

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
 REGULAR MEETING – DECEMBER 3, 2020
 REMOTELY VIA ZOOM VIDEO CONFERENCE:

This meeting was recorded as per New Jersey Open Public Meetings Act guidelines. As required by the Act, these minutes are a summary of the actions taken at this meeting, not a transcript of said meeting. Recordings are available by making a request in writing to the Municipal Clerk.

Council President Willis called the regular meeting of the Mine Hill Township Council to order at 7:00 PM and led those present in the Pledge of Allegiance.

OPEN PUBLIC MEETINGS NOTICE

Mr. Willis announced that adequate notice for this meeting had been given as required by law.

ROLL CALL:	Present	Absent
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Morris, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bucco, Township Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Istvan, Acting Municipal Clerk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Present:	3	

* Noted that Mr. Willis and Mayor Morris were present in Council Chambers. All other members of Council, Township Attorney, Acting Clerk, and members of the Public were present via Zoom.

PRESENTATIONS

- a. None

APPROVAL OF MINUTES

After a brief discussion a motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to approve the Minutes of November 12, 2020 as written. The roll was called and the Minutes were approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

COMMUNICATIONS AND PETITIONS

The following items of correspondence were noted:

- a. NJDOT Municipal Aid Program Funding November 16, 2020 Letter
 - \$250,000 Grant for Bassett Avenue
- b. Morris County Board of Freeholders 2021 Reorganization Meeting November 24, 2020 Letter
 - Their Reorganization Meeting is January 4, 2021 at 3:00 PM

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- c. Local Government Emergency Fund Grant Agreement November 27, 2020 Email
 - Funding Amount is \$25,323.05

CONSIDERATION & APPROVAL OF VOUCHERS

a. Bills List – Resolution 159-20

After a brief discussion a motion was made by Mr. Boom and seconded Mr. Coranato to approve the bills list. Seeing no further discussion, the roll was called, and the bills list was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Mr. Willis abstained from any POs for County Concrete.)

WHEREAS, the Chief Municipal Financial Officer has prepared a Bills List setting forth itemized claims for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5.16, it has been certified to the governing body that the goods or services for which said bills were submitted and have been received by or rendered to the Township of Mine Hill, and;

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified to the governing body that there are funds legally appropriated and available in the current operating budget and escrow funds for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of 2020 appropriation for said purpose;

WHEREAS, the vouchers requesting payment have satisfied the requirements of the claimant certification as outlined in Resolution 132-18 and approved by the appropriate Township official having knowledge of the materials or services supplied; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Township of Mine Hill, in the County of Morris, State of New Jersey as follows:

1. The claims set forth on December 3, 2020 Bills List and summarized as follows are hereby approved for payment:

Total to be paid from Fund 10 Current Fund	\$74,321.27
Total to be paid from Fund 23 Dog Fund	\$440.00
Total to be paid from Fund 30 General Capital Fund	\$5,799.00
Total to be paid from Fund 60 Water Operating Fund	\$738.30
Total to be paid from Fund 62 Water Capital Fund	\$0.00
Total to be paid from Fund 62 Sewer Operating Fund	\$9,117.64
Total to be paid from Fund 63 Sewer Capital Fund	\$11,157.25
Total to be paid from Fund 64 Special District Fund	\$0.00
Total to be paid from Fund 71 Escrow - Lakeland Bank	\$4,810.35
Total to be paid from Fund 75 Other Trust Fund	\$0.00

 \$106,383.81

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2. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the Township Treasurer.
3. The registered signers with Lakeland Bank and be and are hereby authorized to sign checks in payment of the bills set forth in the annexed schedule.

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

a. Ordinance 19-20 Amending Chapter 465 Of The Code Of The Township Of Mine Hill Entitled “Stormwater Control” To Reflect Amendments To The New Jersey Stormwater Management Rules At N.J.A.C. 7:8, Adopted March 2, 2020

Mr. Willis opened the public hearing on this ordinance. Seeing no public comment, Mr. Willis closed the public hearing. A motion was made by Ms. Giordano and seconded by Mr. Bloom to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AN ORDINANCE TO AMEND CHAPTER 465 OF THE CODE OF THE TOWNSHIP OF MINE HILL ENTITLED “STORMWATER CONTROL” TO REFLECT AMENDMENTS TO THE NEW JERSEY STORMWATER MANAGEMENT RULES AT N.J.A.C. 7:8, ADOPTED MARCH 2, 2020

WHEREAS, the Township of Mine Hill has a Stormwater Control Ordinance pursuant to the requirements in N.J.A.C. 7:8, and its Municipal Stormwater Permit; and

WHEREAS, the Stormwater Control Ordinance is subject to change when the State amends N.J.A.C. 7:8; and

WHEREAS, the State of New Jersey amended its Stormwater Management Rules at N.J.A.C. 7:8 on March 2, 2020; and

WHEREAS, the municipalities in the State of New Jersey are required to amend their Stormwater Control Ordinances to align with the updated Stormwater Management Rules at N.J.A.C. 7:8 on or before March 2, 2021;

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY THAT CHAPTER 465 OF THE CODE OF THE TOWNSHIP OF MINE HILL, ENTITLED “STORMWATER CONTROL”, IS AMENDED AS FOLLOWS:

Section 1. Chapter 465 of the Code of the Township of Mine Hill entitled “Stormwater Control” shall be replaced in its entirety as follows:

Chapter 465 - Stormwater Control

§465-1. Scope and Purpose.

