7626	\$80.00

Please advise if you need any further information. The permit will be voided.

GL

Resolution (ID # 7452)

November 4, 2020

AUTHORIZE REFUND OF PERFORMANCE GUARANTEE - 15 CANTERBURY LANE

WHEREAS, the Assistant Engineer advises that Walden Construction LLC, (“The Applicant”) has requested a release of the performance guarantee associated with the Engineering permit #15-122 in conjunction with the property located at 15 Canterbury Lane, and

WHEREAS, in order to secure a Temporary Certificate of Occupancy at the time, the builder posted a guarantee of \$4,900.00 on September 13, 2017, and

WHEREAS, the Assistant Engineer further advises that all requirements have now been met and the permit is being closed and the guarantee of \$4,900.00 should now be refunded.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the City Treasurer be and she is hereby authorized to refund the following amount to the individual or entity listed below:

<u>Name</u>	<u>File</u>	<u>Refund Amount</u>
Thomas Walden Walden Construction LLC 46 Meyersville Road Green Village, NJ 07935	Permit #15-122	\$4,900.00

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held Wednesday evening, November 4, 2020.

City Clerk



DCS - Engineering Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7452)

DOC ID: 7452 A

TO: Mayor and Common Council

FROM: Lori Toth, Assistant Engineer

DATE: October 15, 2020

A new home was constructed at 15 Canterbury Lane under Engineering permit #15-122. In order to secure a Temporary Certificate of Occupancy at the time, the builder posted a guarantee of \$4,900.00 on September 13, 2017. All requirements have now been met and the permit is being closed. The guarantee of \$4,900.00 should now be refunded to:

Thomas Walden
Walden Construction LLC
46 Meyersville Road
Green Village NJ 07935

Resolution (ID # 7439)
November 4, 2020

**AUTHORIZE PERFORMANCE BOND RELEASE - 86 MORRIS AVE - PB-14-223 - CELGENE
\$49,900.79 +INTEREST**

WHEREAS, the City Engineer/Deputy DCS Director advises that Aakansah Mehta, (“the Applicant”) for the Celgene (East Campus) Project has requested a full release of the performance guarantee and cash portion associated with PB-14-223 in conjunction with the property located at 86 Morris Avenue, and

WHEREAS, the City Engineer/Deputy DCS Director further advises that based on a review of the file, a final inspection of the site and confirmation from the Board Engineer, all requirements have now been met, and therefore recommends the full release of the performance guarantee at this time which should include any interest accrued on the cash portion.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That, in accordance with the City Engineer’s recommendation, the City Treasurer be and she is hereby authorized to release the performance guarantee and cash portion, which should include any interest accrued on the cash portion to date, to the Applicant and for the amount listed below:

<u>Name</u>	<u>File</u>	<u>Refund Amount</u>
Celgene Corporation Attn: Aakansah Mehta 86 Morris Ave Summit NJ 07901	PB-14-223	\$49,900.79 (plus any accrued interest as of 8/24/2020)

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



DCS - Engineering Division
CA - Capital Projects & Community Services

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7439)

DOC ID: 7439

TO: Mayor and Common Council

FROM: Aaron Schrager, City Engineer/ Deputy DCS Director

DATE: October 15, 2020

SUMMARY

The Applicant for the Celgene (East Campus Project) project (PB-14-223) has requested a full release of the performance guarantee at this time. Based on a review of the file, a final inspection of the site, and confirmation from the Board Engineer, I recommend the full release of the performance guarantee at this time. This should include any interest accrued on the cash portion to date (\$49,900.79 as of 8/24/2020 as well as the letter of credit. The check should be sent to:

Celgene Corporation
Attn: Aakansah Mehta
86 Morris Ave
Summit NJ 07901

Resolution (ID # 7494)
November 4, 2020

AUTHORIZE BID RE-ADVERTISEMENT - 2021-2022 ON-CALL LANDSCAPING SERVICES

WHEREAS, no bids were received by the Purchasing Agent for the 2021-2022 On-Call Landscaping Services on Tuesday, October 27, 2020, and

WHEREAS, the Purchasing Agent requests permission to re-advertise for 2021-2022 On-Call Landscaping Services.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the proper City Officers be and they are hereby authorized and directed to re-advertise for bids for 2021-2022 On-Call Landscaping Services, with said bids to be advertised in the Union County Local Source on Thursday, November 12, 2020, and received by the Purchasing Agent on Tuesday, December 1, 2020, in the Council Chamber, or a public location on site to be determined related to COVID-19 restrictions if any, City Hall, 512 Springfield Avenue, Summit, New Jersey at 11:00 a.m.

Dated: November 4, 2020

I, Rosalia M. Licatense, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk

**Purchasing Agent
City of Summit**

Memo

To: Mayor and Common Council
From: Michelle Caputo, QPA
Date: 10/27/2020
Re: Authorize Bid Re-advertisement – 2021-2022 On-Call Landscaping Services with one 2-year extension option

Bids were received on October 27, 2020 for several projects, including 2021-2022 On-Call Landscaping Services for which no bids were received. I request a resolution to re-advertise this bid on the following schedule:

- Advertise for Bids – November 12, 2020
- Receive Bids – December 1, 2020
- Award Contract – December 15, 2020

Because these contracts may be utilized by all City departments, a not-to-exceed amount will be established for the contract award based on historical usage, and funds will be certified from the appropriate lines in each department's operating budget as purchases are authorized.

Thank you.

Attachment: Landscape svcs 2021-2022 re-ad memo 10-27-2020 (7494 : Authorize Bid Re-Advertisement - 2021-2022 On-Call Landscaping

BID NOTICE
CITY OF SUMMIT

PROJECT: 2021-2022 ON-CALL LANDSCAPING SERVICES

DEPARTMENT: Finance Department

Sealed bids will be received by the Purchasing Agent of the City of Summit, Union County, New Jersey no later than 11:00 A.M. prevailing time, Tuesday, December 1, 2020 in the Council Chamber, First Floor, City Hall, 512 Springfield Avenue, Summit, New Jersey, subject to modification related to COVID-19 restrictions, if any, for:

2021-2022 ON-CALL LANDSCAPING SERVICES

in accordance with the specifications and proposal forms for same which may be obtained at the office of the Purchasing Agent, 2nd floor, City Hall, 512 Springfield Avenue, Summit, N. J. during regular business hours, 8:30 am – 4:30 pm, Monday – Friday.

All bids shall be **addressed to PURCHASING AGENT, CITY OF SUMMIT, 512 SPRINGFIELD AVENUE, SUMMIT, NJ 07901.** Bids, along with bid securities, must be enclosed in a properly SEALED envelope bearing on the outside the name of the bidder and the **NATURE OF THE BID CONTAINED THEREIN.**

Bidders are required to comply with the requirements of any and all applicable Federal, State and local laws, regulations and requirements, including but not limited to: N.J.S.A. 52:25-24.2 (Statement of Ownership Disclosure); N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Affirmative Action); N.J.S.A. 52:32-44 (Business Registration), and the City's adopted minimum standard insurance requirements.

The Common Council reserves the right to reject all bids or proposals, waive any minor defects, and consider bids for sixty (60) days after their receipt pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

No charge shall be made or recovery had for publishing any official advertising unaccompanied by such statement of price.

Purchasing Agent

Dated: 11/4/2020
U.C.L.S.: 11/12/2020

Resolution (ID # 7465)
November 4, 2020

**AMEND BUDGET - CHAPTER 159 - NJ-DOT - 2018 SAFE STREETS TO TRANSIT
PROGRAM**

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

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

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the City of Summit hereby requests the Director of the Division of Local Government Services to approve the insertion of the following item of revenue in the budget of the year 2020 which item is now available as a revenue in the amount of \$217,391.25:

**State of New Jersey
Department of Transportation
2018 Safe Streets to Transit Program**

SECTION 2.

BE IT RESOLVED that a like sum of \$217,391.25 be and the same is hereby appropriated under the captions of:

**State of New Jersey
Department of Transportation
2018 Safe Streets To Transit Program**

SECTION 3.

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk



Finance Committee
CA - Finance

www.cityofsummit.org

Meeting: 11/04/20 07:30 PM

RESOLUTION (ID # 7465)

DOC ID: 7465

TO: Mayor and Common Council

FROM: Melissa Berger, Assistant City Treasurer

DATE: October 16, 2020

SUMMARY

This resolution adds \$217,391.25 to the budget both as a revenue and as an expenditure

Resolution (ID # 7388)
November 4, 2020

AUTHORIZE REDEMPTION REFUND - 2018 TAX SALE CERTIFICATE

WHEREAS, at the Municipal Tax Sale held on October 30, 2018 liens were sold for 2017 delinquent taxes, and

WHEREAS, the lien was sold to outside lienholders at 0% redemption fee with a premium, and

WHEREAS, the following homeowner has affected redemption of the lien for Tax Sale Certificate #18-7.

NOW, THEREFORE: BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the proper City officers be and they are hereby authorized and directed to issue a check(s) as follows:

Block	Lot	Name	Amount
5604	1	Underwood, Tina D. 76 Tanglewood Dr.	\$70,602.28
		Premium:	\$34,100.00
		Check payable and mail to:	
		US Bank Cust for Tower DB VIII 50 th South 16 th St. Suite# 2050 Philadelphia PA 19102	
		1099 int. – 11,238.15	

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk

Resolution (ID # 6932)
November 4, 2020

AUTHORIZING PAYMENT OF BILLS -

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the proper officers of the City be and they are hereby authorized and directed to draw checks for a total of ----- for the payment of the itemized bills listed on the following Schedule "A" which have been approved by several committees and the President of the Common Council and which are made a part of the minutes of this meeting.

Dated: November 4, 2020

I, Rosalia M. Licatese, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk

Resolution (ID # 6932)
November 4, 2020

AUTHORIZING PAYMENT OF BILLS -\$432,029.11

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

That the proper officers of the City be and they are hereby authorized and directed to draw checks for a total of **\$432,029.11** for the payment of the itemized bills listed on the following Schedule "A" which have been approved by several committees and the President of the Common Council and which are made a part of the minutes of this meeting.

Dated: November 4, 2020

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Wednesday evening, November 4, 2020.

City Clerk

Rcvd Batch Id Range: First		to Last	Rcvd Date Start: 0		End: 11/04/20	Report Format: Detail	
Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	ADMIN	20-02003	AHSHOS75 ATLANTIC CORPORATE HEALTH 3 D. Alzate - Inv. #16269	519.00	0-01-20-100-003-200 Physical Exams - Municipal Employees	16269	
11/04/20	ADMIN	20-00859	BOROUGHM BOROUGH OF MADISON 12 IT Billing for July 2020	7,102.88	0-01-20-100-004-210 Technology Operation Support - Madison	COS-JUL20	
11/04/20	ADMIN	20-02214	GARDEN90 GARDEN STATE VINYL DESIGNS LLC 1 Letter Police Vehicles 4 & 7	970.00	T-13-56-800-020-010 Self Insurance 2020 Admin -JIF	3545	
11/04/20	ADMIN	20-00860	MILLSTRA MILLENNIUM STRATEGIES, LLC 10 Retainer Services - Sept. 2020	3,500.00	0-01-20-100-000-500 A&E Contract Svcs	10519	
11/04/20	ADMIN	20-02330	NJMMA066 NJMMA 1 2021 Membership - M. Champney	200.00	0-01-20-100-000-806 A&E Memberships	2021 MEMBERSHIP	
11/04/20	ADMIN	20-02330	2 2021 Membership - M. Rogers	250.00	0-01-20-100-000-806 A&E Memberships	2021 MEMBERSHIP	
P.O. Total:				450.00			
11/04/20	ADMIN	20-00017	TELVUE TELVUE CORPORATION 5 WEBUS Monthly Support	450.00	0-01-20-100-004-500 Technology Contracted Services	14461	
11/04/20	ADMIN	20-00379	WORRAL33 WORRALL COMMUNITY NEWSPAPERS 38 Pending Ordinance #20-3222	44.40	0-01-20-120-000-210 City Clerk Advertising	215730	
11/04/20	ADMIN	20-00379	39 '20-'21 Bid-Hardware Supplies	43.42	0-01-20-120-000-210 City Clerk Advertising	216904	
11/04/20	ADMIN	20-00379	40 Final Ordinance 20-3222	40.97	0-01-20-120-000-210 City Clerk Advertising	216905	
11/04/20	ADMIN	20-00379	41 '20-'21 Bid Landscape Services	43.42	0-01-20-120-000-210 City Clerk Advertising	216901	
11/04/20	ADMIN	20-00379	42 Property Online Sale Notice	115.94	0-01-20-120-000-210 City Clerk Advertising	216612	
P.O. Total:				288.15			
11/04/20	ADMIN	20-02370	WORRAL33 WORRALL COMMUNITY NEWSPAPERS 1 U94375 2020 BID	47.83	C-06-31-067-00A-010 3167A Sewer TV Inspect & Line Cleaning	216348	
11/04/20	ADMIN	20-02374	WORRAL33 WORRALL COMMUNITY NEWSPAPERS 1 '20 -'21 Bid Vegetative Waste	43.42	0-01-26-308-000-200 Disposal Charges	216902	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	ADMIN	20-02375	WORRAL33 WORRALL COMMUNITY NEWSPAPERS 1 '20-'21 Bid HVAC Main/Repair	43.91	0-01-20-120-000-210 City Clerk Advertising	216903	
			Total for Batch: ADMIN	13,415.19			
11/04/20	FINANCE	20-02404	ACACIA50 ACACIA FINANCIAL GROUP INC 1 Financial Svcs 2020 BAN	9,500.00	0-01-20-130-000-450 FA General Financial Advisor Services	10-22-2020	
11/04/20	FINANCE	20-02272	AMAZON50 AMAZON.COM LLC 1 Hidden creed,Inkheart, kid who	198.35	0-01-29-390-000-217 Library Books		
11/04/20	FINANCE	20-02316	AMAZON50 AMAZON.COM LLC 1 Kids craft supplies	201.11	0-01-29-390-000-227 Library Programming		
11/04/20	FINANCE	20-02316	2 5V 3A power supply adapter	11.99	0-01-29-390-000-517 Library Computer Costs		
			P.O. Total:	213.10			
11/04/20	FINANCE	20-00361	AT105068 AT&T 11 0303619366001	38.59	0-01-31-440-000-000 TELEPHONE	10/15/20	
11/04/20	FINANCE	20-00362	AT105068 AT&T 11 030 361 4837 001	34.49	0-01-31-440-000-000 TELEPHONE	10/9/20	
11/04/20	FINANCE	20-00182	COMCA840 COMCAST BUSINESS 11 8499 05 329 0181395	308.35	0-01-31-440-000-000 TELEPHONE	10/9/20	
11/04/20	FINANCE	20-00360	COMCA840 COMCAST BUSINESS 11 8499 05 329 0172121	153.35	0-01-31-440-000-000 TELEPHONE	10/10/20	
11/04/20	FINANCE	20-02266	DCITECHN DCI TECHNOLOGY SOLUTIONS LLC 1 5 HP prodesk 400G5 Intel compu	5,024.69	0-01-29-390-000-517 Library Computer Costs	13860	
11/04/20	FINANCE	20-00125	DELTAD50 DELTA DENTAL 30 2020 DELTA DENTAL-NOV03432-4E	7,576.56	T-13-56-800-020-020 Self Insurance 2020 Hlth/Dntl/Life	PM0401447	
11/04/20	FINANCE	20-00125	31 2020 DELTA DENTAL-NOV03432-2E	5,326.30	T-13-56-800-020-020 Self Insurance 2020 Hlth/Dntl/Life	PM0398765	
11/04/20	FINANCE	20-00125	32 2020 DELTA DENTAL-NOV03432-1E	3,135.76	T-13-56-800-020-020 Self Insurance 2020 Hlth/Dntl/Life	PM0398327	
			P.O. Total:	16,038.62			