A. Policy Statement

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

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in §465-2.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Township of Mine Hill and other governmental entities.

D. Compatibility with Other Permit and Ordinance Requirements

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

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

§465-2. Definitions.

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

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

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

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

“Compaction” means the increase in soil bulk density.

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

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

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

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

“Department” means the Department of Environmental Protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular 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 IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§465-3. Design and Performance Standards for Stormwater Management Measures.

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

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- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§465-4. 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 §465 -10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §465-4P, Q and R:
1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §465-4O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of §465-4O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of §465-4O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under §465 -4D(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §465-4O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in §465-4O, 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

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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.

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 13)

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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 13)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quality 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	

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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 §465-4O(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 §465-2;
- h. manufactured treatment devices that do not meet the definition of green infrastructure at §465-2.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with §465-6B. Alternative stormwater management measures may be used to satisfy the requirements at §465-4O only if the measures meet the definition of green infrastructure at §465-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at §465-4O(2) are subject to the contributory drainage area limitation specified at §465-4O(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 §465-4O(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 §465-4D is granted from §465-4O.

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);

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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 §465-8C;
 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 §465-8; 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 §465-4O(4).
- K. Any application for a new agricultural development that meets the definition of major development at §465-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at §465-4O, 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 §465-4P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Warren 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 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 §465-4O, 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 §465 -10B(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

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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 §465-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Warren 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 §465-4M 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 §465-4M 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 §465-4P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at §465-4F and/or an alternative stormwater management measure approved in accordance with §465-4G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. To satisfy the stormwater runoff quantity standards at §465-4R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with §465-4G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §465-4D 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 §465-4G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §465-4P, 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

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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 §465-4P, Q and R, unless the project is granted a waiver from strict compliance in accordance with §465-4D.

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 §465-5, 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 §465-4P(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.

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2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty (80%) percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

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Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	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

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

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

Where

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

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

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in §465-4P, 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 §465-5, 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.

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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.

§465-5. Calculation of Stormwater Runoff and Groundwater Recharge.

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

- 1. The design engineer shall calculate 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 pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS

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methodology above at §465-5A(1)[i] and the Rational and Modified Rational Methods at §465-5A(1)[ii]. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

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

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

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

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

§465-6. Sources for Technical Guidance.

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

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

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

https://www.njstormwater.org/maintenance_guidance.htm.

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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.

§465-7. Solids and Floatable Materials Control Standards.

A. Site design features identified under §465-4F above, or alternative designs in accordance with §465-4G 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 §465-7A(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.

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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.

§465-8. Safety Standards for Stormwater Management Basins.

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in §465-8C(1), §465-8C(2) and §465-8C(3) for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - 3. Stormwater management BMPs shall include escape provisions as follows:

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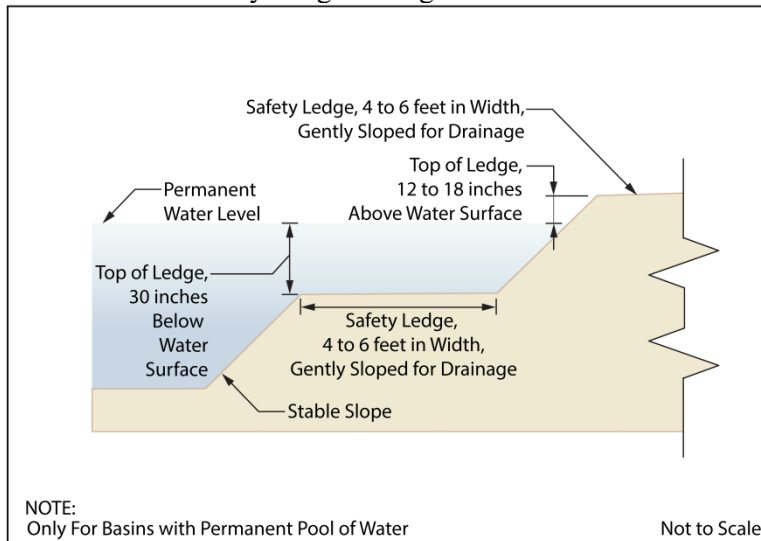
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to §465-8C, a free-standing outlet structure may be exempted from this requirement;
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See §465-8E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

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

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§465-9. Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §465-9C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit five (5) copies of the materials listed in the checklist for site development stormwater plans in accordance with §465-9C of this ordinance.

B. Site Development Stormwater Plan Approval

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

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

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

2. Environmental Site Analysis

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

3. Project Description and Site Plans

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

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of §465-3 through §465-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

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

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

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §465-4 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of §465-10.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §465-9C(1) through §465-9C(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§465-10. Maintenance and Repair.

A. Applicability

Projects subject to review as in §465-1C of this ordinance shall comply with the requirements of §465-10B and §465-10C.

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. Maintenance Plans:
 - a. 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.

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- b. Stormwater facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris buildup and stagnant water. Maintenance responsibilities, inspection schedules and tasks will be clearly shown in the proposed plan. In no case shall water be allowed to remain in any facility long enough to trigger a mosquito breeding disease or cause any other type of health problem. The maintenance plan must include inspection routines to reduce the potential for extensive, difficult, and costly remedial or emergency maintenance efforts, including inspection checklists. Inspection checklists may address such items as:
- (1) Obstruction of inlet devices by trash and debris;
 - (2) Evidence of erosion, sedimentation or instability;
 - (3) Malfunctioning of valves, gates, locks, access hatches or equipment;
 - (4) Deteriorated conduit outlet or seepage around outlet;
 - (5) Cracks or other deterioration of inlets, outlets, pipes, and conduits;
 - (6) Inadequate draining, clearing or clogging of control devices;
 - (7) Trimming, cutting or mowing of vegetation as required;
 - (8) Erosion and debris in emergency spillways and/or filter strips;
 - (9) Deterioration of downstream channels/conduits;
 - (10) Invasive or noxious weeds out of character with those specified;
 - (11) Saturated conditions or standing water;
 - (12) Animal burrowing; and
 - (13) Vandalism or other non-specified occurrences.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
 4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
 5. If the party responsible for maintenance identified under §465-10B(3) above is not a public agency, the maintenance plan and any future revisions based on §465-10B(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
 6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
 7. The party responsible for maintenance identified under §465-10B(3) above shall perform all of the following requirements:

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- i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
- ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
- iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by §465-10B(3) and §465-10B(7).
- iv. Beginning on January 31, 2019, make annual submissions to the municipality, no later than January 31st, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the calendar year that just ended for all structural stormwater measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance related work orders.

8. The requirements of §465-10B(3) and §26-10B(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.

https://www.njstormwater.org/maintenance_guidance.htm.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

§ 465-11. Violations and penalties.

A. Fines.

- (1) Any violation of any provision of this chapter shall be punishable as provided in §1-3 General Penalty, of the Code of the Township of Mine Hill. The following individuals shall be subject to potential punishment:
 - (a) The owner, general agent, contractor or occupant of a building, premises or part thereof where such a violation has been committed or does exist; and
 - (b) Any agent, contractor, architect, engineer, builder, corporation or other person who commits, takes part or assists in the violation.
- (2) Each day that a violation continues shall constitute a separate and distinct offense.
- (3) The imposition of penalties herein shall not preclude the municipality or any other person from instituting an action to prevent an unlawful construction, reconstruction, alteration, repair,

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conversion, or use, or to restrain, correct or abate a violation, or to prevent the illegal occupancy of a building, land or premises.

B. Injunctive relief. In addition to the foregoing, the municipality may institute an action for injunctive relief.

§ 465-12. When effective.

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

Section 2. This Ordinance may be renumbered for codification purposes.

Section 3. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect upon final publication and in accordance with law.

b. Ordinance 20-20 Amending Chapter 235 Of The Revised General Ordinances Of The Township Of Mine Hill And Amending Certain Fees Under Construction And Zoning

Mr. Willis opened the public hearing on this ordinance. Seeing no public comment, Mr. Willis closed the public hearing. A motion was made by Ms. Giordano and seconded by Ms. Kanzenbach to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE AMENDING CHAPTER 235 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MINE HILL AND AMENDING CERTAIN FEES UNDER CONSTRUCTION AND ZONING

BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

Section 1. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (1) of Subsection D, “Building Subcode Fees” which shall read, in its entirety, as follows:

(1) The fees for new construction shall be based upon volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of: \$0.125 per cubic foot of volume for buildings and structures of all use groups except R5 as classified in the Building Subcode.

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The fee for new construction for R5 for new construction shall be \$.035 per cubic foot of volume. The minimum for new construction shall be \$200.

Section 2. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (5) “roofing and siding” of Subsection D, “Building Subcode Fees” which shall read, in its entirety, as follows:

- (a) Group R-2, R-3, R-4, flat fee: \$250.
- (b) All other groups: cost of construction per \$1,000. See Subsection D (2).