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	FINANCE	19-01982	DIFRA005 DIFRANCESCO BATEMAN KUNZMAN 13 August 2020 Bill, 2019 STC	4,590.00	9-01-20-150-000-503 TA Contract Services Legal	8/31/20	
11/04/20	FINANCE	20-01520	DIFRA005 DIFRANCESCO BATEMAN KUNZMAN 4 July 2020, Tax Boards 2020	5,202.00	0-01-20-150-000-504 TA Tax Appeals Legal Svcs DiFrancesco		
11/04/20	FINANCE	20-01520	5 August 2020 Bill CTB & STC	2,754.00	0-01-20-150-000-504 TA Tax Appeals Legal Svcs DiFrancesco	8-29-20	
P.O. Total:				7,956.00			
11/04/20	FINANCE	20-01135	DIRECTE DIRECT ENERGY BUSINESS 7 614008-29447 384 BROAD ST	39.45	0-01-31-446-000-000 NATURAL GAS	HS02097312	
11/04/20	FINANCE	20-01137	DIRECTE DIRECT ENERGY BUSINESS 7 614008-29449 512 SPRINGFIELD	48.19	0-01-31-446-000-000 NATURAL GAS	HS02097314	
11/04/20	FINANCE	20-01138	DIRECTE DIRECT ENERGY BUSINESS 5 614008-29451 41 CHATHAM RD	19.16	0-01-31-446-000-000 NATURAL GAS	HS02097316	
11/04/20	FINANCE	20-01139	DIRECTE DIRECT ENERGY BUSINESS 7 614008-29453 41 CHATHAM RD	1.64	0-01-31-446-000-000 NATURAL GAS	HS02097318	
11/04/20	FINANCE	20-01140	DIRECTE DIRECT ENERGY BUSINESS 6 614008-29454 75 MAPLE ST	23.01	0-01-29-390-000-415 Library Plant Operation & Maintenance	HS02097319	
11/04/20	FINANCE	20-01141	DIRECTE DIRECT ENERGY BUSINESS 7 614008-29455 BUTLER PARKWAY	41.10	0-01-31-446-000-000 NATURAL GAS	HS02097320	
11/04/20	FINANCE	20-01563	DIRECTE DIRECT ENERGY BUSINESS 6 614008-29452 100 ASHWOOD AVE	24.14	0-01-31-446-000-000 NATURAL GAS	HS02097317	
11/04/20	FINANCE	20-00126	FLAGSH50 FLAGSHIP DENTAL PLANS 12 2020 FLAGSHIP DENTAL-NOVEMBER	302.03	T-13-56-800-020-020 Self Insurance 2020 Hlth/Dntl/Life	131674	
11/04/20	FINANCE	20-00363	GREATAME GREATAMERICA FINANCIAL 11 DATA PAC CURVE POSTAGE SYSTEM	500.00	0-01-20-100-002-203 Postage Machine Lease	28048548	
11/04/20	FINANCE	20-00332	JCPL0050 JCP&L 10 100034766954 BANK STREET	381.40	0-01-31-430-000-100 Electricity	95626244273	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	FINANCE	20-00335	JCPL0050 JCP&L 11 100005845316 CITY HALL	1,415.49	0-01-31-435-000-000 STREET LIGHTING	95366516930	
11/04/20	FINANCE	20-00502	JCPL0050 JCP&L 9 100111640320 80 BUTLER SHACK	57.62	0-01-31-430-000-100 Electricity	95626244322	
11/04/20	FINANCE	20-00503	JCPL0050 JCP&L 9 100113540429 NEW ENGLAND	59.72	0-01-31-430-000-100 Electricity	95626244324	
11/04/20	FINANCE	20-00504	JCPL0050 JCP&L 9 100103385231 5 MYRTLE	11.96	0-01-31-430-000-100 Electricity	95626244318	
11/04/20	FINANCE	20-00505	JCPL0050 JCP&L 9 100 124 583 210 40 NEW PROV RD	16.53	0-01-31-430-000-100 Electricity	95626244331	
11/04/20	FINANCE	20-00506	JCPL0050 JCP&L 9 100064741067 MORRIS & MAPLE	29.45	0-01-31-430-000-100 Electricity	95626244295	
11/04/20	FINANCE	20-00509	JCPL0050 JCP&L 9 100064741042 MORRIS & BROAD	74.76	0-01-31-430-000-100 Electricity	95626244293	
11/04/20	FINANCE	20-00510	JCPL0050 JCP&L 9 100064741059 MORRIS & PROSPECT	70.59	0-01-31-430-000-100 Electricity	95626244294	
11/04/20	FINANCE	20-00511	JCPL0050 JCP&L 9 100064737099 MORRIS & KENT	74.27	0-01-31-430-000-100 Electricity	95626244290	
11/04/20	FINANCE	20-00512	JCPL0050 JCP&L 9 100064738915 MORRIS & GLENSIDE	61.74	0-01-31-430-000-100 Electricity	95626244291	
11/04/20	FINANCE	20-00513	JCPL0050 JCP&L 9 100138516024 SUMMIT SHELL 7-11	104.48	0-01-31-430-000-100 Electricity	95626244337	
11/04/20	FINANCE	20-00514	JCPL0050 JCP&L 9 100050758117 BROAD STREET	77.29	0-01-31-430-000-100 Electricity	95626244281	
11/04/20	FINANCE	20-00515	JCPL0050 JCP&L 9 100048610792 41 CHATHAM	13,902.16	0-01-31-430-000-100 Electricity	95626244278	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	FINANCE	20-00517	JCPL0050 JCP&L 9 100034766905 905 UNION AVE	368.80	0-01-31-430-000-100 Electricity	95626244272	
11/04/20	FINANCE	20-00524	JCPL0050 JCP&L 9 100114917170 SHUNPIKE ROAD	73.42	0-01-31-430-000-100 Electricity	95576302933	
11/04/20	FINANCE	20-00525	JCPL0050 JCP&L 9 100101541801 0 SPRINGFIELD	77.39	0-01-31-430-000-100 Electricity	95626244316	
11/04/20	FINANCE	20-00526	JCPL0050 JCP&L 9 100105977803 59-63 BROAD	25.22	0-01-31-430-000-100 Electricity	95576302927	
11/04/20	FINANCE	20-00527	JCPL0050 JCP&L 9 100064738881 MORRIS & RIVER	64.47	0-01-31-430-000-100 Electricity	95576302918	
11/04/20	FINANCE	20-00530	JCPL0050 JCP&L 9 100064737081 MORRIS & LAFAYET	68.04	0-01-31-430-000-100 Electricity	95576302917	
11/04/20	FINANCE	20-00692	JCPL0050 JCP&L 9 100081217810 CLAREMONT CORP	105.96	0-01-31-430-000-100 Electricity	95426450786	
11/04/20	FINANCE	20-00694	JCPL0050 JCP&L 9 100034766962 SPRINGFIELD AVE	451.41	0-01-31-430-000-100 Electricity	95426450765	
11/04/20	FINANCE	20-00699	JCPL0050 JCP&L 8 100052171673 512 SPRINGFIELD	43.92	0-01-31-430-000-100 Electricity	95226874394	
11/04/20	FINANCE	20-00826	JCPL0050 JCP&L 8 100037556253 SPRINGFIELD AVE	116.80	0-01-31-430-000-100 Electricity	95576302909	
11/04/20	FINANCE	20-00827	JCPL0050 JCP&L 6 100064738923 GLENSIDE & BALTUS	70.92	0-01-31-430-000-100 Electricity	95626244292	
11/04/20	FINANCE	20-01127	JCPL0050 JCP&L 6 100113542227 PASSAIC BLK LT 1	51.56	0-01-31-430-000-100 Electricity	95626244325	
11/04/20	FINANCE	20-02366	JCPL0050 JCP&L 2 100140888965 40 NEW PROV AVE	103.53	0-01-31-430-000-100 Electricity	95626244339	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	FINANCE	20-00358	NESTLERR READYREFRESH BY NESTLE 11 0017660366 2019 WATER	399.37	0-01-31-445-000-100 Water	20J0017660366	
11/04/20	FINANCE	20-00467	NJ-AME50 NJ-AMERICAN WATER CO. 9 1018-210023342498 422 SPGFLD	66.48	0-01-31-445-000-100 Water	9/30/2020	
11/04/20	FINANCE	20-00471	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023345237 37 CHATHAM	26.81	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00472	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023345664-13 NEW PROV	201.25	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00475	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023343910- 512 TFS	399.61	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00478	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210028692600 TFS POLICE	670.69	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00479	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023345459 CHATHAM RD	168.19	0-01-31-445-000-100 Water	10/5/20	
11/04/20	FINANCE	20-00480	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023345336 - 41 CHATHAM	90.14	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00481	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210025885632 HYDTS	23,920.00	0-01-25-265-002-000 FIRE HYDRANT SERVICE	10/01/2020	
11/04/20	FINANCE	20-00482	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023342191 GLEN AVE	57.08	0-01-31-445-000-100 Water	10/2/20	
11/04/20	FINANCE	20-00483	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023343828 396 BROAD	266.33	0-01-31-445-000-100 Water	10/02/2020	
11/04/20	FINANCE	20-00701	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023342696 - 25 ELM ST	30.32	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-00702	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023345565 REFUSE TRAS	161.58	0-01-31-445-000-100 Water	10/02/2020	

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11/04/20	FINANCE	20-00704	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023342788 - 25 ELM ST	20.20	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	FINANCE	20-02311	ORIENT50 ORIENTAL TRADING COMPANY, INC. 1 Children's craft supplies	195.27	0-01-29-390-000-227 Library Programming	705696459	
11/04/20	FINANCE	20-02298	PITNEY25 PITNEY BOWES INC 1 supplies, ink toner, sealing	141.53	0-01-29-390-000-222 Library Operations	1016596675	
11/04/20	FINANCE	20-00128	PRUDENTI The Prudential Insurance 12 2020 LIFE INSURANCE NOVEMBER	336.60	T-13-56-800-020-020 Self Insurance 2020 Hlth/Dntl/Life	17162	
11/04/20	FINANCE	20-00357	PSEG1444 PSE&G 20 BILLING STATEMENT FOR 7 ACCTS	410.01	0-01-31-446-000-000 NATURAL GAS	503100078878	
11/04/20	FINANCE	20-00357	21 BILLING STATEMENT FOR LIB ACCT	31.83	0-01-29-390-000-415 Library Plant Operation & Maintenance	503100078878	
P.O. Total:				441.84			
11/04/20	FINANCE	20-00364	SPECT005 SPECTROTEL HOLDING COMPANY LLC 11 ADMIN TELEPHONES 2020 - 338922	7,633.88	0-01-31-440-000-000 TELEPHONE	9909349	
11/04/20	FINANCE	20-00765	STEWART STEWART BUSINESS SYSTEMS LLC 5 Quarterly printers contract	695.70	0-01-55-271-000-004 Library Copy/Printing	IN812513	
11/04/20	FINANCE	20-02304	THELIB33 THE LIBRARY CORPORATION 1 2020 virtual TLCU conference	299.00	0-01-29-390-000-222 Library Operations	65262	
11/04/20	FINANCE	20-02340	USBANKT US BANK cust for TOWER DB VIII 1 REF TSC#18-7 5604/1 REDEMPTION	70,602.28	0-01-55-114-000-000 Redemption of Tax Sale Certificates	7388	
11/04/20	FINANCE	20-02340	2 REF TSC#18-7 5604/1 REDEMPTION	34,100.00	T-03-56-286-000-101 Reserved Tax Sale Premium	7388	
P.O. Total:				104,702.28			
11/04/20	FINANCE	20-01018	VERCONF VERIZON CONFERENCING 8 F1391946	129.40	0-01-31-440-000-000 TELEPHONE	Z7086665	
11/04/20	FINANCE	20-00343	VERIZ408 VERIZON WIRELESS 11 682164944-00001	2,477.52	0-01-31-440-000-000 TELEPHONE	9864903530	