Section 3. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the repeal of subpart (6) “Sheds” of Subsection D, “Building Subcode Fees”.

Section 4. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (13) “Radon Mitigation” of Subsection D, “Building Subcode Fees” which shall read, in its entirety, as follows:

- (13) Radon Mitigation (exclusive of electric), flat fee (all groups) \$100

Section 5. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (17) of Subsection D, “Building Subcode Fees” which shall read, in its entirety, as follows:

- (17) Fees for installing swimming pools, hot tubs, spas (including the required barrier):
 - (a) Group R-5, aboveground pool, flat fee: \$150
 - (b) Group R-5, in-ground pool, flat fee: \$350
 - (c) All other groups: \$500

Section 6. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (24) “Fee for certifications and other miscellaneous items” of Subsection D, “Building Subcode Fees” which shall read, in its entirety, as follows:

- (24) Fee for certifications and other miscellaneous items:
 - (a) Certificate of occupancy:
 - [1] Group R-5: \$100.
 - [2] All other groups: \$150.

Section 7. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (11) “Swimming Pools” of Subsection H, “Electrical Subcode Fees” which shall read, in its entirety, as follows:

- (11) Swimming Pools
 - (a) Residential aboveground pool: \$150.
 - (b) Residential in-ground pool \$250.
 - (c) Residential spa/hot tub*: \$100.
 - (d) Public spa/hot tub*: \$250.
 - (e) Annual pool, spa, hot tub inspection*: \$150.
- *Each additional pool, spa or hot tub on site: \$50.

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Section 8. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (11) “Installation of emergency generator” of Subsection I, “Fire Subcode Fees” which shall read, in its entirety, as follows:

- (11) Installation of emergency generator, each:
(a) Group R-5: \$100.
(b) All other groups: \$300.

Section 9. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (15) “Heating and cooling equipment” of Subsection I, “Fire Subcode Fees” which shall read, in its entirety, as follows:

- (15) Heating and cooling equipment (furnaces, air handlers, dryers, ovens, space heaters, pool heaters, boilers, fuel-burning appliances, fireplaces, chimney liner and metal vents):
(a) First device, each: \$100.
(b) Additional device, each: \$25.

Section 10. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (4) of Subsection J, “Plumbing Subcode Fees” which shall read, in its entirety, as follows:

- (4) For each oil or gas appliance, including but not limited to broilers, clothes dryers, coffee and tea urns, deep fryers, grills, ovens, radiant heaters, steam tables or kettles, log lighters and/or fireplaces, each device or fixture shall be \$25.

Section 11. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (5) of Subsection J, “Plumbing Subcode Fees” which shall read, in its entirety, as follows:

- (5) Water heater, furnace, rooftop units, steam/hot-water boiler, heat pumps, pool heaters:
(a) Group R-5: \$100.
(b) All other groups: \$150.

Section 12. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to subpart (2) of Subsection K, “Mechanical inspections” which shall read, in its entirety, as follows:

- (2) Performed by mechanical/plumbing inspector for the installation and replacement of mechanical equipment in existing buildings, Groups R-5, R-4, R-3:
(a) First piece of equipment, each: \$100.
(b) Additional equipment, each: \$25.

Section 13. Chapter 235 of the Revised General Ordinances of the Township of Mine Hill, “Fees”, Section 235-6 “Construction and Zoning” shall be amended by the following amendment to Subsection M, “Miscellaneous fees” which shall read, in its entirety, as follows:

M. Miscellaneous fees. Special inspections not enumerated above shall be performed by the appropriate subcode official at an hourly rate of \$100, with a minimum of four hours. This includes requests for inspections to be performed outside of the inspectors scheduled Mine Hill working hours. This charge is in addition to any other fees under this Section.

Section 14. This Ordinance may be renumbered for codification purposes.

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Section 15. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 16. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 17. This Ordinance shall take effect upon final publication and in accordance with law.

c. Ordinance 21-20 Amending Ordinance Of The Township Of Mine Hill, In The County Of Morris, New Jersey Fixing The Salary And Wage Ranges Of Certain Officials And Employees

Mr. Willis opened the public hearing on this ordinance. Seeing no public comment, Mr. Willis closed the public hearing. A motion was made by Ms. Giordano and seconded by Mr. Bloom to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE OF THE TOWNSHIP OF MINE HILL, IN THE COUNTY OF MORRIS, NEW JERSEY FIXING THE SALARY AND WAGE RANGES OF CERTAIN OFFICIALS AND EMPLOYEES