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11/04/20	FINANCE	20-00181	VERIZON1 VERIZON 11 355-470-216-0001-96	180.64	0-01-31-440-000-000 TELEPHONE	10/10/20	
11/04/20	FINANCE	20-00341	VERIZON1 VERIZON 11 654 793 893 0001 16	144.99	0-01-31-440-000-000 TELEPHONE	10/18/20	
11/04/20	FINANCE	20-00342	VERIZON1 VERIZON 11 454 790 548 0001 96	144.99	0-01-31-440-000-000 TELEPHONE	10/20/20	
11/04/20	FINANCE	20-02283	VERIZON1 VERIZON 3 656 381 901 0001 59	115.98	0-01-31-440-000-000 TELEPHONE	10/11/20	
11/04/20	FINANCE	20-02318	WBMASON W.B. MASON CO, INC 1 8 1/2 x 11 white paper - case	2,141.60	0-01-20-100-006-202 Municipal Purchasing Copier Paper/Toner	214895751	
11/04/20	FINANCE	20-02319	WBMASON W.B. MASON CO, INC 1 Document stand SAU22521RZ1	17.99	0-01-20-100-006-201 Municipal Purchasing Office Supplies	214780509	
Total for Batch: FINANCE				209,290.42			
11/04/20	PARKDCP	20-02158	AIMETTEM AIMETTE MAURA 1 REFUND OPEN GYM	100.00	0-28-71-300-GYM RT-RAP OPEN GYM	REFUND 10-6-202	
11/04/20	PARKDCP	20-02315	AMERPOW AMERICAN POWER CLEANING OF NJ 1 SFAC Hood Cleaning	425.00	0-01-28-370-003-402 FAC Building Maintenance	2130	
11/04/20	PARKDCP	20-02015	BOLANOSK BOLANOS, KEMBLY 1 REFUND OPEN GYM	40.00	0-28-71-300-GYM RT-RAP OPEN GYM	REFUND 9/22/20	
11/04/20	PARKDCP	20-00678	BUY-WI50 BUY-WISE AUTO PARTS 3 10HZ3112 Oespectrum Light Truc	48.84	0-01-28-370-005-405 CP Vehicle Maintenance	10HZ3112	
11/04/20	PARKDCP	20-00678	4 10HZ2358 Oespectrum Light truc	105.32	0-01-28-370-005-405 CP Vehicle Maintenance	10HZ2358	
11/04/20	PARKDCP	20-00678	5 10HZ2358 wix Cartridge Lube	6.43	0-01-28-370-005-405 CP Vehicle Maintenance	10HZ2358	
11/04/20	PARKDCP	20-00678	6 10HZ3118 wheel Nut	20.80	0-01-28-370-005-405 CP Vehicle Maintenance	10HZ3118	
11/04/20	PARKDCP	20-00678	7 10HZ4967 Reflex Monotube Schoc	114.88	0-01-28-370-005-405 CP Vehicle Maintenance	10HZ4967	
11/04/20	PARKDCP	20-00678	8 10IA1222 Serrated wheel	5.22	0-01-28-370-005-405 CP Vehicle Maintenance	10IA1222	
11/04/20	PARKDCP	20-00678	9 10HZ5117 Reflex Monotube Shock	120.26	0-01-28-370-005-405	10HZ5117	

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11/04/20	PARKDCP	20-00678	10 10HZ2766 wheel Nut Dometop	31.20	CP Vehicle Maintenance 0-01-28-370-005-405	10HZ2766	
11/04/20	PARKDCP	20-00678	11 10HZ4783 Serrated wheel	9.50	CP Vehicle Maintenance 0-01-28-370-005-405	10HZ4783	
11/04/20	PARKDCP	20-00678	12 10IB7416 15" Metal Wiper Blade	5.98	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7416	
11/04/20	PARKDCP	20-00678	13 10IB7416 Pronto Full Synthetic	19.56	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7416	
11/04/20	PARKDCP	20-00678	14 10IB7416 Wix Cartridge Lube	6.43	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7416	
11/04/20	PARKDCP	20-00678	15 10IB7415 22" Trico Ice Winter	16.98	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7415	
11/04/20	PARKDCP	20-00678	16 10IB7405 Kit Element & Gasket	2.59	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7405	
11/04/20	PARKDCP	20-00678	17 10IB7405 Pronto 5W20 Synthetic	12.40	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7405	
11/04/20	PARKDCP	20-00678	18 10IB7406 Pronto 5W20 Synthetic	14.88	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7406	
11/04/20	PARKDCP	20-00678	19 10IB7406 Wix Spin-On Lube Filt	7.25	CP Vehicle Maintenance 0-01-28-370-005-405	10IB7406	
P.O. Total:				548.52			
11/04/20	PARKDCP	20-02257	CANAVOSI CANAVOSIO, CAROLINA 1 2020 Soccer Referee Payment	200.00	0-28-71-300-SOC-PGM RT-RAP Soccer	2020 REFEREE PY	
11/04/20	PARKDCP	20-00070	CANONB66 CANON BUSINESS SOLUTIONS-EAST 9 copier fees Contract#2049886	15.55	0-09-55-502-001-201 Parking Supplies and Materials	4034028944	
11/04/20	PARKDCP	20-00072	CANONB66 CANON BUSINESS SOLUTIONS-EAST 13 4034282169 Maint. 9/16-10/15	195.66	0-01-28-370-002-201 Golf Supplies and Materials	4034282169	
11/04/20	PARKDCP	20-02184	CULLENAN CULLEN, ANTHONY 1 2020 Soccer Referee Payment	220.00	0-28-71-300-SOC-PGM RT-RAP Soccer	2020 REFEREE	
11/04/20	PARKDCP	20-02148	DARCYPAT DARCY, PATRICK J. 1 REFUND SOCCER/ FIELD USER FEE	125.00	0-28-71-300-SOC RT-RAP Soccer	REFUND 10/6/20	
11/04/20	PARKDCP	20-02148	2 REFUND SOCCER/ FIELD USER FEE	20.00	0-28-72-400-FUF RT-Field User Fees	REFUND 10/6/20	
P.O. Total:				145.00			
11/04/20	PARKDCP	20-02153	FELTISP FELTIS PETER 1 REFUND FOUNDATION TENNIS	165.00	0-28-71-300-ACT RT-RAP Programs - Active Activities	REFUND 10/6/20	

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11/04/20	PARKDCP	20-02195	GMFENC50 GM FENCE 1 Remove & Install Fencing	800.00	0-01-28-370-002-204 Golf Grounds Maintenance Materials	2693	
11/04/20	PARKDCP	20-02261	HADINGHA HADINGHAM, LISBETH 1 REFUND SOCCER/USER FEES	125.00	0-28-71-300-SOC RT-RAP Soccer	REFUND 10/20/20	
11/04/20	PARKDCP	20-02261	2 REFUND SOCCER/USER FEES	20.00	0-28-72-400-FUF RT-Field User Fees	REFUND 10/20/20	
P.O. Total:				145.00			
11/04/20	PARKDCP	20-02191	HIESENER HIESENER, JAMES 1 2020 Soccer Referee Payment	140.00	0-28-71-300-SOC-PGM RT-RAP Soccer	2020 REFEREE	
11/04/20	PARKDCP	20-00077	INTEGRTS INTEGRATED TECHNICAL SYSTEMS 9 september digital iris fees	4,140.00	0-09-55-502-001-310 Parking Electronic Costs	IN29623	
11/04/20	PARKDCP	20-02291	INTERCOU INTERCOUNTY YOUTH SOCCER 1 2020 ICYSL Team Registration	700.00	0-28-71-300-SOC-PGM RT-RAP Soccer	46	
11/04/20	PARKDCP	20-00521	JCPL0050 JCP&L 10 100115346619 22 DEFOREST	128.54	0-09-55-502-001-204 Parking Supplies - DeForest Avenue	95576302934	
11/04/20	PARKDCP	20-00523	JCPL0050 JCP&L 10 100112084254 4 DEFOREST	113.28	0-09-55-502-001-204 Parking Supplies - DeForest Avenue	95576302931	
11/04/20	PARKDCP	20-00695	JCPL0050 JCP&L 9 100051492492 MORRIS AVE LOT	66.30	0-09-55-502-001-520 Parking Electricity	95426450775	
11/04/20	PARKDCP	20-02037	JONESJU JONES, JULIE 1 REFUND FOOTBALL PROGRAM	90.00	0-28-71-300-FTB RT-RAP Football Programs	REFUND 9/22/20	
11/04/20	PARKDCP	20-01955	METROPRI METRO PRINTING AND PROMOTIONS 1 Football T-Shirts	2,664.00	0-28-71-300-FTB-PGM RT-RAP Football Programs	8997	
11/04/20	PARKDCP	20-02138	METROPRI METRO PRINTING AND PROMOTIONS 1 T-Shirts Youth	141.55	0-28-71-300-CHR-LDG RT-RAP Cheerleading	9204	
11/04/20	PARKDCP	20-02138	2 T-Shirts Adults	30.00	0-28-71-300-CHR-LDG RT-RAP Cheerleading	9204	
11/04/20	PARKDCP	20-02138	3 Hoodies - Youth	407.55	0-28-71-300-CHR-LDG RT-RAP Cheerleading	9204	
11/04/20	PARKDCP	20-02138	4 Hoodies - Adults	106.00	0-28-71-300-CHR-LDG	9204	

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P.O. Total:				685.10	RT-RAP Cheerleading		
11/04/20	PARKDCP	20-02029	MUELLERS MUELLER, SUZI 1 REFUND FOOTBALL PROGRAM	90.00	0-28-71-300-FTB RT-RAP Football Programs	REFUND 9-22-20	
11/04/20	PARKDCP	20-02051	NATSEC50 NATIONAL SECURITY ASSURANCE 1 Employee Background checks	39.90	0-01-28-370-005-201 CP Supplies and Materials	3808	
11/04/20	PARKDCP	20-00359	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023343187 85 LARNED RD	207.86	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-00473	NJ-AME50 NJ-AMERICAN WATER CO. 8 1018-210023345862 HILLVIEW TER	57.08	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-00474	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023344029 80 BUTLER	123.20	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-00700	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210027063599 683 SPRNGFLD	492.18	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-00705	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210024652549 85 LARNED IR	1,708.74	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-00706	NJ-AME50 NJ-AMERICAN WATER CO. 10 1018-210023002769 4 MORRIS CT	399.61	0-01-31-445-000-100 Water	10/2/2020	
11/04/20	PARKDCP	20-02365	NJRPA066 NJRPA 1 Fall Workshop	80.00	0-01-28-370-005-804 CP Training Seminars Meetings	03204	
11/04/20	PARKDCP	20-00080	NJTRAN50 NJ TRANSIT 4 3RD QTR PARK & RAIL LOT	4,229.89	0-09-55-502-001-507 Parking Rent	3RD QTR	
11/04/20	PARKDCP	20-01390	POWERP50 POWER PLACE INC 1 SR 200 Backpack Sprayer	315.96	0-01-28-370-003-203 FAC Equipment Maintenance Supplies	932678	
11/04/20	PARKDCP	20-02338	QUALIT75 QUALITY REFRIGERATION 1 Winterize Ice Machine SFAC	215.99	0-01-28-370-003-402 FAC Building Maintenance	D055062	

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11/04/20	PARKDCP	20-02027	RENDET RENDE, THOMAS 1 REFUND FOOTBALL PROGRAM	90.00	0-28-71-300-FTB RT-RAP Football Programs	REFUND 9/22/20	
11/04/20	PARKDCP	20-02353	RUTGER28 RUTGERS STATE UNIVERSITY 1 Ethics in Pulic Relations	795.00	0-01-28-370-005-804 CP Training Seminars Meetings	3322	
11/04/20	PARKDCP	20-02353	2 Writing in Public Relations	795.00	0-01-28-370-005-804 CP Training Seminars Meetings	3322	
			P.O. Total:	1,590.00			
11/04/20	PARKDCP	20-02154	SKELLYA SKELLY, AMANDA 1 REFUND FOOTBALL/FIELD USER FEE	250.00	0-28-71-300-FTB RT-RAP Football Programs	REFUND 10/6/20	
11/04/20	PARKDCP	20-02154	2 REFUND FOOTBALL/FIELD USER FEE	20.00	0-28-72-400-FUF RT-Field User Fees	REFUND 10/6/20	
			P.O. Total:	270.00			
11/04/20	PARKDCP	20-00087	SMALLWOO SMALLWOOD FINANCIAL GROUP LLC 9 Time & Attendance August	167.75	0-09-55-502-001-700 Parking Equipment	1156	
11/04/20	PARKDCP	20-02156	STEINELR STEINEL, RORY 1 REFUND FOUNDATION TENNIS	165.00	0-28-71-300-ACT RT-RAP Programs - Active Activities	REFUND 10/6/202	
11/04/20	PARKDCP	20-02329	SUMMIT40 SUMMIT IND. HARDWARE 1 743074 Single Cut Key	8.00	0-01-28-370-005-201 CP Supplies and Materials	743074	
11/04/20	PARKDCP	20-02294	TAYLOR20 TAYLOR RENTAL CENTER 1 Generator Rental	251.00	0-01-28-370-005-808 CP Personal Expenses	202087-1	
11/04/20	PARKDCP	20-01997	TRUGRE50 TRUGREEN LIMITED PARTNERSHIP 2 Memorial Athletic Field Lawn	442.96	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	3 Memorial Athletic Fall Aeratio	2,244.07	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	4 Memorial Athletic Top Dressing	10,560.00	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	5 Memorial Athletic Slit Seeding	2,925.65	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	6 Memorial Common Areas Lawn Ser	517.36	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	7 Tatlock Practice Field Lawn	53.04	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	8 Tatlock Practice Field Aeratio	268.00	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	
11/04/20	PARKDCP	20-01997	9 Tatlock Complex Lawn	142.60	0-28-72-400-FUF-EXP Field User Fees Expenditures	7001718234	

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11/04/20	PARKDCP	20-01997	10 Long Field Lawn	53.73	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
11/04/20	PARKDCP	20-01997	11 Long Field Fall Aeration	272.22	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
11/04/20	PARKDCP	20-01997	12 Wilson Field Lawn	155.00	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
11/04/20	PARKDCP	20-01997	13 Wilson Field Fall Aeration	785.25	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
11/04/20	PARKDCP	20-01997	14 Wilson Field Top Dressing	3,520.00	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
11/04/20	PARKDCP	20-01997	15 Wilson Field Fall slit Seeding	1,023.75	Field User Fees Expenditures 0-28-72-400-FUF-EXP	7001718234	
P.O. Total:				22,963.63			
11/04/20	PARKDCP	20-02284	ULINE ULINE 1 PEDESTRIAN BARRIERS DOWNTOWN	2,920.99	C-04-30-080-00A-010 3080 SID Various Improvements	123200179	
11/04/20	PARKDCP	20-00101	VERIZ408 VERIZON WIRELESS 10 Digital Pay Station Modems	2,538.87	0-09-55-502-001-310 Parking Electronic Costs	9863499384	
11/04/20	PARKDCP	20-02157	WAXMANST WAXMAN, STEPHEN 1 REFUND FENCING	190.00	0-28-71-300-ACT RT-RAP Programs - Active Activities	REFUND 10/6/20	
11/04/20	PARKDCP	20-00102	WBMASON W.B. MASON CO, INC 53 toner S107446847	66.28	0-09-55-502-001-201 Parking Supplies and Materials	213952856	
11/04/20	PARKDCP	20-00102	54 toner	106.98	0-09-55-502-001-201 Parking Supplies and Materials	213952856	
11/04/20	PARKDCP	20-00102	55 credit number CR8378808	156.41	0-09-55-502-001-201 Parking Supplies and Materials	CR8378808	
P.O. Total:				16.85			
11/04/20	PARKDCP	20-02391	WITTEK50 WITTEK GOLF SUPPLY & EAGLE ONE 1 64725 Missed shipping Cost	23.07	0-28-72-400-FUF-EXP Field User Fees Expenditures	INV64725	
11/04/20	PARKDCP	20-02022	ZACHARIR ZACHARIAS, REBECCA 1 REFUND MULTI SPORTS	323.80	0-28-71-300-SPT RT-RAP Programs - Contracted Sports	REFUND 9/22/20	
Total for Batch: PARKDCP				51,206.32			
11/04/20	SAFETY	20-02334	APPROV33 APPROVED FIRE PROTECTION CO 1 Fire Extinguisher Recharge	323.78	0-01-25-240-000-500 POL Contract Svcs	IN00049363	

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11/04/20	SAFETY	20-02236	AXONENTE AXON ENTERPRISE INC 1 AXON BWC Year 2	6,052.00	0-01-25-240-000-500 POL Contract Svcs	SI-1682942	
11/04/20	SAFETY	20-02230	BOBSAU50 BOB'S AUTO TOP 1 REBUILD SEAT PADS & RECOVER	300.00	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	000340	
11/04/20	SAFETY	20-00219	CAMPBE40 CAMPBELL SUPPLY CO LLC 11 Repair starting issue Eng 3	1,007.70	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	R112004671:01	
11/04/20	SAFETY	20-00285	CANONFIN CANON FINANCIAL SERVICES INC 4 Quarterly Billing Cycle	1,443.00	0-01-25-240-000-500 POL Contract Svcs	21997518	
11/04/20	SAFETY	20-00273	CHATNAPA CHATHAM NAPA 19 HALOGEN SEALED BEAMS - ENG 2	14.29	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	809013	
11/04/20	SAFETY	20-00273	20 HALOGEN SEALED BEAMS	10.59	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	809013	
P.O. Total:				24.88			
11/04/20	SAFETY	20-02222	CRYSTALS CRYSTAL SPRINGS 1 WATER DEL # 735288216765992	382.60	0-01-25-265-000-500 Fire Contract Services	16765992 092520	
11/04/20	SAFETY	20-00289	CSITECHN CSI TECHNOLOGY GROUP 4 Quarterly Billing: 7/1-9/30	699.00	0-01-25-240-000-505 POL Technology - E Ticketing	00805	
11/04/20	SAFETY	20-00280	DETEERR50 DETERRENT TECHNOLOGIES INC 5 Quarterly Billing- Security	2,075.00	0-01-25-240-000-500 POL Contract Svcs	78051	
11/04/20	SAFETY	20-02265	FRASSO50 F R ASSOCIATES 1 2021 Maintenance Contract	1,300.00	T-12-56-800-000-001 Animal Control	13031-B	
11/04/20	SAFETY	20-00507	JCPL0050 JCP&L 9 100064741075 MORRIS & SUMMIT	83.30	0-01-31-430-000-100 Electricity	95626244296	
11/04/20	SAFETY	20-00520	JCPL0050 JCP&L 9 100120395478 DEFOREST & MAPLE	73.71	0-01-31-430-000-100 Electricity	95576302938	
11/04/20	SAFETY	20-00522	JCPL0050 JCP&L 9 100120325970 DEFOREST & WOODLD	127.80	0-01-31-430-000-100 Electricity	95576302937	