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Division of Administration:	Minimum Salary	Maximum Salary
Mayor - Part Time	\$0.00	\$7,000.00
Mayor - Full Time*	\$47,000.00	\$75,000.00
Council President	\$0.00	\$5,000.00
Council Member	\$0.00	\$5,000.00
Council Member	\$0.00	\$5,000.00
Council Member	\$0.00	\$5,000.00
Council Member	\$0.00	\$5,000.00
Administrator (* not filled if Full Time Mayor)	\$35,000.00	\$75,000.00
Administrative Clerk	\$2,500.00	\$30,000.00
Administrative Assistant	\$3,000.00	\$7,500.00
Clerical Assistant	\$8.50	\$20.00
Chief Financial Officer	\$5,000.00	\$65,000.00
Assistant to the CFO	\$0.00	\$30,000.00
Treasurer	\$10,000.00	\$50,000.00
Purchasing Manager	\$2,000.00	\$9,000.00
Qualified Purchasing Agent	\$1.00	\$20,000.00
Human Resource Director	\$2,000.00	\$20,000.00

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Township Clerk - Full Time**	\$30,000.00	\$75,000.00
Township Clerk - Part Time**	\$20,000.00	\$75,000.00
Deputy Township Clerk	\$0.00	\$60,000.00
Registrar of Vital Statistics	\$0.00	\$2,000.00
Deputy Registrar of Vital Statistics	\$0.00	\$600.00
Alternate Deputy Registrar of Vital Statistics	\$0.00	\$600.00
Health Department Coordinator	\$0.00	\$2,000.00
On Call Animal Control Officer	\$70.00/call	\$70.00/call
Rabies Clinic Administrative Assistant	\$10.00/hour	\$15.00/hour
On Call Heavy Equipment Mechanic – DPW	\$25.00/hour	\$35.00/hour
Seasonal Help - DPW	\$8.50/hour	\$19.00/hour
Division of Taxation:	Minimum Salary	Maximum Salary
Tax Assessor	\$12,000.00	\$35,000.00
Tax Collector	\$25,000.00	\$45,000.00
Division of Construction:	Minimum Salary	Maximum Salary
Construction Technical Assistant	\$15,000.00	\$55,000.00
Construction Secretary	\$0.00	\$18,000.00
Zoning Official	\$2,000.00	\$30,000.00
Division of Construction (con't):	Minimum Salary	Maximum Salary
Code Enforcement and Housing Officer	\$5,000.00	\$25,000.00
Emergency Management Coordinator	\$1,500.00	\$10,000.00
Deputy Emergency Management Coordinator	\$500.00	\$10,000.00
Construction Official	\$10,000.00	\$22,000.00
Electrical Subcode Official	\$5,000.00	\$20,000.00
Electrical Subcode Official	\$35.00/hour	\$50.00/hour
Elevator Subcode Official	\$100.00	\$300.00
Elevator Subcode Official	\$35.00/hour	\$50.00/hour
Fire Subcode Official	\$4,000.00	\$20,000.00
Fire Subcode Official	\$35.00/hour	\$50.00/hour
Plumbing Subcode Official	\$5,000.00	\$20,000.00
Plumbing Subcode Official	\$35.00/hour	\$50.00/hour
Building Subcode Official	\$2,000.00	\$6,000.00
Building Subcode Official	\$35.00/hour	\$50.00/hour
Building Inspector	\$2,000.00	\$10,000.00
Building Inspector	\$35.00/hour	\$50.00/hour
Fire Marshal***	\$5,000.00	\$20,000.00
Fire Safety Inspector	\$8.50	\$25.00
Smoke Detector Inspector	\$30.00	\$30.00
Administrator/Planning Board	\$3,000.00	\$6,000.00
Construction Records Clerk	\$8.50	\$20.00

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Recording Clerk/Planning Board	\$1,500.00	\$3,000.00
Division of Community Programs:	Minimum Salary	Maximum Salary
Director of Community Programs	\$0.00	\$26,000.00
Beach Manager	\$8.50	\$20.00
Lifeguards	\$8.50	\$15.00
Snack Bar Employees	\$8.50	\$12.00
Bus/Van Drivers	\$8.50	\$25.00
Crossing Guards	\$10.00	\$25.00
Alt. Crossing Guard	\$10.00	\$25.00
Township Historian	\$0.00	\$1,000.00
Division of Water:	Minimum Salary	Maximum Salary
Administrator	\$1,000.00	\$50,000.00
Water Collector	\$10,000.00	\$35,000.00
Water Secretary	\$5,000.00	\$9,000.00
Water Treasurer	\$7,500.00	\$15,000.00
Water Operator	\$5,000.00	\$15,000.00
Division of Sewer:	Minimum Salary	Maximum Salary
Sewer Administrator	\$1,000.00	\$40,000.00
Sewer Collector	\$5,000.00	\$10,000.00
Sewer Treasurer	\$2,000.00	\$6,000.00
Sewer Operator	\$5,000.00	\$15,000.00
Special District Division:	Minimum Salary	Maximum Salary
Special District Administrator	\$1,000.00	\$10,000.00
Special District Secretary	\$8,000.00	\$15,000.00
Special District Treasurer	\$2,000.00	\$8,000.00
Recycling Coordinator	\$1,500.00	\$2,500.00