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11/04/20	SAFETY	20-00528	JCPL0050 JCP&L 9 100064738899 MORRIS & ORCHARD	70.12	0-01-31-430-000-100 Electricity	95576302919	
11/04/20	SAFETY	20-02281	LUTHER LUTHER, DANIELLE 1 CANON TONER FOR PRINTER	34.99	0-01-25-240-000-201 POL Supplies and Materials	9/4/20	
11/04/20	SAFETY	20-02089	MOTOROLS MOTOROLA SOLUTIONS INC 1 PORTABLE RADIO REPLACEMENT	3,360.00	C-04-31-041-00B-420 3141B FD Rpl & Upgd Recall	16123080 Radio/Pagers	
11/04/20	SAFETY	20-00063	NESTLERR READYREFRESH BY NESTLE 8 Bottled water service	35.92	0-01-27-330-000-300 BOH Office Services	00J0448296178	
11/04/20	SAFETY	20-02142	NEWJER36 NEW JERSEY FIRE EQUIPMENT COMP 1 RANGER RUBBER VOL FF BOOTS	220.00	0-01-25-265-000-803 Fire Clothing Allowance	64636	
11/04/20	SAFETY	20-02226	NEWJER36 NEW JERSEY FIRE EQUIPMENT COMP 1 SCOTT AIR CYLINDER REPAIR	495.10	0-01-25-265-000-700 Fire Equipment	107782	
11/04/20	SAFETY	20-02301	PRINTME PRINT MEDIA LLC 1 CPU Magnets- Police Cars	276.00	0-01-25-240-000-502 POL Community Policing	22347	
11/04/20	SAFETY	20-02232	READSAUT READ'S AUTO PARTS CO INC 1 35 LB CRIMSON 2 GRS	96.99	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	809470	
11/04/20	SAFETY	20-02292	READSAUT READ'S AUTO PARTS CO INC 1 NAPAGOLD FUEL FILER	33.49	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	808042	
11/04/20	SAFETY	20-02250	RUSHIMPR RUSH IMPRINT 1 CPU Giveaways Program	2,705.85	0-01-25-240-000-502 POL Community Policing	PSI21082567	
11/04/20	SAFETY	20-02091	STATEL50 STATE LINE FIRE & SAFETY INC 1 REPAIR OF HURST S700 EDRAULIC	873.00	0-01-25-265-000-700 Fire Equipment	124412	
11/04/20	SAFETY	20-00459	SUMMIT40 SUMMIT IND. HARDWARE 83 BOLTS & NUTS	1.50	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	739010/ 739428	
11/04/20	SAFETY	20-00459	84 MM 3/8X1-7/8 MAG SETTER	3.90	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	739010/ 739428	
11/04/20	SAFETY	20-00459	85 INLINE MINI FUSE HOLDER	4.41	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	739010/ 739428	
11/04/20	SAFETY	20-00459	86 5 PK 5A MINI AUTO FUSE	3.39	0-01-25-265-000-705 Fire Trucks (Vehicle Maintenance)	739010/ 739428	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	SAFETY	20-00459	87 COLORED FLOOD RED	43.32	Fire Trucks (Vehicle Maintenance) 0-01-25-265-000-705	739010/ 739428	
11/04/20	SAFETY	20-00459	88 HAY-CALL MAN AT 12PCS LEFT	11.04	Fire Trucks (Vehicle Maintenance) 0-01-25-265-000-705	739010/ 739428	
11/04/20	SAFETY	20-00459	89 35FT GREEN MULTI END CORD	19.54	Fire Trucks (Vehicle Maintenance) 0-01-25-265-000-201	732553/734925	
11/04/20	SAFETY	20-00459	90 8 FT MULTI END CORD GREEN	9.34	Fire Supplies and Materials 0-01-25-265-000-201	732553/734925	
11/04/20	SAFETY	20-00459	91 ME WHT 6 OUT SURGE STRIP	39.08	Fire Supplies and Materials 0-01-25-265-000-201	732553/734925	
11/04/20	SAFETY	20-00459	92 HD SATIN CROME HOOK	7.90	Fire Supplies and Materials 0-01-25-265-000-201	732553/734925	
11/04/20	SAFETY	20-00459	93	0.00	Fire Supplies and Materials 0-01-25-265-000-201	732553/734925	
11/04/20	SAFETY	20-00459	94 11-921 5PK KNIFE BLADE	2.54	Fire Supplies and Materials 0-01-25-265-000-402	740915/741551	
11/04/20	SAFETY	20-00459	95 1/4" NPTF M COUPLER	6.79	Fire Building Maintenance 0-01-25-265-000-700	740915/741551	
11/04/20	SAFETY	20-00459	96 L110R SAWZALL BLADES	35.64	Fire Equipment 0-01-25-265-000-700	740915/741551	
11/04/20	SAFETY	20-00459	97 9" ST MTL RECIP BLADE	37.38	Fire Equipment 0-01-25-265-000-700	740915/741551	
11/04/20	SAFETY	20-00459	98 SWSALL BLADES - 6"	25.48	Fire Equipment 0-01-25-265-000-700	740915/741551	
11/04/20	SAFETY	20-00459	99 12" 8T MTL RECIP BLADE	50.98	Fire Equipment 0-01-25-265-000-700	740915/741551	
11/04/20	SAFETY	20-00459	100 5 PK LENOX 818 GOLD BLADES	25.49	Fire Equipment 0-01-25-265-000-700	740915/741551	
P.O. Total:				327.72			
11/04/20	SAFETY	20-00284	TRANSUNR TRANSUNION RISK & ALTERNATIVE 6 Transunion Risk- Software (DB)	175.00	0-01-25-240-000-500 POL Contract Svcs	259074-202009-1	
11/04/20	SAFETY	20-00293	TRIANG50 TRIANGLE COMMUNICATIONS, LLC 4 T1 Radio Repairs	163.09	0-01-25-240-000-703 POL Vehicle Maintenance	22031	
11/04/20	SAFETY	20-00340	VERIZON1 VERIZON 11 552 031 077 0001 95 FD	126.99	0-01-31-440-000-000 TELEPHONE	10/9/20	
11/04/20	SAFETY	20-00216	WBMASON W.B. MASON CO, INC 11 FLAGSHIP COPY PAPER 8 1/2 x 11	218.82	0-01-25-265-000-201 Fire Supplies and Materials	214070213	
11/04/20	SAFETY	20-00216	12 PILOT G2 GEL RETRACTABLE PENS	70.88	0-01-25-265-000-201 Fire Supplies and Materials	214070213	
11/04/20	SAFETY	20-00216	13 READ RIGHT DUST FREE MULTIPURP	64.70	0-01-25-265-000-201 Fire Supplies and Materials	214070213	
11/04/20	SAFETY	20-00216	14 SMEAD SUPER TAB POCKET FOLDERS	87.86	0-01-25-265-000-201	214070213	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
P.O. Total:				442.26	Fire Supplies and Materials		
11/04/20	SAFETY	20-00062	XEROXC33 XEROX CORPORATION 11 Sept. 2020 base chg# 011440223	159.69	0-01-27-330-000-500 BOH Contract Svcs	011440223	
Total for Batch: SAFETY				23,488.98			
11/04/20	WORKS	20-00025	ARMPCO50 ARMPCO OFFICE MACHINES, INC. 10 METER READING	49.19	0-01-32-465-000-701 CS Equipment	IN19015	
11/04/20	WORKS	20-00042	CANONB66 CANON BUSINESS SOLUTIONS-EAST 11 COPIER MAINTENANCE	68.99	0-01-32-465-000-201 CS Supplies and Materials	4034012338	
11/04/20	WORKS	20-02276	CANONB66 CANON BUSINESS SOLUTIONS-EAST 2 COPIER MAINTENANCE	80.00	0-01-32-465-000-701 CS Equipment	122260437	
11/04/20	WORKS	20-00048	CHATHA40 CHATHAM LAWMOWER SERVICE, INC 19 PLUG	2.58	0-01-28-375-000-204 P&ST Grounds Maintenance Materials	14435	
11/04/20	WORKS	20-00048	20 STOP BUFFER	1.29	0-01-28-375-000-204 P&ST Grounds Maintenance Materials	14435	
11/04/20	WORKS	20-00048	21 LABOR	25.00	0-01-28-375-000-204 P&ST Grounds Maintenance Materials	14435	
11/04/20	WORKS	20-00048	23 STIHL SUPPLIES	914.84	C-04-31-066-00C-320 3166C DCS Replace 4WD Turf Utl Veh w/Plw	191216	
P.O. Total:				943.71			
11/04/20	WORKS	20-01588	CIFELL50 CIFELLI & SON GENERAL CONTRACT 2 Ashland/Elm Intersect Imp Prj	20,000.00	C-04-32-013-00E-120 3213E Elm Place Improvements	1015202	
11/04/20	WORKS	20-02390	CLEAR005 CLEARY GIACOBBE ALFIERI & 1 146 Morris Escrow Settlement	16,000.00	T-19-56-800-000-001 Affordable Housing Trust Fund	146 MORRIS ESCR	
11/04/20	WORKS	20-01299	COLLIN33 COLLINE BROS LOCK&SAFE CO LLC 5 DEADBOLT	85.60	0-01-26-310-000-419 PB&G Repairs - 5 Myrtle Ave Cornog Bldg	129562	
11/04/20	WORKS	20-02114	COOPEREL COOPER ELECTRIC SUPPLY CO 1 BREAKERS	30.24	0-01-26-310-000-411 PB&G Repairs - 41 Chatham Rd City Garage	S041780828.001	
11/04/20	WORKS	20-01776	CRYSTALS CRYSTAL SPRINGS 2 5 Gal Spring Water Bottle	32.00	0-01-32-465-000-201	20622866 082120	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	WORKS	20-01776	3 7oz Plastic cups	8.97	CS Supplies and Materials 0-01-32-465-000-201	20622866 082120	
11/04/20	WORKS	20-01776	4 5G Spring Water	48.00	CS Supplies and Materials 0-01-32-465-000-201	20622866092120	
11/04/20	WORKS	20-01776	5 7oz Plastic Cups	8.97	CS Supplies and Materials 0-01-32-465-000-201	20622866092120	
11/04/20	WORKS	20-01776	6 Water Cooler Rental	1.99	CS Supplies and Materials 0-01-32-465-000-201	20622866 082120	
P.O. Total:				99.93	CS Supplies and Materials		
11/04/20	WORKS	20-01638	DREYER50 DREYER'S LUMBER & HARDWARE INC 45 BOLLARDS	1,375.00	C-04-31-091-00A-580 3191A DCS Transfer Stat Remed/Redev LSRP	672424	
11/04/20	WORKS	20-01638	46 PRIVACY DOOR HARDWARE	67.30	C-04-31-091-00A-580 3191A DCS Transfer Stat Remed/Redev LSRP	716095	
11/04/20	WORKS	20-01638	48 20LB PROPANE FILL #25	25.00	0-01-26-290-000-201 RRM Supplies	716200	
11/04/20	WORKS	20-01638	49 KEYS & SPRAY BOTTLE	17.93	C-04-31-091-00A-580 3191A DCS Transfer Stat Remed/Redev LSRP	716295	
11/04/20	WORKS	20-01638	50 AZEK & STAINLESS SCREWS	207.82	C-04-31-091-00A-580 3191A DCS Transfer Stat Remed/Redev LSRP	716329	
P.O. Total:				1,693.05			
11/04/20	WORKS	20-00463	ENVIRO44 ENVIRONMENTAL RENEWAL, L.L.C. 10 DISPOSAL CHARGES	150.00	0-01-26-308-000-200 Disposal Charges	304108	
11/04/20	WORKS	20-00167	FINCHFUE FINCH FUEL OIL CO INC 26 #2 FUEL OIL	70.44	0-01-31-447-000-000 HEATING OIL	52304	
11/04/20	WORKS	20-00167	27 FED LUST TAX	0.05	0-01-31-447-000-000 HEATING OIL	52304	
11/04/20	WORKS	20-00167	28 #2 FUEL OIL	104.30	0-01-31-447-000-000 HEATING OIL	52303	
11/04/20	WORKS	20-00167	29 FED LUST TAX	0.08	0-01-31-447-000-000 HEATING OIL	52303	
P.O. Total:				174.87			
11/04/20	WORKS	20-00123	FLOORMAT FLOOR MAT MANAGEMENT, INC 15 FLOOR MAT SERV	292.00	0-01-26-310-000-502 PB&G City Hall Maintenance Contracts	4696	
11/04/20	WORKS	20-00127	FOLEY150 FOLEY INCORPORATED 18 Hinge	35.82	0-01-26-315-000-609 Garage RPST Equipment Maintenance	4235046	
11/04/20	WORKS	20-00127	19 Hinge	35.10	0-01-26-315-000-609 Garage RPST Equipment Maintenance	4235046	
11/04/20	WORKS	20-00127	20 Glass	194.46	0-01-26-315-000-609	4235044	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	WORKS	20-00127	21 Glass-RH	369.51	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	22 Black Adhesive	41.50	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	23 Retainer	10.42	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	24 Handle	16.03	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	25 Retainer	7.62	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	26 Washer	15.36	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	27 Bolt	1.20	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	28 Spacer-glass	14.16	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
11/04/20	WORKS	20-00127	29 Latch AS-B	75.15	Garage RPST Equipment Maintenance 0-01-26-315-000-609	4235044	
P.O. Total:				816.33			
GIORDANO GIORDANO COMPANY INC							
11/04/20	WORKS	20-00465	52 DISPOSAL SEPT	101.25	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	53 DISPOSAL	59.00	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	54 DISPOSAL	53.00	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	55 DISPOSAL	135.50	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	56 DISPOSAL	85.50	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	57 DISPOSAL	115.20	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	58 DISPOSAL	125.60	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	59 DISPOSAL	39.00	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	60 DISPOSAL	25.75	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	61 DISPOSAL	34.00	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	62 DISPOSAL	38.25	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	63 DISPOSAL	16.50	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	64 DISPOSAL	340.50	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	65 DISPOSAL	196.50	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-00465	66 DISPOSAL	192.00	0-01-26-308-000-200 Disposal Charges	81895	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	WORKS	20-00465	67 DISPOSAL	96.75	Disposal Charges 0-01-26-308-000-200	81895	
11/04/20	WORKS	20-00465	68 DISPOSAL	141.00	Disposal Charges 0-01-26-308-000-200	81895	
P.O. Total:				1,795.30	Disposal Charges		
11/04/20	WORKS	20-01321	GIORDANO GIORDANO COMPANY INC 5 HAULING SEPT	1,900.00	0-01-26-308-000-200 Disposal Charges	81895	
11/04/20	WORKS	20-01993	HERBERTL HERBERT LUTZ & CO INC 1 SPILL BUCKET REPLACEMENT	2,450.00	0-01-26-315-000-700 Garage Fuel System Equipment Maintenance	8604	
11/04/20	WORKS	20-01639	HOMED33 HOME DEPOT CREDIT SRVCS (DCS) 13 CEILING FANS	596.00	C-04-31-091-00A-570 3191A DSC Transfer Station Bldg Mntn	9043741	
11/04/20	WORKS	20-01639	15 MICROFIBER MOP HEADS	148.95	0-01-26-310-000-418 PB&G Repairs - 100 Morris Ave Comm Cntr	1120093	
11/04/20	WORKS	20-01639	16 FIRE EXTINGUISHER	69.97	C-04-31-091-00A-570 3191A DSC Transfer Station Bldg Mntn	9043742	
11/04/20	WORKS	20-01639	18 ARLO SECURITY CAMER'S	349.99	C-04-31-091-00A-580 3191A DCS Transfer Stat Remed/Redev LSRP	4696521	
P.O. Total:				1,164.91			
11/04/20	WORKS	20-02129	JCALDWEL J CALDWELL & ASSOCIATES LLC 2 ZONING/LAND SERVICES	3,005.00	0-01-21-180-000-510 MLU Planner Services	INV02977	
11/04/20	WORKS	20-00331	JCPL0050 JCP&L 9 100005626567 CONSTANTINE PUMP	4,112.49	0-07-55-502-004-601 Sewer Operating Pumps Electricity	10/19/20	
11/04/20	WORKS	20-00334	JCPL0050 JCP&L 11 100005845282 CITY HALL	10,271.86	0-01-31-435-000-000 STREET LIGHTING	95366516929	
11/04/20	WORKS	20-00336	JCPL0050 JCP&L 11 100005845241 CITY HALL	794.95	0-01-31-435-000-000 STREET LIGHTING	95795876326	
11/04/20	WORKS	20-00337	JCPL0050 JCP&L 11 100005845548 CITY FLOOD LIGHTS	35.03	0-01-31-435-000-000 STREET LIGHTING	95795876327	
11/04/20	WORKS	20-00338	JCPL0050 JCP&L 9 100047563711 BRYANT PARK ST LG	31.13	0-01-31-435-000-000 STREET LIGHTING	95226874389	

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11/04/20	WORKS	20-02171	JENEL JEN ELECTRIC, INC. 2 SIGNAL MAINTENANCE	847.50	0-01-26-300-000-408 PW Traffic Signal Maintenance	13744	
11/04/20	WORKS	20-02309	KOMATSU F AND M EQUIPMENT, LTD 1 LOWER RADIATOR HOSE 549	67.75	0-07-55-502-004-403 Sewer Operating Equipment Maintenance	P80818	
11/04/20	WORKS	20-00183	LIBERT20 LIBERTY CLEANERS 36 UNIFORM CLEANING	101.50	0-01-26-315-000-802 Garage DPW Uniform Cleaning	787665	
11/04/20	WORKS	20-00183	37 UNIFORM CLEANING	105.00	0-01-26-315-000-802 Garage DPW Uniform Cleaning	788336	
11/04/20	WORKS	20-00183	38 UNIFORM CLEANING	56.00	0-01-26-315-000-802 Garage DPW Uniform Cleaning	789243	
P.O. Total:				262.50			
11/04/20	WORKS	20-01527	MARIZITI MARIZITI FALCON LLC 9 Redevelopment Attorney Fees	1,633.00	0-01-21-180-000-500 MLU Planning Legal Services	45061	
11/04/20	WORKS	20-01527	10 Redevelopment Attorney Fees	342.00	0-01-21-180-000-500 MLU Planning Legal Services	45060	
11/04/20	WORKS	20-01527	11 Redevelopment Attorney Fees	2,829.00	0-01-21-180-000-500 MLU Planning Legal Services	45111	
P.O. Total:				4,804.00			
11/04/20	WORKS	20-00047	NATIONFU NATIONAL FUEL OIL INC 9 GASOLINE	1,349.90	0-01-31-460-000-000 GASOLINE	47353	
11/04/20	WORKS	20-00049	NATIONFU NATIONAL FUEL OIL INC 30 DIESEL FUEL	262.89	0-01-31-461-000-000 DIESEL FUEL	47533	
11/04/20	WORKS	20-00049	31 DIESEL FUEL	1,438.69	0-01-31-461-000-000 DIESEL FUEL	47541	
P.O. Total:				1,701.58			
11/04/20	WORKS	20-00114	NATURESC NATURE'S CHOICE CORPORATION 15 GRINDING SERV	4,170.00	0-01-26-308-000-200 Disposal Charges	0109177-IN	
11/04/20	WORKS	20-00114	16 GRINDING SERV	4,170.00	0-01-26-308-000-200 Disposal Charges	0109178-IN	
11/04/20	WORKS	20-00114	17 GRINDING SERV	4,170.00	0-01-26-308-000-200 Disposal Charges	0109179-IN	
11/04/20	WORKS	20-00114	18 GRINDING SERV	4,170.00	0-01-26-308-000-200 Disposal Charges	0109180-IN	
11/04/20	WORKS	20-00114	19 GRINDING SERV	4,170.00	0-01-26-308-000-200 Disposal Charges	0109184-IN	
P.O. Total:				20,850.00			

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
11/04/20	WORKS	20-00703	NJ-AME50 NJ-AMERICAN WATER CO. 11 1018-210025811013 3 CONSTANTIN	50.47	0-07-55-502-004-605 Sewer Operating Water	BLANKET CONTROL	
11/04/20	WORKS	20-02336	NJSOCI50 NJ SOCIETY OF MUNICIPAL ENGINE 1 NJSME Assoc Meeting	49.00	0-01-20-165-000-809 Eng Conferences Meetings and Training	383225	
11/04/20	WORKS	20-02336	2 Cancelled Spring Mtng Credit	18.00-	0-01-20-165-000-809 Eng Conferences Meetings and Training	383225	
P.O. Total:				31.00			
11/04/20	WORKS	20-00184	SANITA50 SANITATION EQUIPMENT CORP 13 Elect box outlet	26.11	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55859	
11/04/20	WORKS	20-00184	14 Cover Alu hole 22MM	121.86	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55859	
11/04/20	WORKS	20-00184	15 Connector	25.80	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55859	
11/04/20	WORKS	20-00184	16 Parker element	98.17	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	17 Strainer tank repl#68	119.98	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	18 Sight gauge repl #68	56.94	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	19 O-Ring face seal #16 #68	1.40	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	20 O-Ring face seal #20 #68	1.36	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	21 Adapter gasket repl #68	9.10	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
11/04/20	WORKS	20-00184	22 Hose ASSY #68	250.22	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	55791	
P.O. Total:				710.94			
11/04/20	WORKS	20-02253	SERVIC50 SERVICE TIRE TRUCK CENTERS INC 1 Tires for #64 garbage truck	2,235.88	0-01-26-315-000-613 Garage G&T Vehicle Maintenance	761297-07	
11/04/20	WORKS	20-02337	TREASU30 TREASURER, STATE OF NEW JERSEY 1 State Permit Fees 3rd Qtr 2020	25,469.00	0-01-55-290-000-000 Due to State - NJ Building Fee Surcharge	3RD QTR 2020	
11/04/20	WORKS	20-00177	WASTEM50 WASTE MANAGMENT OF NJ, INC. 19 BULKY WASTE	7,238.56	0-01-26-308-000-200 Disposal Charges	0116667-1091-5	
11/04/20	WORKS	20-00177	20 BULKY WASTE	0.01	0-01-26-308-000-200 Disposal Charges	0116667-1091-5	
11/04/20	WORKS	20-00177	21 NJ RECYCLING TAX	206.58	0-01-26-308-000-200	0116667-1091-5	