* The position of Full Time Mayor is in place of a full-time, separate Administrator. The Full Time Mayor assumes the responsibility for tasks that are typically performed by the Administrator including being accessible to Township staff and residents during regular Township business hours. The Full Time Mayor cannot be employed for more than 10 hours/ week by any other organization (public, private, or self-employed). If the Mayor changes status from full-time to part-time, the Council will amend this ordinance to add a salary range for the position of Administrator.

** The position of Township Clerk is filled either Full Time or Part Time, not both.

*** Fire Marshal salary paid from licensing fees collected.

Department of Public Works Personnel (Foreman, Operator, Laborer, and Maintenance) shall be compensated in accordance with the contract negotiated and in effect between the Township of Mine Hill and the International Brotherhood of the Teamsters Local #102.

Section 2. All ranges of salaries or compensation herein above fixed shall be effective January 1, 2020. When an hourly rate is stated, payment shall be made on the basis of properly approved time sheets. All salaries shall be payable bi-weekly except for Council members, the Emergency Management Coordinator and the Elevator Subcode Official, who shall be paid quarterly.

Section 3. All Ordinances inconsistent with the Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect after final passage and in accordance with law.

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ADMINISTRATIVE AGENDA

Mayor Morris spoke to the following topics:

- Sewer Project:
 - Alpine Phase 1 was William Street, Shawn Street and Central Avenue
 - Alpine Phase 2 was Pine Street, Maple Avenue, Spruce Street and Coslett Street
 - Completed
 - 45 units will be added
 - Includes Delta Station, Rest-A-Bit, 2 lots next to Rest-A-Bit, Bagel Shop and the American Legion.
- The DPW will start Christmas lights.
- Town Holiday Plans:
 - With Governor's outdoor limit of 25 people changes the usual activities
 - Will do You Tube and Facebook live of Tree Lighting and record. Will provide the link so residents can watch.
 - Bought a backdrop with a Holiday scene on it.
 - Will be placed at the entry way of the Civic Center so residents can come and take pictures in front of it.
 - Confirming date, possibly December 13th, Santa will come to Town Hall and sit in the sleigh:
 - Will be roped off and people can come, talk to Santa and take pictures.
 - Weekend of December 18th, 19th and 20th Santa will be driven around the Town in the evening around 6-9 PM.
 - Going to send out a Swiftreach message to try and get every residence in Town to put out some type of lights in a unison effort to boost moral due to the year of COVID-19.
 - Christmas Light contest will take place.
- At the next Town Council Meeting should have an announcement of how the Budget landed.
 - Should be 5-7% under budget and did not have to borrow money as Governor authorized in order to manage shortfalls due to:
 - Mine Hill is tighter with spending
 - Accelerated Tax Sale, December 17th
 - Get to collect all our money in this calendar/fiscal year
 - Going into 2021 in pretty good shape.
- Working on a Sewer Master Plan with Paul Sterbenz.
 - Involves incorporating a trunk line down Route 46.
 - Everything west of Canfield Avenue is allowed to be sewerred.
 - Received an email from the DEP that it is a minor thing to get all of that included in the Service Sewered Area and sent to the RVRSA. RVRSA is fully open to the idea.
 - Will be in the process to purchase those gallons.

REPORTS OF COUNCIL LIAISONS

Community Committee

Mayor Morris mentioned:

- Already discussed earlier

Board of Education

Mr. Coranato reported that:

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- Brian Homeyer, Peter Bruseo elected to BOE for 3 Year Terms and Jennifer Antoncich elected for Unexpired 2 Year Term.
- School is on remote learning until January 19th.
- Annual State Assessment looking at a March thru June for the assessment if in school learning is taking place.
- Still working on facilities projects and updating the current list.
- One teacher expressed frustration over having to go into the school to do remote teaching when students are home since a couple of students tested positive to COVID-19.
 - The Superintendent assured the teachers the school was safe as they disinfected.
 - A decision was made to keep remote learning until January 19, 2021.
- On December 21, 2020 Board of Ed doing a State required mandatory training self-assessment.

Fire

Mr. Willis reported that:

- No major fires, only a few minor alarms
- Fire at Nationwide this evening.

First Aid

Ms. Kanzenbach reported:

- There is going to be a meeting next week.

Police

Ms. Giordano explained there was no report to give this evening as she provided it last meeting.

Open Space Committee

Mr. Bloom reported:

- There was no meeting because it got darker earlier
- A Zoom Meeting will be set up going forward
- They are building a couple of new backtrails and they are getting a lot of use.