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
P.O. Total:					7,445.15	Disposal Charges	
11/04/20	WORKS	20-01641	WBMASON W.B. MASON CO, INC 70 TOILET PAPER	113.29	0-01-26-310-000-201 PB&G Supplies and Materials	214509420	
11/04/20	WORKS	20-01641	71 FOREHEAD THEMOMETER PREMIUM	139.98	0-01-32-465-000-201 CS Supplies and Materials	214546446	
11/04/20	WORKS	20-01641	72 FOREHEAD THEMOMETER HLTHCARE	139.98	0-01-32-465-000-201 CS Supplies and Materials	214546446	
11/04/20	WORKS	20-01641	73 CUSTODIAL PAPER PRODUCTS	1,689.70	0-01-26-310-000-201 PB&G Supplies and Materials	214656270	
P.O. Total:					2,082.95		
11/04/20	WORKS	20-02345	WOERNERM WOERNER, MICHAEL R 1 sub coverage for inspection	675.00	0-18-00-701-000-104 UCC Overtime	10/16 + 20 + 22	
Total for Batch: WORKS					134,628.20		
Total for Date: 11/04/20				Total for All Batches:	432,029.11		

	Batch Id	Batch Total
Total for Batch:	ADMIN	13,415.19
Total for Batch:	FINANCE	209,290.42
Total for Batch:	PARKDCP	51,206.32
Total for Batch:	SAFETY	23,488.98
Total for Batch:	WORKS	134,628.20
Total of All Batches:		<u>432,029.11</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
Current Fund	0-01	282,731.85	0.00	0.00	282,731.85
Sewer Operating	0-07	4,230.71	0.00	0.00	4,230.71
Parking Operating	0-09	11,417.03	0.00	0.00	11,417.03
Uniform Construction Code	0-18	675.00	0.00	0.00	675.00
Recreation Trust	0-28	27,595.80	1,813.80	0.00	29,409.60
Year Total:		326,650.39	1,813.80	0.00	328,464.19
Current Fund	9-01	4,590.00	0.00	0.00	4,590.00
General Captial	C-04	29,879.84	0.00	0.00	29,879.84
Sewer Capital	C-06	47.83	0.00	0.00	47.83
Year Total:		29,927.67	0.00	0.00	29,927.67
Trust - Other	T-03	34,100.00	0.00	0.00	34,100.00
Animal Control	T-12	1,300.00	0.00	0.00	1,300.00
Self Insurance Trust	T-13	17,647.25	0.00	0.00	17,647.25
Affordable Housing	T-19	16,000.00	0.00	0.00	16,000.00
Year Total:		69,047.25	0.00	0.00	69,047.25
Total of All Funds:		430,215.31	1,813.80	0.00	432,029.11

THE CITY OF SUMMIT
N E W J E R S E Y
CITY HALL 512 SPRINGFIELD AVENUE SUMMIT, NJ 07901

CORRESP

October 21, 2020

The Honorable Mayor and
Members of Common Council
City Hall
Summit, New Jersey

Ladies and Gentlemen:

On Tuesday, October 20, 2020, at 11:00 a.m., bids were received by the Purchasing Agent as advertised in the Union County Local Source on October 1, 2020 and referred to the City Engineer/Deputy DCS Director. Results are as follows:

2020 SANITARY SEWER CLEAN & TV SECTIONS L & N

	Base Bid
Oswald Enterprises, Inc. PO Box 126 161 East Road Belford NJ 07718	\$44,262.20
Equix Integrity, Inc. 46 S Rolling Meadow Dr. Fond du Lac WI 54937	\$49,619.00
National Water Main Cleaning Co., Inc. 1806 Newark Turnpike Kearny NJ 07032	\$61,605.00
North American Pipeline Services LLC 210 Bennett Road Freehold NJ 07728	\$64,792.00

The Purchasing Agent, upon the review, evaluation and recommendation in a memo from the City Engineer/Deputy DCS Director makes the following bid award recommendation to the Capital Projects & Community Services Committee:

2020 SANITARY SEWER CLEAN & TV SECTIONS L & N

Oswald Enterprises, Inc., for a low net base bid of \$44.262.20.

Sincerely,

Michelle Caputo

Michelle Caputo
Purchasing Agent

Communication: Purchasing Letter - 2020 Sanitary Sewer Clean & TV Sections L & N (Correspondence)

corresp

THE CITY OF SUMMIT
N E W J E R S E Y
CITY HALL 512 SPRINGFIELD AVENUE SUMMIT, NJ 07901

October 27, 2020

The Honorable Mayor and
Members of Common Council
City Hall
Summit, New Jersey

Ladies and Gentlemen:

On Tuesday, October 27, 2020 at 11:00 a.m., bids were received by the Purchasing Agent as advertised in the Union County Local Source on October 15, 2020 and referred to the Purchasing Agent. Results are as follows:

2021-2022 ON-CALL LANDSCAPING SERVICES

<u>ON-CALL LANDSCAPING SERVICES</u>	NO BIDS RECEIVED
Hourly Rate Routine 7am – 5 pm M-F (holidays excepted)	
Supervisor	
Skilled Laborer	
Laborer	
Application of herbicides/ fertilizers/ insecticides/pesticides	
Dump Truck	
Backhoe	
Excavator	
Other:	
Hourly Rate After Hours/Emergency (all other times)	
Supervisor	
Skilled Laborer	
Laborer	
Application of herbicides/ fertilizers/ insecticides/pesticides	
Dump Truck	
Backhoe	
Excavator	
Other:	
Material Cost – Discount or Markup	
Location within 1 hour travel time to Summit	
Agree to Contract Extension Option	

The Purchasing Agent, upon review and evaluation, makes the following recommendation to the Finance Committee:

2021-2022 ON-CALL LANDSCAPING SERVICES

Authorize re-advertisement in the Union County Local Source on Thursday, November 12, 2020, with bids to be received by the Purchasing Agent on Tuesday, December 1, 2020 in the Council Chamber, City Hall, 512 Springfield Avenue, Summit, New Jersey at 11:00 a.m.

Sincerely,

Michelle Caputo

Purchasing Agent

Posted 10/21/2020

67 11/4/2020

17.A.1



Borough of Chatham

BOROUGH HALL
BOROUGH CLERK'S OFFICE
54 FAIRMOUNT AVENUE
CHATHAM, NEW JERSEY 07928
973-635-0674 Ext. 203 • www.chathamborough.org



Date: October 15, 2020

By Certified Mail and Regular Mail with Ordinance in full

Memo To: NJ Department of Transportation
Morris County Planning Board
Chatham Borough Planning Board
Municipal Clerk: City of Summit, Township of Millburn and Township Clerk
Utilities: Bell Atlantic, Optimum, PSE&G and JCP&L

RE: NOTICE OF PENDING LAND DEVELOPMENT ORDINANCE #20-14

To Whom It May Concern:

Pursuant to the requirements of the Municipal Land Use Law 40:55D-15, enclosed herewith please find a copy of Ordinance # 20-14 which was introduced by the Borough Council of the Borough Chatham on October 13, 2020. The enclosed Ordinance is referenced below by title:

ORDINANCE # 20-14

"AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 165 (LAND DEVELOPMENT) OF THE CHATHAM BOROUGH CODE TO INCLUDE MEDICAL SERVICES AS A PERMITTED USE IN THE B-5 (BUSINESS) ZONE DISTRICT"

ORDINANCE PUBLIC HEARING DATE

November 9, 2020
6:00 p.m.

HOW TO PARTICIPATE

Due to the restrictions on public gathering under the State of Emergency, the meeting will be held virtually via Zoom. For those wishing to participate may do so by:

- Phone Access: 929-205-6099 (Meeting ID: 826 3245 6437)
- Online Access: <https://us02web.zoom.us/j/82632456437>

Communication: Chatham Borough - Notice of Hearing, re 20-14, Amend Land Use Ordinance, Hearing 11/9/2020 (Notices)

OBTAINING A COPY OF THE ORDINANCE

The Ordinance is available online on the Chatham Borough website (www.chathamborough.org). Copies can also be requested at no cost by contacting the Borough Clerk via email Tlawful@chathamborough.org or by phone 973-701-6803 during regular business hours, Monday through Friday from 8:00 a.m. to 4:00 p.m.

Tamar Lawful, RMC
Borough Clerk
Borough of Chatham
Tele: 973-635-0674 Ext. 203
Tlawful@Chathamborough.org



TOWNSHIP OF CHATHAM

58 Meyersville Road
Chatham, New Jersey 07928
(973) 635-4600
Fax (973) 635-2644
www.chathamtownship-nj.gov



Memo To: Long Hill Township Clerk; Chatham Borough Clerk
New Providence Borough Clerk; City of Summit Clerk
Harding Township Clerk; Township of Berkeley Heights Clerk;
Borough of Madison Clerk; Morris County Planning Board;
Chatham Township Planning Board

From: Gregory J. LaConte, Municipal Clerk

Date: October 23, 2020

Subject: Ordinance 2020-18

Attached please find a copy of the above referenced Ordinance that was introduced by the Township Committee on October 22, 2020.

A public hearing will be held at a Township Committee meeting beginning at 7:30 PM on Thursday, November 12, 2020.

The meeting will be held at the Township Municipal Building, 58 Meyersville Road, Chatham, New Jersey.

The meeting will be transmitted publicly over Zoom, through which any person who may be interested therein will be given an opportunity to be heard concerning said ordinance.

The Zoom Meeting can be accessed at: <https://us02web.zoom.us/j/88104491016>

Or iPhone one-tap : +13017158592,,88104491016# or +13126266799,,88104491016#

Or Telephone:

+1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 6833

Webinar ID: 881 0449 1016

For Phone Users, to Raise Hand during Public Hearing, press *9.

International numbers available: <https://us02web.zoom.us/j/kbjvjuhMNQ>

The Ordinance will be available online on the Chatham Township website. Copies can also be requested at no cost by contacting the Township Clerk at GLacont@chathamtownship.org or 973-635-3209 during business hours.

Communication: Chatham Twp - Pending Ordinance 2020-18 - Stormwater Regs, hearing 11/12/2020 (Notices)

ORDINANCE 2020-18

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGARDING PRIVATE STORM DRAIN INLET RETROFITTING

BE IT ORDAINED as follows:

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Chatham so as to protect public health, safety and welfare, and to prescribe penalties for the 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. 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. Municipal separate storm sewer system (MS4)— a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.

NOTE: In municipalities with combined sewer systems, add the following:

“MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above 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 V.3 below.

1. Design engineers shall use either of the following grades whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

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

2. Whenever design engineers use a curb-opening inlet, 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.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or
 - d. 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 V. Enforcement:

This ordinance shall be enforced by the Police Department and Zoning Officer of the Township of Chatham.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject, upon conviction, to the penalties provided in Chapter 1, Article II, General Penalty for each storm drain inlet that is not retrofitted to meet the design standard.

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 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 VIII. 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.

Introduced: October 22, 2020

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____

Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

Communication: Chatham Twp - Pending Ordinance 2020-18 - Stormwater Regs, hearing 11/12/2020 (Notices)



TOWNSHIP OF CHATHAM

58 Meyersville Road
Chatham, New Jersey 07928
(973) 635-4600
Fax (973) 635-2644
www.chathamtownship-nj.gov



Memo To: Long Hill Township Clerk; Chatham Borough Clerk
New Providence Borough Clerk; City of Summit Clerk
Harding Township Clerk; Township of Berkeley Heights Clerk;
Borough of Madison Clerk, Morris County Planning Board;
Chatham Township Planning Board

From: Gregory J. LaConte, Municipal Clerk

Date: October 23, 2020

Subject: Ordinance 2020-21

Attached please find a copy of the above referenced Ordinance that was introduced by the Township Committee on October 22, 2020.

A public hearing will be held at a Township Committee meeting beginning at 7:30 PM on Thursday, November 12, 2020.

The meeting will be held at the Township Municipal Building, 58 Meyersville Road, Chatham, New Jersey.

The meeting will be transmitted publicly over Zoom, through which any person who may be interested therein will be given an opportunity to be heard concerning said ordinance.

The Zoom Meeting can be accessed at: <https://us02web.zoom.us/j/88104491016>

Or iPhone one-tap : +13017158592,,88104491016# or +13126266799,,88104491016#

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+1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 6833

Webinar ID: 881 0449 1016

For Phone Users, to Raise Hand during Public Hearing, press *9.

International numbers available: <https://us02web.zoom.us/j/88104491016>

The Ordinance will be available online on the Chatham Township website. Copies can also be requested at no cost by contacting the Township Clerk at GLacont@chathamtownship.org or 973-635-3209 during business hours.

Communication: Chatham Twp - Pending Ordinance 2020-21, Stormwater Control, Hearing 11/12/2020 (Notices)

ORDINANCE 2020-21

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGARDING STORMWATER CONTROL

BE IT ORDAINED by the Township Committee of the Township of Chatham that the following sections are repealed and replaced as follows:

§ 30-64.3 Stormwater Control

Section I. Scope and Purpose

- A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction 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 Bumps may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- B. Purpose. It is the purpose of this subsection to establish minimum stormwater management requirements and controls for "major development," as defined in Subsection b.
- C. Applicability.
 - (1) This subsection shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:
 - a. Nonresidential major developments; and
 - b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - (2) This subsection shall also be applicable to all major developments undertaken in the Township of Chatham.
- D. Compatibility with other permit and Ordinance Requirements.