Planning Board

Mr. Willis reported:

- There is a meeting this Monday night, December 7, 2020 at 7:00 PM.

CDBG

Ms. Kanzenbach reported:

- Presentations are due January 8, 2021.
 - If they meet criteria then they will meet in February for presentations.

Municipal Court

Mayor Morris reported:

- The contract was renewed and reset to original number.

Library

No report.

Bridget Smith House

No report

Seniors

Not meeting

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INTRODUCTION OF ORDINANCES

a. Ordinance 22-20 An Ordinance Authorizing The Acquisition of Certain Real Property Known As Block 812, Lot 10, More Commonly Known As 2 Shawn Street, In The Township of Mine Hill, County of Morris and State of New Jersey

After a brief discussion a motion was made by Mr. Bloom and seconded Ms. Kanzenbach to approve the Introduction of Ordinance 22-20. Seeing no further discussion, the roll was called, and the motion was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 812, LOT 10, MORE COMMONLY KNOWS AS 2 SHAWN STREET, IN THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to acquire by purchase Lot 10 in Block 812, the entire property more commonly known as 2 Shawn Street, Mine Hill, New Jersey; and

WHEREAS, this acquisition will cost the Township of Mine Hill the sum of \$25,000.00, not including closing costs;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, as follows:

- Section 1. The Township of Mine Hill hereby authorizes the Mayor and Township Clerk to execute a Contract for Sale of Real Property and/or such documents to affect the transfer and acquisition by the Township of Block 812, Lot 10, more commonly known as 2 Shawn Street in the Township of Mine Hill for the sum of \$25,000.00, not including closing costs, which amount will be paid from the Township’s Sewer Utility Fund.
- Section 2. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance
- Section 3. No debt is to be authorized by the enactment and passage of this ordinance. The Township shall fund this transaction through its Sewer Utility Fund.
- Section 4. All ordinances of the Township of Mine Hill, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- Section 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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Section 6. This Ordinance shall take effect upon final passage and publication as required by law.

CONSENT RESOLUTIONS

None

NON-CONSENT RESOLUTIONS

a. Resolution 160-20 – Appointing Paul DiPrimo Electrical Subcode Inspector

After a brief discussion a motion was made by Mr. Bloom and seconded by Mr. Coranato to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the position of Electrical Subcode Inspector is presently vacant; and

WHEREAS, the Township Council finds that it would be appropriate to fill the position of Electrical Subcode Inspector at this time and desires to appoint Paul DiPrimo and provide for a salary for the position starting on November 17, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, as follows:

1. The Township Council appointments Paul DiPrimo as Electrical Subcode Inspector for the Township of Mine Hill effective November 17, 2020.
2. An annual salary of \$11,768.20 shall be paid to Mr. DiPrimo for this position.
3. This Resolution shall take effect immediately.

b. Resolution 161-20 – Removing Block 503, Lot 21 from the Tax Sale List

After a brief discussion a motion was made by Ms. Kanzenbach and seconded by Mr. Bloom to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, John W. Lowe and Rose J. Lowe, the owners of property located in the Township of Mine Hill and known as Block 503, Lot 21 timely mailed a check to the Township for payment of taxes due and owing; and

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WHEREAS, Mr. and Mrs. Lowe were subsequently notified that the check they mailed was not received by the Tax Collector and their property was included on the tax sale list; and

WHEREAS, they have subsequently paid the outstanding balance and taxes on the property are now paid in full; and

WHEREAS, the Township Council finds that as a result of the unusual circumstances interest, fees, and costs of sale should be waived in this case

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that interest (\$11.97), fees, and costs of sale (\$62.96) as a result of the delinquent taxes on Block 503, Lot 21 shall be waived and the Tax Collector is authorized to accept the payment received by regular check and remove the property from the tax sale list.

This Resolution shall take effect immediately.

c. Resolution 162-20 – Award Contract for Construction Materials for Water Works, Sewer, Storm Drainage and Erosion Control System

After a brief discussion a motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the Township of Mine Hill has a need to acquire, Construction Materials for Water Works, Sewer, Storm Drainage and Erosion Control Systems as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Purchasing Department has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year retroactive to January 1, 2020; and,

WHEREAS, Brent Material Company has submitted a proposal for goods and services since January 1, 2020 indicating they will provide Construction Materials for Water Works, Sewer, Storm Drainage and Erosion Control Systems for above the threshold of \$17,500; and,

WHEREAS, Brent Material Company has completed and submitted a Business Entity Disclosure Certification which certifies that Brent Material Company has not made any reportable contributions to a political candidate committee in Township of Mine Hill's elected officials in the previous one year, and that the contract will prohibit Brent Material Company from making any reportable contributions through the term of contract, and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, as follows:

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1. Authorizes the Finance and Purchasing Department to enter a contract with Brent Material Company and the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.
2. This Resolution shall take effect immediately

d. Resolution 163-20 – Award Contract for Heavy Truck Repairs

After a brief discussion a motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the Township of Mine Hill has a need to acquire, Heavy Truck Repairs, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Purchasing Department has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year retroactive to January 1, 2020; and,

WHEREAS, Nationwide Truck Repair Center, Inc. has submitted a proposal for goods and services since January 1, 2020 indicating they will provide Heavy Truck Repairs for above the threshold of \$17,500; and,

WHEREAS, Nationwide Truck Repair Center, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Nationwide Truck Repair Center, Inc. has not made any reportable contributions to a political candidate committee in Township of Mine Hill’s elected officials in the previous one year, and that the contract will prohibit Nationwide Truck Repair Center, Inc. from making any reportable contributions through the term of contract, and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, as follows:

1. Authorizes the Finance and Purchasing Department to enter a contract with Nationwide Truck Repair Center, Inc. and the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.
2. This Resolution shall take effect immediately.

e. Resolution 164-20 Developers Agreement/106 Hurd Street

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After a brief discussion a motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the Developer is the owner of land identified on certain site plan and/or subdivision plan and hereto made a part hereof and referenced as generally described as follows:

Block 2004 Lots 1, with an address of 106 Hurd Street in the MFIC-1 Zone; and

WHEREAS, the Developer was granted approval by a duly constituted approving authority of the Township to construct in accordance with the aforesaid plans, which approval is memorialized in the Resolution of the Township of Mine Hill Planning Board (the "approving authority") granting Preliminary and Final Major Site Plan Approval, pursuant to Resolution #009-20, which resolution was adopted by the approving authority at their meeting of August 17, 2020; and

WHEREAS, the Developer desires to comply with the terms and conditions of such approval; and

WHEREAS, the Township of Mine Hill and the developer have agreed to enter into a Developer's Agreement which agreement would provide for the completion of various improvements and obligations required by the approvals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that the appropriate municipal officials are hereby authorized to execute a Developer's Agreement between the Township of Mine Hill and 106 Hurd Street, LLC in the form attached hereto. The Township Engineer and Township Attorney are authorized to finalize the approved estimate for improvements for insertion into the agreement as Exhibit A

f. Resolution 165-20 Sale of Municipal Personal Property to Wharton Police Department (Ambulance)

After a brief discussion a motion was made by Mr. Bloom and seconded by Mr. Coranato to approve the resolution. Seeing no further discussion, the roll was called, and the resolution was approved by the following vote:

	Aye	Nay	Absent	Abstain
Mr. Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Coranato	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Giordano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Kanzenbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the Township of Mine Hill has determined that certain personal property as described below is no longer needed for public purposes; and

WHEREAS, per N.J.S.A. 40A:11-36 the Township of Mine Hill does not need to advertise for bids when it makes any such sale to the United States, the State of New Jersey, another contracting unit, any politic to which it contributes tax raised funds, any foreign nation which has diplomatic relations with the United States, or any governmental unit with the United States.

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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, as follows:

- Section 1. The 1996 Ford E30 Ambulance is hereby declared to be surplus, no longer needed for public purposes;
- Section 2. The Qualified Purchasing Agent will not need to advertise per N.J.S.A. 40A: 11-36 as this is going to another contracting unit;
- Section 3. The surplus 1996 Ford E30 Ambulance shall be transferred to the Borough of Wharton and the Mayor Borough Clerk are hereby authorized to transfer title of the vehicle to the Borough of Wharton.

OLD AND NEW BUSINESS

a. Mayor to discuss Storm Water subject:

- May be creating a Stormwater Utility in the New Year
 - Will be funded from Current Funds
 - Have to have bicycle safe grates
 - Have to have backing plates
 - Nets to catch plastic
 - No new taxes for it
 - Matter of moving funds from one place to another
 - Will make us eligible to apply for grants/funds.

b. CDRS Committee Appointments Program Year 2021:

- Mayor Morris and the Governing Body appointed Ms. Kanzenbach as the representative and Mr. Willis as the alternate.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

The floor was open to the Public.

- Mr. Lundeen said hello to the Council and wished them Happy Holidays and Council wished them back.
- Mayor Morris congratulated Senator Bucco and Assemblywoman Dunn on their wins. Council expressed their congratulations as well.

Being there were no questions or comments from the Public or Council, the floor was closed to the Public.

ADJOURNMENT

There being no further business, a motion was made by Mr. Coranato and seconded Mr. Bloom to adjourn the meeting at 7:48 PM. The motion was approved by a voice vote.

Respectfully Submitted,

Marcia H. Istvan, CMR
Mine Hill Acting Municipal Clerk