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

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

CAFRA CENTERS, CORES, OR NODES - Shall mean 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 – Shall mean 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 – Shall mean 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 — Shall mean the increase in soil bulk density.

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

CORE — Shall mean a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY — Shall mean an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s).

The County review agency may either be:

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

DEPARTMENT — Shall mean the New Jersey Department of Environmental Protection.

DESIGN ENGINEER — Shall mean 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.

DESIGNATED CENTER — Shall mean a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DEVELOPMENT — Shall mean the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

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

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

EMPOWERMENT NEIGHBORHOOD – Shall mean 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 — Shall mean the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

GREEN INFRASTRUCTURE – Shall mean 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 – Shall mean 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 — Shall mean a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION — Shall mean the process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY – Shall mean 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 – Shall mean an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 {or the effective date of this ordinance, whichever is earlier}; or

4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.
5. 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 - Shall mean 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 – Shall mean any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY — Shall mean any city, borough, town, township, or village.

“NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL” or “BMP MANUAL” – Shall mean 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 — Shall mean an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT — Shall mean a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON — Shall mean any individual, corporation, company, partnership, firm, association, the Township of Chatham, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

POLLUTANT — Shall mean any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, groundwaters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

RECHARGE — Shall mean the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE – Shall mean 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 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 – Shall mean 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 — Shall mean 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 — Shall mean the lot or lots upon which a major development is to occur or has occurred.

SOIL — Shall mean all unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1) – Shall mean 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 — Shall mean 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 — Shall mean 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 — Shall mean an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE — Shall mean any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration of groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER RUNOFF — Shall mean water flow on the surface of the ground or in storm sewers, resulting from precipitation.

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

STORMWATER MANAGEMENT PLANNING AREA – Shall mean 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 – Shall mean 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 – Shall mean a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES – Shall mean 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 - Shall be 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 – Shall mean 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 — Shall mean 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 — Shall mean an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

SECTION 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 subsection 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.

Note: Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8.

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 quantity, and stormwater runoff quality requirements of Sections IV. P, Q & 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 groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections IV. P, Q & 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 nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of Sections IV. P, Q & R to the maximum extent practicable;
 - (3) The applicant demonstrates that, in order to meet the requirements of Sections IV. P, Q & 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 Section IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Sections IV. P, Q & 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://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.
- 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 IV.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 {insert Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality}. A form of deed notice shall be submitted to the 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 d 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 {insert appropriate Office of the County Clerk or the registrar of deeds and mortgages, as applies} 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:
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.

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-15)

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-15)

Communication: Chatham Twp - Pending Ordinance 2020-21, Stormwater Control, Hearing 11/12/2020 (Notices)

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

- Notes to Tables 1, 2, and 3:
- (a) subject to the applicable contributory drainage area limitation specified at Section 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.

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

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

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major 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 postconstruction 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. 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:

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

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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. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

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

attributable to the portion of the site on which the proposed development or project is to be constructed; or

- iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

SECTION V. Calculation of Stormwater Runoff and Groundwater Recharge.

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

(1.) The design engineer shall calculate runoff using one of the following methods:

(i.) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf
 or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

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

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

- (3.) In computing preconstruction 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 and 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 tail water 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 Ground-Water 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.

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:
http://www.nj.gov/dep/stormwater/bmp_manual2.htm
 - (1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
 - (2) Additional maintenance guidance is available on the Department's website at:
https://www.njstormwater.org/maintenance_guidance.htm .
- B. Submissions required for review by the Department should be mailed to: The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.
 - (1) The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;
 - (2) The Rutgers Cooperative Extension Service, (732) 932-9306; and
 - (3) The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, (609) 292-5540.

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 paragraph 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.

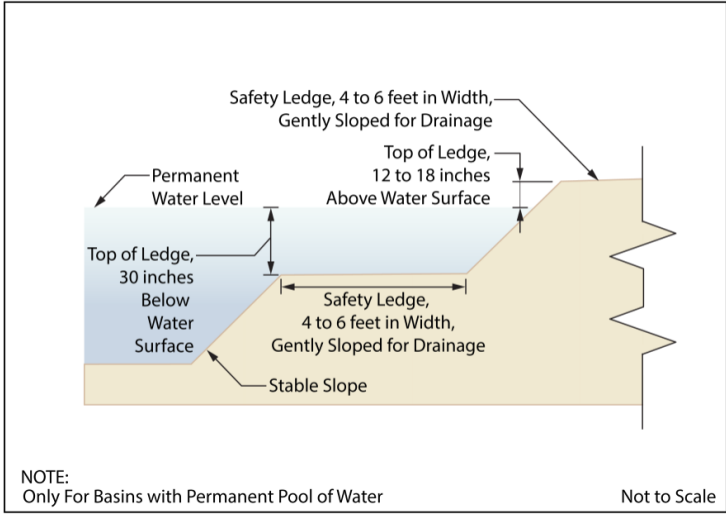
- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management BMPs to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash 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.
 - iv. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft. sq.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft. sq.
- (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 H.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 2 1/2 feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately 2 1/2 feet below the permanent water surface, and the second step shall be located one to 1 1/2 feet above the permanent water surface. See Subsection h4 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 Standards.

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

E. Safety Ledge Illustration

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 subsection, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Subsection i3 below as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this subsection.
3. The applicant shall submit 10 copies of the materials listed in the checklist for site development stormwater plans in accordance with Subsection i3 of this subsection.

B. Site Development Stormwater Plan Approval.

The applicant's site development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this subsection.

C. Site Development Stormwater Plan Checklist Requirements.

The following information shall be required:

- (1) Topographic Base Map.
The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch equals 200 feet or greater, showing two-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

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One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

(2) Environmental Site Analysis.

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

(3) Project Description and Site Plan(s).

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 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 of proposed changes in natural conditions may also be provided.

(4) Land Use Planning and Source Control Plan.

This plan shall provide a demonstration of how the goals and standards of Subsections c through f 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 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 predevelopment and post-development conditions for the design storms specified in Subsection d of this subsection.
- ii. When the proposed stormwater management control measures (e.g., infiltration basins) 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 Subsection X.

- (8) Waiver from Submission Requirements. The municipal official or board reviewing an application under this subsection may, in consultation with the municipal engineer, waive submission of any of the requirements in Sections IX.C.1 through IX.C.6 of this subsection 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 pursuant to Section I.C of this chapter 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 person 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 function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (7) The person responsible for maintenance identified under 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 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 section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

SECTION XI. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III)]

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this part shall be subject, upon conviction, to the penalties provided in Chapter 1, Article II, General Penalty. Each violation shall constitute a separate offense.

SEXTION XII. Effective Date

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

SECTION XIII. 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.

Introduced: October 22, 2020

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:
Attest:

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

Communication: Chatham Twp - Pending Ordinance 2020-21, Stormwater Control, Hearing 11/12/2020 (Notices)



TOWNSHIP OF CHATHAM

58 Meyersville Road
Chatham, New Jersey 07928
(973) 635-4600
Fax (973) 635-2644
www.chathamtownship-nj.gov

Memo To: Long Hill Township Clerk; Chatham Borough Clerk
New Providence Borough Clerk; City of Summit Clerk
Harding Township Clerk; Township of Berkeley Heights Clerk;
Borough of Madison Clerk, Morris County Planning Board;
Chatham Township Planning Board

From: Gregory J. LaConte, Municipal Clerk

Date: October 23, 2020

Subject: Ordinance 2020-22

Attached please find a copy of the above referenced Ordinance that was introduced by the Township Committee on October 22, 2020.

A public hearing will be held at a Township Committee meeting beginning at 7:30 PM on Thursday, November 12, 2020.

The meeting will be held at the Township Municipal Building, 58 Meyersville Road, Chatham, New Jersey.

The meeting will be transmitted publicly over Zoom, through which any person who may be interested therein will be given an opportunity to be heard concerning said ordinance.

The Zoom Meeting can be accessed at: <https://us02web.zoom.us/j/88104491016>

Or iPhone one-tap : +13017158592,,88104491016# or +13126266799,,88104491016#

Or Telephone:

+1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 6833

Webinar ID: 881 0449 1016

For Phone Users, to Raise Hand during Public Hearing, press *9.

International numbers available: <https://us02web.zoom.us/j/88104491016>

The Ordinance will be available online on the Chatham Township website. Copies can also be requested at no cost by contacting the Township Clerk at GLacont@chathamtownship.org or 973-635-3209 during business hours.

Communication: Chatham Twp - Pending Ordinance 2020-22, Affordable Housing - Hearing 11/12/2020 (Notices)

ORDINANCE 2020-22

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER XXIX, TITLED “AFFORDABLE HOUSING” OF THE REVISED GENERAL ORDINANCES TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT (FHA) AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, on October 24, 2019, the Township Committee of the Township of Chatham adopted Ordinance 2019-15; and

WHEREAS, it is the purpose of this Ordinance to amend Ordinance 2019-15, with the changes to Ordinance 2019-15 shown either as a strike-out or underscored; and

WHEREAS, upon codification, all strike-outs or underscoring will be removed; and

WHEREAS, the Township of Chatham (“Township”) filed a Declaratory Judgment Action in the Superior Court of New Jersey, Morris County, captioned IMO Township of Chatham, Docket No. MRS-L-1659-15 (“Declaratory Judgment Action”), in furtherance of the Supreme Court’s March 10, 2015, decision In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (“Supreme Court Decision”); and

WHEREAS, the Township of Chatham entered into a Settlement Agreement with the Fair Share Housing Center, Inc. (“FSHC”), dated December 13, 2018, and authorized by Township Committee Resolution No. 2018-210, arising out of the Declaratory Judgment that determines the Township’s affordable housing obligation and the mechanisms for how the obligation will be addressed (“December 13, 2018 Settlement Agreement”); and

WHEREAS, the Settlement Agreement was approved by the Superior Court of New Jersey, Morris County Law Division (“Court”), on February 22, 2019 at a duly noticed Fairness Hearing; and

WHEREAS, on July 23, 2020, the Township and FSHC entered into an Amended Settlement Agreement (“July 23, 2020 Amended Settlement Agreement”); and

WHEREAS, the July 23, 2020 Amended Settlement Agreement was approved on September 24, 2020 at a duly noticed Amended Fairness and Preliminary Compliance Hearing; and

WHEREAS, the December 13, 2018 and July 23, 2020 Settlement Agreements and the Court approvals require certain changes to the Township’s ordinances to address compliance issues; and

Communication: Chatham Twp - Pending Ordinance 2020-22, Affordable Housing - Hearing 11/12/2020 (Notices)

WHEREAS, this Ordinance shall be known as the “Affordable Housing Ordinance” or the “Chatham Township Third Round Affordable Housing Ordinance.”

BE IT ORDAINED by the Township Committee of the Township of Chatham, Morris County, New Jersey, that Chapter XXIX of the Revised General Ordinances of the Township of Chatham titled “Affordable Housing” is hereby repealed and replaced in its entirety with the following:

Section 29-1. Affordable Housing

29-1.1 Monitoring and Reporting Requirements

The Township of Chatham shall comply with the following monitoring and reporting requirements regarding the status of the implementation of the Court approved Settlement Agreement:

- A. Beginning on December 13, 2019, and on every anniversary of that date through December 13, 2025, the Township agrees to provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to FSHC and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs (“NJDCA”), Council on Affordable Housing (“COAH”), or Local Government Services (“NJLGS”). The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
- B. Beginning on December 13, 2019, and on every anniversary of that date through February 1, 2025, the Township of Chatham agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to FSHC, using forms previously developed for this purpose by COAH or any other forms endorsed by the Special Master and FSHC.
- C. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township of Chatham will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Housing Element and Fair Share Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.
- D. By December 13, 2020, and every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very low-income requirements, including its family very low-income requirements. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very low-income and family very low-income housing obligations.

Section 29-1.2. Definitions

- A. All definitions contained in N.J.A.C. 5:96-1.1 et seq., as may be amended by the decision in In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (“Mount Laurel IV”) or a court of competent jurisdiction, Procedural Rules of the New Jersey Council on Affordable Housing, and N.J.A.C. 5:97-1.1. et seq., as may be amended by the decision in Mount Laurel

IV or a court of competent jurisdiction, Substantive Rules of the New Jersey Council on Affordable Housing, are hereby incorporated and adopted as if set forth in full herein. For convenience, the following definitions are provided for reference purposes. In the event of any conflict or amendment to the New Jersey Administrative Code (“N.J.A.C.”), the definitions and rules duly promulgated pursuant to the Administrative Procedures Act shall govern this chapter.

- B. The following terms when used in this Ordinance shall have the meanings given in this Section:

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity designated by the Township to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable housing development” means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to

assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of 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 may be required pursuant to N.J.S.A. 40:55D-1, et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“Settlement Agreements” mean the settlement agreement between the Township of Chatham and Fair Share Housing Center, Inc., dated December 13, 2018, and the July 23, 2020 Amended Settlement Agreement In the Matter of the Application of the Township of Chatham, County of Morris, Docket No. MRS-1659-15.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the regional median household income by household size.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

Section 29-1.3. Applicability

- A. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Chatham pursuant to the Township's most recently adopted Housing Element and Fair Share Plan.
- B. Moreover, this Ordinance shall apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.
- C. This Ordinance specifically applies to the Township of Chatham’s Third Round affordable housing obligations identified in the Settlement Agreements, which sets forth the following affordable housing obligations.

Component of Third Round Obligation:	Kinsey	Court
Rehabilitation Share:	63	6
Prior Round Obligation (pursuant to <u>N.J.A.C. 5:93</u>):	83	83
Third Round (1999-2025):	387	387

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- D. This Ordinance applies to the Township of Chatham's Third Round affordable housing compliance mechanisms that are identified in the Settlement Agreements, which sets forth the following affordable housing compliance techniques:
1. Prior Round Obligation
 - (i.) Vernon Grove Condominium for 75 family for-sale units
 - (ii.) Group home located at Block 67, Lot 3 for 4 units
 2. Rehabilitation
 - (i) 6 units through Morris County Housing Rehabilitation Program
 3. Third Round Prospective Share:
 - (i) 100% affordable housing project (24 units) located on Block 48.16, Lot 117.27 (aka Skate Park or Arbor Green at Chatham).
 - (ii) At least 59 and up to 62 units at the 100% municipally sponsored multi-family rental development at 522 Southern Boulevard, Block 128, Lot 2.
 - (iii) Up to one (1) four (4) bedroom group home at 482 River Road, Block 62, Lot 71.
 - (iv) Up to one (1) four (4) bedroom group home at 490 River Road, Block 62. Lot 70.
 - (v) Up to one (1) four (4) bedroom group home on Hillside Avenue, Block 67, Lots 17 and 17.01, which is to be subdivided.
 - (vi) Extension of affordability controls at Vernon Grove Condominium for 72 family for-sale units.
 - (vii) The creation of a Mandatory Set-aside Ordinance for single-family and multifamily development at a gross density of six (6) units per acre or more that requires a twenty percent (20%) set-aside for affordable housing units for both sale and rental developments.
 - (viii) R-12 Inclusionary Overlay Zone permitting family rental or for-sale units on Block 128, Lot 9 at 12 units per acre with a 15% set-aside for rental development and 20% set-aside for for-sale development.

Section 29-1.4. Affordable Housing Program - Rehabilitation

The Township of Chatham has determined that it will use the following mechanisms to satisfy its affordable housing obligations:

- A. *A Rehabilitation Program.*
1. The Township of Chatham's rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
 2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds.
 3. The Township of Chatham will address its rehabilitation requirement of six (6) units through its participation in the Morris County Homeowner Rehabilitation Program.
 4. The program is maintained by the Morris County Division of Community Development. The program is funded through the U.S. Department of Housing and Urban Development (HUD). This program is a cooperative effort of the Federal government through the Morris County Board of Chosen Freeholders and thirty-seven (37) municipalities to meet housing and neighborhood needs throughout the County. The Housing Rehabilitation Program is only one of the many activities receiving funding through this annual grant. Funds are to be used for major repairs or conditions related to health or safety. Examples of Work: roof replacement, furnace replacement, upgrade electrical, construct new well or septic, sewer or water hook-ups, provide handicapped access; and Type of Assistance: No Interest,

No Payment 6-Year or 10-Year Forgivable Loan (Term is dependent on amount of assistance).

5. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of ten (10) years (the control period). For owner occupied units the control period will be enforced with a lien and for renter-occupied units the control period will be enforced with a deed restriction.
6. The Township of Chatham shall dedicate a minimum of ten thousand (\$10,000.00) dollars from its Housing Trust Fund for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
7. The Township of Chatham shall designate, subject to the approval of COAH, the Morris County Division of Community Development to administer the rehabilitation program in accordance with N.J.A.C. 5:96 and N.J.A.C. 5:97. The County shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of COAH. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the County.
8. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - (i) If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.
 - (ii) If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
 - (iii) Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.
 - (iv) Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

Section 29-1.5. Affordable Housing Program - Alternative Living Arrangements

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 1. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
 2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

Section 29-1.6. Affordable Housing Program - Township-wide Mandatory Set-Aside

- A. Paragraph 8 of the December 13, 2018 Settlement Agreement requires the Township of Chatham to adopt a Township-wide ordinance that requires any new single-family or multi-family residential development in the Township, whether rental or for-sale, of six (6) units or more to include a set-aside for very low- low- and moderate-income households of not less than twenty percent (20%). Consistent with those requirements, this section of the ordinance hereby requires that any new multi-family or single-family attached residential development resulting in six or more new residential units, permitted by zoning, through variance, or through adoption of a Redevelopment Plan, at a gross density of six (6) units or greater per acre shall include a mandatory twenty percent (20%) set-aside of affordable housing units. Such developments include any residential portion of a mixed use development, part of a redevelopment plan, or areas in need of redevelopment or rehabilitation. Nothing in this Section 29-1.6A shall preclude the Township from requiring an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law. A property shall not be permitted to be subdivided so as to avoid meeting this requirement.

- B. This Township-wide mandatory set-aside requirement does not supersede the effects or requirements of any inclusionary overlay zoning districts.

This Township-wide mandatory set-aside requirement does not preclude the Township from imposing an affordable housing set-aside, consistent with N.J.S.A. 52:27D-311(h) and other applicable law, in a development not required by Section 29-1.6.A. above to have a set-aside.

This Township-wide mandatory set-aside requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.

No property shall be permitted to be subdivided so as to avoid meeting the requirements of Section 29-1.6.A, above.

- C. In the event that the inclusionary set-aside of the total number of residential units does not result in a full integer, the developer may choose one of two options of addressing the fractional unit:
1. The developer shall round the set-aside upward to construct a whole additional affordable unit; or
 2. If the set-aside includes a fractional unit equal to 0.49 or less, the developer may round the set-aside downward and construct the lesser whole number of affordable units, but must also make a payment in-lieu of constructing the fractional additional unit ("fractional payment in-lieu").
 - (i) The fractional payment in-lieu dollar amount shall be calculated as the fractional unit multiplied by the estimated payment in-lieu to construct an affordable unit.
 3. For Example: If seven (7) total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above:
 - (i) The developer shall round up the 0.4 unit to one (1) whole affordable unit so as to construct a total of two (2) affordable housing units; or
 - (ii) The developer shall round the set aside downward so as to construct only (1) affordable unit and shall pay into the Township's affordable housing trust fund a fractional in-lieu payment equal to the cost to construct an affordable unit multiplied by 0.4 units.

Section 29-1.7. New Construction Requirements

A. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13 percent of all restricted units within each bedroom distribution shall be very low-income units (affordable to a household earning 30 percent or less of regional median income by household size). The very low-income units shall be counted as part of the required number of low-income units within the development.

2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be very low or low-income units.

3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

(i) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;

(ii) At least 30 percent of all low- and moderate-income units shall be two bedroom units;

(iii) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

(iv) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B. Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:

2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

(i) An adaptable toilet and bathing facility on the first floor; and

(ii) An adaptable kitchen on the first floor; and

(iii) An interior accessible route of travel on the first floor; and

(iv) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

(v) If not all of the foregoing requirements in Section 29-1.7B.2 (i) through (iv) above can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of Section 29-1.7B.2 (i) through (iv) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and

(vi) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Chatham has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will

reside in the dwelling unit, an accessible entrance shall be installed.

- b) To this end, the builder of restricted units shall deposit funds within the Township of Chatham's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
- c) The funds deposited under Section 29-1.7B.2 above shall be used by the Township of Chatham for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- d) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Chatham for the conversion of adaptable to accessible entrances.
- e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.
- f) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

C. Design:

- 1. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- 2. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

D. Maximum Rents and Sales Prices:

- 1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD. To calculate this regional income limit, the HUD determination of median income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total household from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. The income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

2. The regional asset limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to Section 29-1.7D.1 above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the regional asset limit be less than that for the previous year.
3. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, which very low-income units shall be part of the low-income requirement.
5. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
6. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - (i) A studio shall be affordable to a one-person household;
 - (ii) A one-bedroom unit shall be affordable to a one and one-half person household;
 - (iii) A two-bedroom unit shall be affordable to a three-person household;
 - (iv) A three-bedroom unit shall be affordable to a four and one-half person household; and
 - (v) A four-bedroom unit shall be affordable to a six-person household.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - (i) A studio shall be affordable to a one-person household;
 - (ii) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - (iii) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
8. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

- 9. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- 10. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
- 11. The rents of very low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

Section 29-1.8. Phasing Schedule for Inclusionary Zoning

In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

Section 29-1.9. Utilities

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by the NJDCA for its Section 8 program.

Section 29-1.10. Occupancy Standards

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

- A. Provide an occupant for each bedroom;
- B. Provide separate bedrooms for parents and children;
- C. Provide children of different sexes with separate bedrooms; and
- D. Prevent more than two persons from occupying a single bedroom. .

Section 29-1.11. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Chatham takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.

- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 29-1.12. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- B. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
- D. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 29-1.13 below.

Section 29-1.13. Buyer Income Eligibility

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Committee of the Township of Chatham, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions

for a low-income unit.

- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

Section 29-1.14. Limitations on Indebtedness Secured by Ownership Unit; Subordination

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.6(b).

Section 29-1.15. Capital Improvements To Ownership Units

- A. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

Section 29-1.16. Control Periods for Restricted Rental Units

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until the Township of Chatham takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. Restricted rental units created as part of developments receiving 9% Low-Income

Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period. Restricted rental units created as part of developments receiving 4% Tax Credits must comply with a control period of not less than a 30-year compliance period. Both compliance periods continue in effect until the Township of Chatham takes action to release the units from such requirements.

- C. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Morris. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- D. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

Section 29-1.17. Rent Restrictions for Rental Units; Leases

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

Section 29-1.18. Tenant Income Eligibility

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median household income by household size.
 - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median household income by household size.
 - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median household income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as

determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
3. The household is currently in substandard or overcrowded living conditions;
4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

C. The applicant shall file documentation sufficient to establish the existence of the circumstances in Section 29-1.18A.1 through B.5 above with the Administrative Agent, who shall counsel the household on budgeting.

Section 29-1.19. Municipal Housing Liaison

A. The Township of Chatham shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for overseeing the Township's affordable housing program, including overseeing the administration of affordability controls on the affordable units and the affirmative marketing of available affordable units in accordance with the Township's Affirmative Marketing Plan; fulfilling monitoring and reporting requirements; and supervising Administrative Agent(s). Chatham Township shall adopt an Ordinance creating the position of Municipal Housing Liaison and a Resolution appointing the person to fulfill the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

B. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Township of Chatham, including the following responsibilities which may not be contracted out to the Administrative Agent:

1. Serving as the Township of Chatham's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
2. Monitoring the status of all restricted units in the Township of Chatham's Fair Share Plan;
3. Compiling, verifying, submitting and posting all monitoring reports as required by the Court and by this Ordinance;
4. Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and
5. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.

C. Subject to the approval of the Court, the Township of Chatham shall designate one or more Administrative Agent(s) to administer and to affirmatively market the affordable units constructed in the Township in accordance with UHAC and this Ordinance. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The Operating Manual(s) shall be available for public inspection in the office of the Township Clerk,

in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the work of the Administrative Agent(s).

Section 29-1.20. Administrative Agent

An Administrative Agent shall be an independent entity serving under contract to and reporting to the municipality. The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:

A. Affirmative Marketing:

1. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Chatham and the provisions of N.J.A.C. 5:80-26.15; and
2. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

B. Household Certification:

1. Soliciting, scheduling, conducting and following up on interviews with interested households;
2. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
3. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
4. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
5. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
6. Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Chatham when referring households for certification to affordable units; and
7. Notifying the following entities of the availability of affordable housing units in the Township of Chatham: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, The Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., NORWESCAP, Homeless Solutions of Morristown, and the Supportive Housing Association.

C. Affordability Controls:

1. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
2. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
3. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Morris County Register of Deeds or

Morris County Clerk's office after the termination of the affordability controls for each restricted unit;

4. Communicating with lenders regarding foreclosures; and

5. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

D. Resales and Rerentals:

1. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and

2. Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.

E. Processing Requests from Unit Owners:

1. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;

2. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;

3. Notifying the municipality of an owner's intent to sell a restricted unit; and

4. Making determinations on requests by owners of restricted units for hardship waivers.

F. Enforcement:

1. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

2. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

3. Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;

4. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

5. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and

6. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Council and the Court, setting forth procedures for administering the affordability controls.

G. Additional Responsibilities:

1. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

2. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.

3. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

Section 29-1.21. Affirmative Marketing Requirements

A. The Township of Chatham shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court, that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 2 and is required to be followed throughout the period of restriction.

C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 2, comprised of Morris, Monmouth and Ocean Counties.

D. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The Administrative Agent designated by the Township of Chatham shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

E. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

F. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.

G. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.

H. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; and the municipal administration building in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.

I. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

J. The affirmative marketing plan shall specifically notify the following community and regional organizations in advertisement for affordable housing:

1. Fair Share Housing Center, Cherry Hill.
2. NJ State Conference of the NAACP, Trenton.
3. Latino Action Network, Freehold.
4. The Morris County Chapter of the NAACP, Morristown.
5. Newark NAACP, Newark.
6. East Orange NAACP, East Orange.
7. Housing Partnership for Morris County, Dover.
8. Community Access Unlimited, Inc., Elizabeth.

9. NORWESCAP, Phillipsburg
10. Homeless Solutions of Morristown, Cedar Knolls.
11. Supportive Housing Association, Cranford.

Section 29-1.22. Enforcement of Affordable Housing Regulations

A. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

B. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

4. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - (i) A fine of not more than \$500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - (ii) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Chatham Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (iii) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
5. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.
 - (i) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
 - (ii) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in

connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- (iii) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (iv) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (iv) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (v) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 29-1.23. Appeals

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall become effective according to law.

Introduced: October 22, 2020

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

Doc. No. A1267427

Communication: Chatham Twp - Pending Ordinance 2020-22, Affordable Housing - Hearing 11/12/2020 (Notices)